



**Todd & Weld** LLP

## Ian J. Pinta

Partner

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### **Business litigation clients rely on Ian Pinta to succinctly assess their claims and defenses and provide sound legal advice to help them make informed business and litigation decisions.**

Ian Pinta, a partner at the firm, has extensive trial and appellate court experience in a wide range of business and general litigation cases. With a background in mathematics and business, Mr. Pinta deploys the same analytical rigor in helping clients address and resolve their legal disputes. He collaborates with clients to fully understand their objectives and to assess the most effective, efficient manner of achieving favorable litigation results.

Mr. Pinta's clients include a large New England auto dealership, an international software company, a national bank, an international energy company, and real estate developers and restaurateurs. He routinely litigates matters concerning contracts, shareholder and partnership disputes, breaches of fiduciary duty, and class actions.

Recent notable accomplishments of Mr. Pinta include:

- Persuaded a U.S. District Court judge in a case of first impression to retain jurisdiction over a contractual dispute involving the dredging of a harbor rather than dismiss or transfer the case on jurisdictional grounds to the U.S. Court of Federal Claims, as the primary purpose of the contract was to facilitate maritime commerce, which, by federal law, is an admiralty claim properly in federal district court.
- Persuaded a Massachusetts Superior Court judge to grant summary judgment to an auto dealership dismissing a consumer protection complaint related to a dispute over repairs to a vehicle damaged while in the dealership's possession and subsequent negotiations over a potential replacement vehicle.

- Obtained a \$551,000 jury verdict on behalf of a company against its former CEO and CFO after a four-day trial. The jury found that the defendant breached his fiduciary duty to the company by causing it to make unauthorized payments to him personally for his personal taxes on fringe benefits over an eight-year period.

## Practice Areas

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- Business Litigation
- Appellate Litigation

## Representative Results

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- Persuaded a U.S. District Court judge in a case of first impression to retain jurisdiction over a contractual dispute involving the dredging of a harbor rather than dismiss or transfer the case on jurisdictional grounds to the U.S. Court of Federal Claims, as the primary purpose of the contract was to facilitate maritime commerce, which, by federal law, is an admiralty claim properly in federal district court.
- Persuaded a Massachusetts Superior Court judge to grant summary judgment to an auto dealership dismissing a Chapter 93A complaint related to a dispute over repairs to a vehicle damaged while in the dealership's possession and subsequent negotiations over a potential replacement vehicle.
- Successfully obtained a \$551,000 jury verdict on behalf of a company against its former CEO and CFO after a four-day trial. The jury found that the defendant breached his fiduciary duty to the company by causing it to make unauthorized payments to him personally for his personal taxes on fringe benefits over an eight-year period.
- Successfully obtained a defense verdict on behalf of an automotive dealership group that allegedly violated the Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227. The plaintiff alleged that the dealership group violated the TCPA by calling him multiple times using an automatic telephone dialing system (ATDS or autodialer) without his prior consent. After trial in Massachusetts state court, the court entered judgment for the dealership group and against the plaintiff.
- Successfully obtained a decision from the Massachusetts Appeals Court affirming summary judgment dismissing claims against a lawyer and his law firm for an alleged misrepresentation during a mediation. The Appeals Court's decision was particularly noteworthy as it decided two issues of first impression: (1) Massachusetts does not recognize a fraud exception to the confidentiality provisions provided by the mediation statute or a mediation agreement; (2) waiver of the attorney-client privilege for one or more jointly represented clients requires waiver by all clients.
- Successfully obtained summary judgment on behalf of a real estate investment firm that was alleged to have aided and abetted alleged breaches of fiduciary duty and a non-compete agreement.
- Successfully defended sales representatives against their former employer, DePuy Spine, Inc., a subsidiary of Johnson & Johnson, which filed a motion for preliminary injunction seeking to prevent the sales

representatives from joining a competing medical device distributor. The Superior Court denied the motion for preliminary injunction, thus allowing the sales representatives to continue practicing for the competitor.

- Successfully defended a lawyer and his law firm in a contempt action where they allegedly violated a court order that enjoined their client from transferring funds except in the ordinary course of business. After a full evidentiary hearing, a Massachusetts Superior Court judge found that the lawyer and law firm did not violate the court order and dismissed the contempt complaint. Mr. Pinta also successfully defended the appeal where the Massachusetts Appeals Court not only affirmed the dismissal of the contempt complaint, but also awarded the lawyer and the law firm their appellate attorneys' fees and costs.
- Secured a substantial settlement on behalf of a former general manager of an international clothing retailer that terminated the general manager's employment after she reported workplace health and safety issues to the Occupational Safety and Health Administration.
- Successfully defended an international manufacturer and distributor of consumer electronics against patent, trademark, and copyright infringement claims. A federal District Court judge in Massachusetts denied the plaintiff's motion for preliminary injunction seeking to prevent the defendant from continuing to manufacture and sell products, and Mr. Pinta secured a favorable settlement for his client soon thereafter.
- In an Ohio lawsuit, secured a substantial settlement on behalf of a national air conditioning manufacturer that alleged that a supplier provided defective internal components.

## Experience

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- Todd & Weld LLP, 2012-present
- Adler Cohen Harvey Wakeman & Guekguezian, LLP, 2007-2012
- Massachusetts Appeals Court, Law Clerk to the Hon. R. Marc Kantrowitz, 2006-2007

## Bar Admissions

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- Massachusetts
- New York
- U.S. District Court, Massachusetts

## Education

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- Suffolk University Law School (J.D., *cum laude*, 2006)
- Washington University in St. Louis (B.S. B.A., 2003)

## Professional Activities

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- Massachusetts Bar Association
- Boston Bar Association

## Publications/Presentations

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- MCLE, Presentation on Proving Attorneys' Fees in Litigation, May 2019

## Honors and Awards

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- Named to Massachusetts *Super Lawyers* for Business Litigation, 2022-2024
- Named by *Super Lawyers* to Massachusetts Rising Stars for Business Litigation, 2013-2021
- Suffolk Jurisprudence Award
- First Year Best Brief Award, Legal Practice Skills
- First Year Best Oral Advocate Award, Legal Practice Skills

## In the Community

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- Contributing Author, "Massachusetts Guide to Evidence"

## News & Insights

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- Ian Pinta offers analysis of ABA ethics opinion on witness preparation
- 30 Todd & Weld attorneys named 2022 Massachusetts Super Lawyers and Rising Stars
- Ian Pinta comments in news article on judge's denial of attendance at deposition
- 30 Todd & Weld attorneys named 2021 Massachusetts Super Lawyers and Rising Stars
- 30 Todd & Weld attorneys named 2020 Massachusetts Super Lawyers and Rising Stars
- 31 Todd & Weld attorneys named 2019 Massachusetts Super Lawyers and Rising Stars
- Ian Pinta to present on proving attorneys' fees in litigation
- 30 Todd & Weld attorneys named 2018 Massachusetts Super Lawyers and Rising Stars
- Law360 reports on ESOP legal malpractice complaint filed by firm
- Ian Pinta elected to partnership at Todd & Weld LLP
- 24 Todd & Weld attorneys named 2017 Massachusetts Super Lawyers and Rising Stars

## Results

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- Judge allows \$37.5M Encore Casino fraud suit to proceed to trial
- Tyler Chapman, Ian Pinta persuade judge to impose monetary sanction against opposing parties, lawyer for bad faith filing
- Doctor's whistleblower complaint time-barred
- Firm obtains first impression jurisdictional win for client