



**Todd & Weld** LLP

## Matthew S. Furman

Partner

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### **Matt Furman is a civil litigator and trial lawyer who helps clients resolve complex, high-profile disputes.**

With more than a decade of experience handling sophisticated real estate, business and employment disputes, Matt Furman, a partner at the firm, represents landowners and developers, businesses and employers. Matt's approach to representing his clients begins by consistently focusing on their big picture goals. In developing a case strategy, be it aggressive or practical, he strives to reflect what really matters to them.

Matt regularly tries cases to judges and juries in Massachusetts courts, including the Superior Court's Business Litigation Session and the Land Court. In addition, he has represented parties in appeals before the Massachusetts Supreme Judicial Court, the Massachusetts Appeals Court, and the 1st U.S. Circuit Court of Appeals.

Matt has been instrumental in securing several high-stakes, high-profile victories. For example, he obtained a defense judgment following a bench trial dismissing an adverse possession claim as to commercial property owned by the firm's client. The plaintiff previously owned the full parcel adjoining the client's property but conveyed the parcel to a condominium in 2004 – during the 20-year adverse possession period – retaining ownership of one of two units (buildings) on the parcel and a corresponding percentage interest in the common area.

A Massachusetts Superior Court judge ruled that under Massachusetts statutory law only the condominium association had the authority to pursue a claim for adding property to the common areas. The judge also determined that the plaintiff could not seek to tack on open and notorious acts of possession of the disputed parcel from prior to the creation of the condominium in 2004 – necessary to meet the 20-year period – as any tacking rights were conveyed to the condominium when it was created.

An active member of several bar associations, Matt serves on the Boston Bar Association's Business and Commercial Litigation Steering Committee and is a frequent contributor to *REBA News*, the newspaper of the Real Estate Bar Association.

## Practice Areas

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- Business Litigation
- Real Estate Litigation
- Construction Management and Litigation
- Employment Law and Litigation
- Appellate Litigation

## Representative Results

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### Real Estate and Business Litigation

- Obtained a defense judgment following a bench trial in Massachusetts Superior Court dismissing an adverse possession claim as to commercial property owned by client
- Persuaded a Massachusetts Land Court judge to affirm broad easement rights for full access to clients' property via a driveway that crisscrosses the boundary lines of several subdivided parcels
- Defeated a preliminary injunction request allowing client to proceed with its long-planned historic building renovation
- Persuaded a Massachusetts Superior Court judge to deny a hotel operator's preliminary injunction request in a lease dispute with the property owner (the firm's client) based on the operator allowing the property to fall into disrepair
- Persuaded judge to impose \$22,000 per month interim use and occupancy fees on alleged trespasser after two-day trial during summary process action
- Successfully moved to dismiss municipal challenge to initial project eligibility determination made on Chapter 40B affordable housing project
- Obtained defense judgment following bench trial in Massachusetts Superior Court dismissing commercial landlord's claims against president of corporate tenant individually for unpaid rent, fees and penalties
- Persuaded a Massachusetts Land Court judge to issue preliminary injunction and summary judgment in favor of burdened property owner in easement dispute
- Authored amicus brief to Supreme Judicial Court as it considered reaffirming long-standing easement rule and had reasoning adopted in subsequent decision
- Obtained dismissal of claims against Arizona company sued in federal court in Boston on jurisdictional grounds, which the 1st U.S. Circuit Court of Appeals affirmed

### Employment Litigation

- Part of team of attorneys who prevailed at Supreme Judicial Court defending Boston's taxicab medallion owners sued by class of drivers for employee misclassification and resulting wage and hour violations
- Successfully defended employer in arbitration over former employee's wrongful termination claims

### **Probate Litigation**

- Played significant role in securing a \$4.8 million jury verdict in Providence Superior Court on behalf of two estates seeking the return of inheritance money in an investment account

### **Experience**

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- Todd & Weld LLP, 2017-present
- Tarlow Breed Hart & Rodgers, P.C., (2009, 2010-2017)
- Judicial Intern, Worcester County Superior Court (2008)

### **Bar Admissions**

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- Massachusetts
- U.S. District Court, Massachusetts
- U.S. Court of Appeals, First Circuit

### **Education**

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- Suffolk University Law School (J.D., 2010) Moot Court Honor Board; Winner of Best Oral Advocate Award; Jurisprudence Award in Antitrust; Editor, Suffolk Journal of Trial and Appellate Advocacy
- Syracuse University (B.A., *magna cum laude*, 2006)

### **Professional Activities**

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- Real Estate Bar Association, Member, Litigation Section, Land Use and Zoning Law Section, and Commercial Leasing Section
- Boston Bar Association, Member of Business and Commercial Litigation Steering Committee
- Massachusetts Bar Association, Member of Business Law Section Council (2010-2013)

### **Publications/Presentations**

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- Presenter, "Rights of First Refusal," Boston Bar Association webinar, April 2024
- Presenter, "The Massachusetts Lis Pendens Statute," Boston Bar Association webinar, April 2023
- MCLE Presenter, 22nd Annual Business Litigation Conference, "Preserving, Searching for, and Discovering Key Evidence," February 2023
- "Discerning the Meaning of 'Clear Proof' in Adverse Possession and Prescription Cases," REBA News, March 2022

- "Claims to reform don't necessarily accrue on recording," REBA News, September 2020
- Presenter, Litigating Employment Cases: Recent Trends and Rule Changes, Boston Bar Association, June 2019
- MCLE Presenter, General and Affinity Bar Associations Panel as part of Practicing and Professionalism Program (2018)
- "Even after 'Taylor,' difficult litigation will persist," REBA News, September 2017
- "Chapter 93A's Hannon Right Becomes the Latest Casualty of Arbitration Supremacy," Massachusetts Law Review, Vol. 96, No. 3 (April 2015)
- "How Chapter 93A Consumers Lost Their Day in Court: One Legislative Option to Level the Playing Field," Suffolk Journal of Trial & Appellate Advocacy, Vol 15 (May 2010)
- Presentation, "An Overview of Chapter 93A," Bentley University, Consumer Law (2013)
- Co-Chair, Massachusetts Bar Association's Lifecycle of a Business Series (2011-2013)

## Honors and Awards

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- Named to *Best Lawyers in America*, Commercial Litigation, 2025
- Named to *Best Lawyers in America: Ones to Watch* for Commercial Litigation; Litigation – Real Estate, 2023-2024
- Named to Massachusetts *Super Lawyers* for Business Litigation, 2024
- Named by *Super Lawyers* to Massachusetts Rising Stars for Business Litigation (2012, 2019-2023)

## In the Community

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- Friends of Hebrew SeniorLife, Board of Directors (2012-2016)
- Syracuse University Alumni Club of Boston
- Trustee, 14-unit condominium association (2016-2021)

## News & Insights

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- Matt Furman to present webinar on rights of first refusal
- Matt Furman offers insights in news article on right of first refusal decision
- Matt Furman elected to partnership at Todd & Weld LLP
- Matt Furman to present on Massachusetts lis pendens statute
- Matt Furman to present at MCLE's 22nd Annual Business Litigation Conference
- 30 Todd & Weld attorneys named 2022 Massachusetts Super Lawyers and Rising Stars
- Eight Todd & Weld attorneys recognized in 2023 Best Lawyers: Ones to Watch in America
- Matt Furman in article examines meaning of 'clear proof' in MA adverse possession, prescription cases
- 30 Todd & Weld attorneys named 2021 Massachusetts Super Lawyers and Rising Stars

- 30 Todd & Weld attorneys named 2020 Massachusetts Super Lawyers and Rising Stars
- Matt Furman in published article analyzes the timely filing of deed reformation claims
- 31 Todd & Weld attorneys named 2019 Massachusetts Super Lawyers and Rising Stars
- Matthew Furman to present on litigating employment law cases
- \$4.8M jury verdict obtained by Nick Carter, Matt Furman featured in RI Lawyers Weekly
- Matthew Furman in REBA News article tackles tough easement litigation questions following SJC decision
- David Rich quoted in Boston Globe on firm's suit against CVS
- Matthew Furman joins Todd & Weld as an associate

## Results

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- Judge allows putative class action to proceed against condo association for imposing 'resale fees' against unit sellers
- Appellate court awards \$600K in back rent to luxury hotel and possession of leased premises; orders hearing on additional damages
- Housing Court judge bars dangerous tenant from accessing apartment pending outcome of eviction proceeding
- Firm obtains summary judgment win in dispute over real estate purchase and sale agreement
- Firm obtains judgment defeating adverse possession claim
- Firm obtains judgment defeating adverse possession claim
- Housing Court imposes 'use and occupancy' fees on alleged trespasser
- Firm persuades Land Court judge to affirm broad easement rights for clients
- Nick Carter, Matt Furman defeat preliminary injunction request in commercial lease dispute
- Nick Carter, Matt Furman obtain \$4.8M jury verdict in elder abuse case