



Gregory R. Youman

Partner

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OVERVIEW

Gregory Youman has nearly two decades of experience in a variety of complex commercial litigation, including business disputes, product liability, toxic tort, insurance coverage, professional liability and real estate matters. Throughout his legal career, Gregory has worked closely with in-house legal teams to evaluate and implement case strategy, as well as to address day-to-day procedural matters, which has given him a well-rounded, strategic, and practical perspective on overall case development and management throughout all phases of litigation.

Gregory is an experienced member of the national trial team defending an equipment manufacturer against asbestos exposure claims around the country, and has served as trial counsel in actions in Massachusetts, New York and California. Gregory also serves as the National Coordinating Counsel for a Massachusetts-based equipment manufacturer, defending it against asbestos exposure claims throughout the country. In addition to his role as national defense counsel, Gregory serves as lead local counsel in Massachusetts defending against asbestos exposure claims on behalf of clients engaged in a variety of industries, including manufacturers of electrical equipment, fluid control devices and residential and commercial construction products. As part of his role as defense counsel in product liability and toxic tort litigation matters, Gregory has become a trusted advisor to clients' corporate witnesses, and he also frequently works with expert witnesses regarding industrial hygiene, Navy procurement, and medical diagnosis and treatment, establishing strong working relationships that benefit the client's overall defense strategy.

Gregory also has an extensive background in general commercial and real estate litigation, having successfully represented national and local banks in connection with contract and lender liability claims, as well as real estate developers in construction, zoning, leasing and partnership disputes. Among other successes, Gregory won summary judgment on behalf of a Nantucket-based real estate developer, over the objections of abutters, facilitating the construction of a residential cluster subdivision on a parcel of formerly commercial property, and obtained a preliminary injunction in favor of the founding member of a religious institution preventing the institution from altering the name of the main sanctuary.

In addition to his commercial litigation practice, Gregory maintains a practice in the insurance coverage area. In this area, he has represented a variety of policyholders including lending institutions, privately held corporations, non-profits, and quasi-governmental entities. Among other successes, Gregory represented the Rhode Island

Resource Recovery Corporation (RIRRC) in connection with insurance claims arising out of fraud committed by former board members and others at its landfill. After initiating several lawsuits, RIRRC secured multi-million dollar settlements from a variety of sources, including the corporation's former D&O policy and its commercial crime policies. Gregory also was involved in the representation of the Massachusetts Turnpike Authority against property insurers to successfully recover repair costs associated with the ceiling collapse in the Central Artery and Third Tunnel Project, or "Big Dig" project in Boston. In addition, Gregory has experience counseling clients in connection with insurance coverage issues, including providing advice to clients regarding directors and officers (D&O) policies, errors and omissions (E&O) policies, and commercial general liability policies.

Gregory has wide-ranging experience in alternative dispute resolution, including having won arbitrations (including attorneys' fees) before the American Arbitration Association on behalf of a national paint manufacturer, and on behalf of a condominium developer before a JAMS arbitrator.

Gregory also serves as a board member and Pro Bono counsel for Angel Flight Northeast, a non-profit organization of volunteer pilots that provides patients with free air transportation for medical care.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, LLP, Gregory served as a law clerk to the Justices of the Massachusetts Superior Court from September 2000 to August 2001.

PROFESSIONAL / CIVIC ACTIVITIES

- Massachusetts Board of Bar Overseers: Hearing Committee Member (3 year appointment in February 2012)
- Board Member and primary outside pro bono counsel for Angel Flight Northeast

SPEAKING ENGAGEMENTS

- "Participation Loans and Co-Lending Agreements," prepared for *Massachusetts Bankers Association*, December 19, 2002 (with Stanley V. Ragalevsky and Sean P. Mahoney)

EDUCATION

- J.D., Boston University School of Law, 2000 (*Topics Editor, Boston University Public Interest Law Journal*)
- B.A., Tufts University, 1997 (*magna cum laude*)

ADMISSIONS

- Bar of Massachusetts
- Bar of New York
- United States Court of Appeals for the First Circuit

- United States District Court for the District of Massachusetts

THOUGHT LEADERSHIP POWERED BY HUB

- 15 October 2020, Responding to Third Party Subpoenas (*Alerts/Updates*)
- 9 September 2020, "Fair Market Value" Does Not Mean "Fair Market Retail Value": The Impact of Williams and Dellorusso on Repossession in Massachusetts (*Alerts/Updates*)
- 21 April 2020, COVID-19: Attention Massachusetts Mortgagees - New State Legislation Impacting Foreclosure Rights (*Alerts/Updates*)
- 14 March 2016, You Can't Always Get What You Want: Parties Cannot Change Scope of Judicial Review of Arbitration Awards Under Massachusetts Uniform Arbitration Act for Commercial Disputes (*Alerts/Updates*)

OTHER PUBLICATIONS

- Expert Procedure: Discovery and Deposition Expert Witness Answer Book 2012, February 2012 (updated 2019)

AREAS OF FOCUS

- Complex Commercial Litigation and Disputes
- Insurance Recovery and Counseling
- Investigations, Enforcement, and White Collar
- Mass Tort
- Product Liability
- White Collar Crime

REPRESENTATIVE EXPERIENCE

- Served as counsel to West Virginia University in litigation involving its decision to withdraw from the Big East Conference. The action resolved successfully following mediation and the University was able to join the Big 12 Conference for the 2012-2013 football season. *The Big East Conference v. West Virginia University*, Providence Superior Court, Rhode Island, CA PB-11-6391.
- Obtained judgment on behalf of an electrical equipment manufacturer against claims for contribution and indemnity in a multi-party construction litigation on grounds that all claims against the client were barred by the Massachusetts Statute of Repose. *City of Lawrence v. Travelers Casualty and Surety Co. of America, et al.*, Essex Superior Court, CA 12-2044.

- Won summary judgment on behalf of a Nantucket-based real estate developer, over the objections of abutters, facilitating the construction of a residential cluster subdivision on a parcel of formerly commercial property. *Copeland v. Town of Nantucket, et al.*, Nantucket Superior Court, CA 07-0012, affirmed on appeal, 74 Mass. App. Ct. 1123 (2009).
- Won summary judgment for Rhode Island Resource Recovery Corporation (“RIRRC”), the quasi-public agency responsible for solid waste disposal for the State of Rhode Island, in connection with a professional malpractice claim against RIRRC’s former investment adviser. The win in court resulted in a favorable settlement for the client. *RIRRC v. Van Liew Trust Co., et al.*, Providence Superior Court, Rhode Island, CA PB-10-4503.
- Secured a favorable judgment and attorneys’ fees in AAA arbitration on behalf of a national paint manufacturer in an action involving breach of its dealer agreement. *Southern Diversified Products, LLC v. DDK Industries d/b/a Opera Paints*, AAA Arbitration, Hattiesburg, Mississippi, Case No. 69 155 E 00152 09.
- Successfully advocated on behalf of a suspended attorney before a hearing committee of the Massachusetts Board of Bar Overseers, obtaining reinstatement of the attorney’s law license following a two-day trial.
- Serves as Board Member and Pro Bono counsel for Angel Flight Northeast, a non-profit organization of volunteer pilots that provides patients with free air transportation for medical care.
- Won summary judgment in favor of an equipment manufacturer on grounds that an equipment manufacturer is not liable for after-installed components (gaskets, packing, insulation) that it did not manufacture or sell. *Whiting v. Alfa Laval, Inc., et al.*, Middlesex Superior Court, Massachusetts, CA 08-1825, affirmed on appeal, 83 Mass. App. Ct. 1113 (2013).