



Damien Powell

PRACTICE AREA: LITIGATION

Damien C. Powell is a partner in the Litigation department. Since joining the firm in 2006, Damien has represented individuals and businesses in a wide variety of complex civil and white-collar criminal matters before state and federal courts, and administrative agencies.

Damien's civil practice focuses on complex business litigation, and includes representing clients in disputes involving business torts, breach of contract, antitrust violations, and employment-related disputes. In his criminal practice, Damien defends executives, corporations, and professionals in government investigations and litigation involving white-collar crimes. A portion of Damien's practice also involves representing doctors, lawyers and students in disciplinary, licensing, and regulatory proceedings. Prior to joining the firm, Damien served as a law clerk to the Justices of the Massachusetts Superior Court.

AWARDS & RECOGNITIONS

Massachusetts Super Lawyer, 2017-2018*

Massachusetts Super Lawyers, Rising Star, 2014-2015*

Massachusetts Lawyers Weekly Up & Coming Attorney, 2014

PROFESSIONAL BACKGROUND

Law Clerk for the Justices of the Massachusetts Superior Court (2005-2006)

EDUCATION

Suffolk University Law School, J.D., magna cum laude, 2005

Production Editor of the Suffolk University Law Review

Denison University, B.A., Political Science, 2000

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PRESENTATION AND PUBLICATIONS

Chair, "Emerging Issues in Discovery Practice," MCLE (2018)

Chair, "Emerging Issues in Discovery Practice: Social media is exploding—harness its power," MCLE (2017)

Panelist, "Healthcare Fraud 2016: Government and Defense Perspectives," Boston Bar Association (2016)

Moderator, "Drafting and Answering Complaints," Boston Bar Association (2016)

Panelist, "Summer Success Guide for Law Clerks," Boston College Law (2016)

Panelist, "Responding to Government Subpoenas," Boston Bar Association (2015)

Panelist, "Careers in Healthcare Law," Boston College Law (2014)

COURT / BAR ADMISSIONS

Massachusetts

U.S. District Court for the District of Massachusetts

SERVICE AREAS

Bank fraud; Mail and wire fraud; Mortgage fraud; Tax fraud; Healthcare fraud; Pharmaceutical marketing/Kickbacks/Off label; Public corruption; Foreign Corrupt Practices Act; Internal investigations; Professional licensing and disciplinary cases (physicians, attorneys, CPAs, licensed or regulated professionals); Business tort; Healthcare whistleblower claims; Construction and real estate litigation; Commercial litigation; Intra-family disputes; SEC civil cases; Contract disputes; Investor vs. stock broker; Unfair and deceptive trade practices (Chapter 93A); Noncompetition agreements; Employment disputes/discrimination/retaliation

INDUSTRIES

Professional services; Privately held corporations; Biomedical & pharmaceutical companies; Elder care providers; Home/ hospice care; Hospitals; Providers; Non-profit organizations; Colleges/universities; Professional societies & associations

PROFESSIONAL MEMBERSHIPS

Massachusetts Bar Association

Boston Bar Association

CIVIC & CHARITABLE ACTIVITIES

Pro bono representation of prisoner in a federal civil rights litigation

Volunteer for Massachusetts Bar Association Dial-a-Lawyer Program

Former Guardian ad Litem in Suffolk Juvenile Court



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TESTIMONIALS

- “There could not have been a better person to take on my case and the list of things that I am thankful to you for is far too long to list. However, if I were to pick the first things that come to mind, thank you for your knowledge, your patience, your humor, and your support. Thank you for playing the primary role in getting me through an incredibly terrifying situation and making it possible for me to rebuild my career.” - Health care professional, charges dismissed.
- “I can’t thank you enough for everything you’ve done for me. Your assistance has been immeasurable during these past months. ... The advice you gave me and all your help were instrumental to achieving the successful result. ... You’ve had an incredible impact on my life and I hope to someday be as competent in my job as you.” - College student, discipline avoided.

*The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found at http://www.superlawyers.com/about/selection_process.html. No aspect of this advertisement has been approved by the Supreme Judicial Court of Massachusetts.



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REPRESENTATIVE MATTERS

- successfully settled a wide-ranging federal false claims investigation against a skilled nursing company.
- spearheaded internal investigation for public company's special litigation committee of alleged Foreign Corrupt Practices Act violations.
- obtained dismissal of all civil claims against drug manufacturer in commercial contract litigation.
- persuaded federal prosecutors not to bring charges against attorney in a fraud investigation.
- obtained dismissal of Medicaid Fraud charges against healthcare professional.
- successfully represented numerous executives from pharmaceutical and device manufacturing companies in wide-ranging federal investigations.
- secured favorable disposition of probation for client charged with multiple counts of insurance fraud.
- member of trial team that represented client in sixteen-day trial and won significant appeal in Big Dig criminal case.
- member of trial team that successfully represented clients in four-week breach of contract jury trial resulting in a \$2M verdict.
- successfully represented numerous college and graduate students in university disciplinary proceedings.
- obtained injunction and secured favorable settlement for pro bono client in federal civil rights litigation.