

Ian J. Gemmell

Associate

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Practices

Drug and Medical Device
Litigation
FDCPA/FCRA/TCPA Defense
Premises Liability and Tort
Defense
Professional Liability Litigation

Bar Admissions

Commonwealth of
Massachusetts
State of Connecticut
State of New Jersey
United States District Court for
the District of Connecticut
United States District Court for
the District of Massachusetts
United States District Court for
the District of New Jersey

Education

Suffolk University Law School,
J.D., *cum laude*, 2010
Bates College, B.A., 2003

Overview

Ian's civil litigation and trial practice focuses on the defense of professional and premises liability claims. His experience includes representing clients involving complaints by professional review boards such as the Board of Bar Overseers, product liability defense, insurance coverage litigation, and defense of fair debt collection and fair credit reporting claims. Representative clients include attorneys, real estate agents, real estate appraisers, architects, engineers, accountants, property management and ownership entities, debt collection agencies, and insurance companies.

Whether the client is a large corporate entity and litigation veteran, or a solo practitioner facing the first adverse claim, Ian provides the same timely, accurate, and personal attention to their cases. He is known for offering sensible, honest, and accurate evaluations of the facts and law specific to each case, recommending an appropriate legal strategy that meets the client's goals, and ultimately delivering a result that benefits and satisfies the client.

Ian believes that the practice of law can involve zealous client advocacy without engaging in contentious litigation tactics. It can often be in clients' best financial and legal interests for their attorney to be cooperative and respectful to the opponent and opposing counsel, particularly where most cases are resolved through formal or informal negotiation settings. When a hard-lined approach does become necessary or troubling pitfalls arise in the course of litigation, Ian's constructive, upfront and honest attitude with clients, members of the bar, witnesses, and the judiciary can often be the gateway to positive outcomes for the client at any stage, from pre-suit to trial.

Affiliations

- Boston Bar Association
- Massachusetts Bar Association
- Massachusetts Defense Lawyers Association
- Federal Bar Association

Articles & Seminars

- International Association of Defense Counsel (IADC) Trial Academy, Stanford Law School, 2012.

Representative Cases

- Prevailed on behalf of the firm's property management and concierge staffing agency clients, in which the jury returned a verdict finding both defendants not negligent. Achieved summary judgment for attorney client resulting in the successful recovery of years of unpaid attorneys' fees and dismissal of legal malpractice counterclaims.
- Achieved summary judgment for attorney client resulting in dismissal of legal malpractice claims stemming from client's representation of formerly incarcerated plaintiff.
- Negotiated outright dismissal of malpractice claims in lawsuit against real estate agent involving dispute over alleged misrepresentation of property listing.
- Achieved outright dismissal of plaintiff's slip and fall claims in lawsuit against property owner and management clients.
- Obtained reduction of disciplinary penalties and/or dismissal of complaints against attorneys and real estate agents through negotiations with their respective professional oversight boards.
- Assisted law firm client with successful management and containment of potential data breach by former employee through collaborative efforts with client, law enforcement and third-party technology experts.
- Provided legal oversight and management of onsite expert inspection and analysis of fire and water loss events involving property damage, personal injury and death from around the country, and handled subsequent pre-suit claim negotiations and litigation defense for major product manufacturer client.
- Participated in successful mediation of multiple property damage claims for architect and engineer clients involving six and seven figure damage allegations.
- Successfully mediated negligent security cases involving plaintiff victims of criminal activity at client's properties.
- Represented clients in the process of reviewing and collecting documents and appearing for depositions in response to third-party subpoenas in civil matters and by other government agencies such as the Department of Revenue and Securities and Exchange Commission.

Interests

When not practicing law, Ian can be found spending time with his wife and two young daughters, working on various home improvement projects, and when time allows, brewing up a batch of his own beer.