

Scarlett M. Rajbanshi

Partner

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Practices

Business Litigation
Employment Law and Litigation
General Litigation
Health Care Litigation and Risk Management
Insurance Coverage and Bad Faith Litigation
Nursing Home/Assisted Living Litigation
Premises Liability and Tort Defense

Bar Admissions

Commonwealth of Massachusetts
State of New Hampshire
State of Rhode Island
United States Court of Appeals for the First Circuit
United States District Court for the District of Massachusetts
United States District Court for the District of New Hampshire
United States District Court for the District of Rhode Island

Education

Boston College Law School, J.D., *cum laude*, 2006
University of Massachusetts, B.A., *summa cum laude*, 2002

Overview

Scarlett’s trial practice focuses on insurance coverage disputes, general liability and professional liability defense. She represents insurers in the state and federal courts of Massachusetts, New Hampshire and Rhode Island. Scarlett also defends lawyers, accountants, condominium boards, property managers, skilled nursing facilities, and other professionals in all aspects of litigation including, if necessary, arbitration and trial. She is an accomplished trial lawyer with a strong courtroom presence during both oral arguments and witness examinations. Insurance companies and professionals faced with litigation rely on Scarlett for her tenacity and strong legal advocacy skills to obtain a swift and favorable resolution of the matter. With her insightful legal analysis and practical approach, clients turn to Scarlett for her ability to solve highly complex and difficult disputes in a manner that makes both legal and business sense.

Affiliations

- American Bar Association
- Massachusetts Bar Association
- New Hampshire Bar Association
- Rhode Island Bar Association
- Women’s Bar Association of Massachusetts
- Professional Liability Underwriting Society

Articles & Seminars

- “Proper Tool Use”: An analysis of various courts’ application of “hammer clauses” contained in insurance policies. *Best Review Magazine* (June 2012)
- “Property Managers Face Liability as Landlords.” *Banker & Tradesman* (May 30, 2011)

Clerkships

Honorable R. Malcolm Graham,
Massachusetts Appeals Court
(2006-2007)

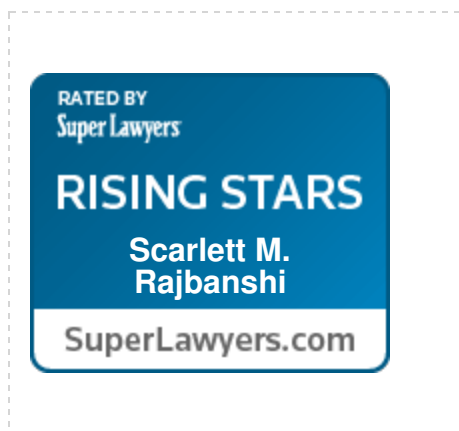
- “The Designated Premises Endorsement.” *Claims Magazine* (August 2010)

Representative Cases

- *Hayes v. CRGE Foxborough, LLC*, C.A. No. 1:13-cv-12014 (D. Mass. 2016)(secured jury verdict in favor of architect sued for negligence).
- *Madden v. 4499 Acushnet Operating Company, LLC et al.* , C.A. No. 2011-02929 (Mass. Super. 2016) (defense verdict in favor of long-term acute care hospital).
- *Chute et al. v. Trustees of 2 Otis Place Condominium Trust* , C.A. No. 2014-03054 (Mass. Super. Ct. 2015)(successfully defended condominium trustees at bench trial concerning equitable relief claim asserted by a unit owner).
- *Simpson v. Bedford Hills Center*, C.A. No. 216-2015-cv-00341 (N.H. Super. Ct. 2015)(motion to compel arbitration allowed).
- *Mount Vernon Fire Insurance Company v. Visionaid, Inc.* , 91 F.Supp.3d 66 (D. Mass 2015)(insurer is not obligated to fund prosecution of insured’s counterclaim).
- *Haley Charest et al. v. Western World Insurance Company* , C.A. No. 217-2015-cv-00126 (N.H. Super. Ct. 2016)(auto exclusion applied to preclude coverage under general liability policy).
- *Amponsah v. Mount Vernon Fire Insurance Company* , C.A. No. PC2015-5219 (R.I. Super. Ct. 2016) (motion to dismiss allowed concerning claimants’ direct claims against insurance company).
- *Lexington Ins. Co. v. United Health Group, Inc.* , C.A. No. 09-cv-10504 (D. Mass. 2011)(insurer was prejudiced as a matter of law where insured failed to adequately notify insurer of multi-million-dollar lawsuit that insured litigated for years).

Awards

- “Rising Star,” Super Lawyers (2013-2018)



Interests

Scarlett enjoys hiking and spending time with her family, including her faithful pug Gabbu. Scarlett is

an avid fan of the New England Patriots.