Matthew Welnicki

SHAREHOLDER

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OVERVIEW

Matthew Welnicki is a shareholder and member of the firm's **Litigation Department**. With over twenty years in practice, Matt has obtained results for clients through verdicts, dispositive motions, arbitration awards, appeals, and negotiated settlements. He has appeared and argued successfully before several trial courts as well as the Massachusetts Supreme Judicial Court, Connecticut Supreme Court, and the United States Court of Appeals for the First Circuit. Additionally, Matt advises clients how to avoid the risks and expenses associated with legal disputes and to capitalize on new opportunities. He is known for "rotating" complex issues to find simple and creative solutions to difficult problems. Matt also conducts investigations for clients regarding sensitive matters.

Matt's experience includes matters related to regulatory issues, contract negotiations and drafting, policy formation and implementation, shareholder disputes, antitrust claims, product and tort defense, environmental remediation, and many types of commercial, construction, and insurance disputes. While he is based in Massachusetts, Matt has handled matters in several other jurisdictions across the country. Matt represents clients of all sizes: large international corporations, small businesses, government agencies, and individuals.

Before joining RIW, Matt served as a law clerk to the Justices of the Massachusetts Superior Court in Springfield and then Boston. Matt then worked at other well-known Boston-based law firms. In 2023, the Supreme Judicial Court appointed Matt to the five-member Massachusetts Board of Bar Examiners. He previously served as special counsel to the Board in a pro bono capacity.

Outside of work, Matt coaches hockey and enjoys golf, skiing, surfing, and spending time with his wife and three sons.

ASSOCIATIONS & ORGANIZATIONS

- Member Board of Bar Examiners (prior service as Special Counsel) – pro bono appointment by SJC
- Vice Chair, Massachusetts Bar Association Real Estate Council
- Member, Boston Bar Association, Public Interest Leadership Program Class of 2004-2005
- Board Member, Braintree Youth Hockey

HONORS & AWARDS

- Best Lawyers in America (2025)
- Massachusetts Super Lawyers (2013-present)

PRACTICE AREAS

Litigation

EDUCATION

J.D., Northeastern University School of Law, 2000

B.A., Boston College, 1997

ADMISSIONS

- Massachusetts
- Connecticut (state and federal)
- United States Supreme Court
- United States Courts of Appeals for the First Circuit
- Mohegan Tribe Gaming Disputes Court

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- Martindale Hubble AV Peer Review Rating (highest)

REPRESENTATIVE MATTERS

Trial Experience

- *Thomas and Betts v. New Albertsons, et al.*, 10-cv-11947 (D. Mass.)(Jury trial from 11/6/2015 to 12/22/2015)(co-counsel for defendant paint manufacturing company facing $20 million exposure for Chapter 21E environmental remediation costs; obtained defense verdict for client after six-week jury trial; responsibilities included witness examination, trial motions, strategy, exhibits, and assistance with opening, closing, and jury instructions)
- *Abrano v. Abrano*, and consolidated cases, 1484CV03509 (Suffolk Superior BLS)(Jury trial from 11/6/2017 to 12/14/2017)(lead counsel for two parties in consolidated trial of disputes between members and employees of closely-held pharmaceutical company; obtained multi-million dollar verdict for clients and secured assets post-trial; responsible for all aspects of the trial regarding clients)
- *Sam v. Bros Ins. Agency*, 1211CV001940 (Lowell District Court)(Jury trial from 10/1/14 to 10/2/14)(Lead trial counsel; obtained defense verdict for insurance agency facing breach of contract and bad faith coverage claims for failing to obtain adequate insurance; responsible for all aspects of the trial)
- *Aspect Software, Inc. v. Kenexa Technology, Inc.*, 0884CV00295 and 0884CV00428 (Suffolk Superior BLS)(Jury trial from 4/15/10 to 5/6/10)(co-counsel at trial in breach of contract/Chapter 93A dispute concerning the provision of software services; obtained defense verdict and recovery on client's counterclaim; responsibilities included witness examination, trial motions, strategy, exhibits, and assistance with opening, closing, and jury instructions)
- *Stanton v. Sears Roebuck & Co.*, 0584CV04792(Suffolk Superior)(Jury trial from 3/11/08 to 3/12/08)(co-counsel for defendant facing breach of contract/product/Chapter 93A claims; jury verdict substantially less than pre-trial demand; responsibilities included witness examination, trial motions, strategy, exhibits, and assistance with opening, closing, and jury instructions)
- *Visible Systems Corporation v. Unisys Corporation*, 04-cv-11610 (D. Mass.)(Jury trial from 7/23/07 to 7/31/07)(third-chair trial counsel for defendant facing trademark infringement claims; jury verdict substantially less than pre-trial demand; responsibilities included assistance with witness preparation, motion papers, and management of exhibits)
- *Haven v. Sears, Roebuck & Co.*, 0553CV001363 (Woburn Dist. Ct.)(bench trial 7/13/07)(lead trial counsel; obtained directed verdict on product liability count before evidence enabling matter to resolve for cost of product; responsible for all aspects of trial)
- *Insurers v. Clover Leaf and Mallard Square* (2025 coverage disputes in D. Mass. ancillary to underlying Middlesex Superior Court litigation)(contested declaratory judgment actions against property owner clients to retain defense coverage for underlying trial and work towards settlement)
- *Longmeadow v. Famiglia,* 2179CV00038 (Hampden Superior)(lead counsel for multiple defendants; in 2024, took over defense of Chapter 21E environmental claims in consolidated eminent domain case involving allegations of historic contamination; prepared case for anticipated multi-week trial and enabled settlement of matter after motions in limine; presently exploring recovery of settlement amounts against third-parties)
- *Allard v. MassMutual*, 2079CV00499 (Hampden Superior Court)(co-counsel; in 2024, obtained summary judgment in favor of disability insurer; secured dismissal of appeal)
- *In re: W Lofts*, 24-40157 (Bankr. D. Mass.)(represented limited liability company member of entity placed into involuntary bankruptcy by other company member and his entities; primary asset was condominium project – related state court proceedings by bank seeking to recover on deficiency)
- *Massachusetts Port Authority v. Swissport et al.*, 2184CV01498 (Suffolk

Superior)(represented Massport with regard to jet fuel spill and associated cost recovery action)
- *Rothman v. Rothman*, 1682CV01473 (Norfolk Superior Court)(in 2023, took over defense of fiduciary duty lawsuit after substantial adverse jury verdict and obtained clarification and other relief from court to enable resolution)
- *Lifepark Capital v. Sun Life*, 2184CV01233 (Suffolk Superior BLS)(co-counsel; in 2023 obtained summary judgment for insurer in Stranger Originated Life Insurance matter – representation of clients in similar matters)
- *BSI 254 Westfield v. Fiorillo*, 2284CV00666 (Suffolk Superior BLS)(obtained finding of contempt and ultimate $1MM+ judgment against defendant in real estate dispute – defendant defaulted and damages ordered in favor of client; obtained dismissal of appeals and removal efforts by defendant)
- *Ferraro v. Gervan*, 2081CV00651 (Middlesex Superior)(co-counsel; represented two defendants in defamation lawsuit involving fellow club board member, drafted summary judgment papers – argument by co-counsel – summary judgment in full for one defendant and partial judgment for other)
- *Kunian v. Smollon*, 2019 WL 2106115, D. Mass. (secured dismissal of claims against clients based on lack of personal jurisdiction)

PUBLICATIONS

- NIL Agreements: What Student-Athletes Need to Know in Rapidly Changing World of College Sports, Summer 2025, Kenney & Sams Newsletter (co-author with John Nagle)
- Massachusetts Appeals Court Dismisses Action for Lack of Personal Jurisdiction Over Insurance Company That "Has Done Substantial Business in Massachusetts," October 24, 2023, Kenney & Sams Newsletter
- A Brief Overview of Massachusetts Chapter 93A, New England Real Estate Journal, March 25, 2022
- Attorney-Client Relationships In The Metaverse, Today's General Counsel, September 2022 (with Michael Dickman)
- Protection from Misrepresentation Claims With Merger Clauses in Leases, New England Real Estate Journal, April 15, 2016
- Settlement Agreements in Commercial Disputes: Negotiating, Drafting and Enforcement, Chapters 2 and 7, 2013 ed. (Updating Co-Author with Sanford F. Remz, Esq.)
- Monitoring Monitoring: Second Circuit Provides an Overview of Issues Related to Tort Claims for Medical Monitoring of Potential Future Medical Conditions, DRI, Life Health and Disability News, Vol. 24, Issue 3, August 29, 2013
- The Abolition of the "Natural" Accumulation Defense in Snow and Ice Case: an overview of Papadopoulos v. Target, Boston Bar Journal, Winter 2011
- Nondisclosure of suits, causes of action in bankruptcy petitions, Massachusetts Lawyers Weekly, July 27, 2009
- Ciardi v. F. Hoffman-La Roche, Ltd: Indirect Purchaser Actions Under G.L. c. 93A, §9, Antitrust Essentials for Small and Midsize Businesses and Their Lawyers, MCLE, 2002 (Co-Author with Richard J. Yurko, Esq.)
- Dischargeability of Students' Financial Obligations: Student Loans Versus Student Tuition Account Debts, Vol. 31, Issue 3, Journal of University and College Law, Notre Dame Law School
- A Practical Overview of Massachusetts General Laws Chapter 123A: Care, Treatment, and

Rehabilitation of Sexually Dangerous Persons, published in Volume 24, Issue 1, Western New England Law Review (article cited in decision by Massachusetts Appeals Court) (Co-Author with John Kavanagh, Jr., Esq.)

SPEAKING ENGAGEMENTS

- MCLE – Litigator's Guide To Expert Witnesses – April 1, 2025 (Presenter)
- Massachusetts Bar Association Guide To Mechanic's Liens – Spring 2024 (Presenter)
- Panel Chair, "How to Read a Financial Statement," Massachusetts Bar Association., 2005
- Law Day in the Schools 2013, Boston Bar Association public interest program (author of middle and high school teaching models on Gender Equality and the Law; presented topic to participants in program)
- CLE Instructor: Civil Litigation: An Introduction to the Basics, the Rules and Quirks of Practice, September 2013
- Panel Presenter, "Practicing with Professionalism", Boston Bar Association, February 5, 2016
- Moderator and Presenter: Practicing with Professionalism (required course for bar admission)