

DUFFY & SWEENEY, LTD

BUSINESS LAW & LITIGATION



CONTACT

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EDUCATION

J.D., Suffolk University Law School (*cum laude*)

B.A., Providence College (*cum laude*)

PRACTICE AREAS

IP & Technology Litigation

Business Litigation

M&A Litigation

Broker-Dealer & Securities Litigation

Shareholder Disputes

Trade & Antitrust Litigation

Fiduciary Litigation

Insurance Coverage Litigation

Construction Law

Arbitration & Mediation

Securities Law

BAR AND COURT ADMISSIONS

Massachusetts (1988)

Rhode Island (1990)

United States District Court,
District of Massachusetts (1989)

United States District Court,
District of Rhode Island (1991)

United States Court of Appeals,
First Circuit (1990)

United States Tax Court (2000)



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ROBERT M. DUFFY, *FOUNDING PARTNER AND SHAREHOLDER*

OVERVIEW

Robert Duffy is a founding shareholder of the firm. With more than three decades of experience, Bob has handled federal and state court trial and arbitration litigation throughout the United States.

His diverse and complex business litigation and trial practice includes a focus on intellectual property — including patent and ERP software — as well as construction, fiduciary, shareholder, M&A, and health care. His clients range from financial services companies to physician groups and healthcare systems to technology companies to manufacturing and distribution companies.

Recognized for his counseling as much as for his trial work, Bob routinely advises business owners, chief executives and boards of directors on business litigation avoidance and strategy. He regularly counsels corporations and shareholders on fiduciary duty matters. He has successfully counseled and litigated matters involving ERP implementations and SAP ECC functionality and ASAP methodology.

In the healthcare arena, he has helped clients with matters of credentialing, captive insurance, physician and system agreements, general employment, and corporate and shareholder transactions.

Bob is certified as an arbitrator by the American Arbitration Association. He is an adjunct professor for the Providence College School of Business where he teaches "Legal Environment for Business II."

"Robert Duffy garners praise from his clients who say that he's smart on litigation and any kind of dispute, and knows how to manage the litigation process ..." | Chambers USA: America's Leading Lawyers for Business

EXPERIENCE

As a trial lawyer for three decades, Bob has handled hundreds of commercial and intellectual property cases across the country, many through trial and appeal.

He has served as lead trial counsel for clients in intellectual property, maritime, broker dealer, ERP, trade secret, technology and contract litigation in numerous states including Massachusetts, Rhode Island, New York, Connecticut, New Jersey, California, Texas and Florida.

He has represented clients as lead counsel in matters of corporate governance and fiduciary disputes, life insurance coverage and settlement litigation, merger-and-acquisition litigation and beyond.

Recent matters include:

- After an 11-day trial in Superior Court, Robert Duffy successfully defended trustees against fiduciary claims and obtained an award of both executor and trustee compensation.
- After a 9-day arbitration, Robert Duffy successfully defended a boat manufacturer against claims of fraud, defect and product liability arising out of the manufacture of 3 large passenger ferries.
- Robert Duffy successfully prosecuted to settlement, on the eve of trial, claims on behalf of its technology client arising out of a failed SAP global ERP implementation.

RECOGNITION

Bob continues to be recognized by numerous lawyer-ranking and other rating organizations. He is consistently included as a Best Lawyer in the practice areas of Commercial Litigation, Insurance Litigation, Intellectual Property, M&A Litigation and Securities Litigation. He was recognized by Best Lawyers as the sole 2019 "Lawyer of the Year" for Intellectual Property Litigation in the Providence metro region.

He has consistently been named a Super Lawyer and was also included in the Super Lawyers' Top Ten List for Rhode Island. He continues to be recognized annually by Chambers USA: America's Leading Guide for Business for Commercial Litigation. He was selected by the National Trial Lawyers Association as a "Top 100" trial lawyer and has been named a Litigation Star for *Benchmark Litigation* and an IP Star by *Managing Intellectual Property* magazine.

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"Robert Duffy has an excellent reputation in the market for his practice in complex business litigation, which focuses particularly on IP matters. He specializes in cases involving ERP software. He also frequently advises clients on product liability and fiduciary duty disputes. Market commentators describe him as "unflappable" and "nimble in court," as well as highlighting his "complete grasp of facts and strategies." (Chambers USA: America's Leading Lawyers for Business)

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ROBERT M. DUFFY, *FOUNDING PARTNER AND SHAREHOLDER* continued

"I consider Bob Duffy to be the best commercial litigator in Rhode Island. I've seen him go toe-to-toe with the biggest and most reputable firms in the country, and consistently outmaneuver and outperform them across the board. It's not just his combination of toughness, experience and knowledge of the law and our business, but also the strategic thinking that makes him the right choice for our lead trial attorney in nearly any case." (Client comment from Best Law Firms.)

"Bob Duffy is one the best businessmen I know, and he brings that perspective to his role as an attorney. He understands value and is relentlessly focused on delivering it. I trust Bob and his team to act in the best interest of my company, which is why I will use them again and again." (Client comment from Best Lawyers.)



COMMUNITY

Professional & Community Involvement

Chesterton Academy of Our Lady of Hope, Board Member

Our Lady of Mercy Parish, Co-Trustee and Finance Committee Member

Rhode Island Bar Foundation, Member

Providence College School of Business, Adjunct Professor

Amos House, Former Chair of the Board and Board Member

PRESENTATION & PUBLICATIONS

"Service Charge Added to Trustees' Indemnification" was the title of the April 2018 article in *Rhode Island Lawyers Weekly* — featuring Stacey Nakasian and Robert Duffy — that addressed a Court decision approving payment of interest by a trust on legal fees incurred by the trustees.

Common Law Application of the Philosophy of Property: Where the Rubber Meets the Road (German-American Philosophical Colloquium 2012). **Advising Victims of Securities Fraud** (Rhode Island Bar Association, May 2009)

The Law of the Internet in Rhode Island (National Business Institute 2001)

Internet Basics for the Rhode Island Attorney (National Business Institute 1999)

My Blog Posts

- D&S Recognized as Lawyers of Year & Best Lawyers for 2024 in 17 Practice Areas
- Congratulations to D&S Attorneys Named Super Lawyers & Rising Stars 2023
- Bob Duffy & Stacey Nakasian Present to Estate Planning Council of RI
- Congratulations to D&S Attorneys Named Super Lawyers & Rising Stars 2022
- I thought I had a RICO claim, what happened??
- Congratulations to Super Lawyers & Super Lawyers Rising Stars 2021
- From RI Lawyers Weekly: Bob Duffy & Stacey Nakasian Prevail in Trust Dispute Re Attorneys' Fees
- Collapsing Broker Protocol Shifts Broker Recruiting Landscape

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