



## ZACHARY W. BERK

### PARTNER

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#### SERVICES

Employee Benefits and  
ERISA Litigation  
Labor and Employment  
Appellate  
Litigation  
Commercial Litigation  
Real Estate Litigation  
Consumer Financial Services  
Litigation

#### INDUSTRIES

Higher Education  
Cannabis Law

Zachary Berk focuses his practice on complex civil litigation matters, with concentrations in business and real estate litigation. His experience also includes representing clients in consumer financial services, intellectual property, employment and trade secret related matters. Zach regularly practices in both state and federal courts. He has also drafted several appellate briefs in cases pending before state and federal appellate courts.

Zach served as a law clerk on the Business Litigation Calendar for the Rhode Island Superior Court. In addition to his state bar admissions, he is also admitted to the U.S. District Court for the Districts of Massachusetts, Rhode Island and Connecticut.

#### EXPERIENCE

- Recovered verdict in excess of \$2 million in eminent domain case following six-day jury trial in Boston
- Recovered jury verdict of \$1.6 million arising out of breach of contract claim for unpaid sales commissions and termination fee
- Obtained jury verdict on claim of an oral agreement to form a business partnership and claim that the business agreed to satisfy significant financial obligations assumed personally by the plaintiff
- Obtained sizeable award of actual and punitive damages, as well as attorneys' fees, following federal court jury trial regarding unlawful email intrusion by client's business partner
- Prevailed in First Circuit appeal upholding \$1.2 million summary judgment award obtained in international breach of contract action concerning the enforceability of a non-renewal damages provision
- Secured \$4 million judgment, which included treble damages and attorneys' fees, recognized by Massachusetts Lawyers Weekly as one of the top judgments of 2011 for candy manufacturer against vendor and employee for conversion, breach of fiduciary duty and fraud by establishing liability on the basis of the defendants' assertion of Fifth Amendment rights
- Obtained summary judgment for client in infringement action concerning patented method for airline luggage inspection and related lock technology
- Obtained preliminary injunction on behalf of Fortune 100 telecommunications

company during labor dispute that prohibited striking employees from obstructing vehicular access to company property

## HONORS

Selected to *New England Super Lawyers* list of *Rising Stars*, 2013 to present, Business Litigation

## MEMBERSHIPS AND AFFILIATIONS

Boston Bar Association

Rhode Island Bar Association

## EDUCATION

J.D., Northeastern University School of Law, 2005

B.A., University of Virginia, 2001

## BAR ADMISSION

Connecticut

Massachusetts

Rhode Island

## FIRM MANAGEMENT POSITIONS

Higher Education Practice Group Liaison: Boston

Career Development Committee, Member

## CLERKSHIPS

Law Clerk, Rhode Island Superior Court