

# Matthew Arnould

## Counsel

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Matt Arnould, a member of Choate's Complex Trial & Appellate Group, represents a wide range of healthcare and financial clients, publicly traded companies, nonprofits, boards of directors, and individuals, with a particular emphasis on the defense and resolution of complex commercial and business litigation. His experience includes litigation counseling and frontline representation in cases involving fraud and misrepresentation claims, contract disputes, partnership disputes, and alleged violations of securities laws and health care fraud statutes. He had handled cases in federal and Massachusetts state court trials and appeals, and in arbitration.

Prior to joining Choate, Matt was a senior associate at Pollack Solomon Duffy LLP and a Business and Securities Litigation Associate at Ropes & Gray LLP. Matt has been named a *Massachusetts Super Lawyers Rising Star*.

### EDUCATION

Northwestern University School of Law  
JD, 2009, *cum laude*, Order of the Coif,  
Arlyn Miner Award, Senior Research  
Honors  
Senior Articles Editor, *Northwestern  
University Law Review*

Middlebury College  
BA, 2001

## PRACTICE FOCUS

### Complex Trial and Appellate Litigation

Representation of individuals and leading corporations in complex commercial litigation.

## REPRESENTATIVE ENGAGEMENTS

- Represented leading insurer in an action to rescind a \$25 million product contamination insurance policy in light of material misrepresentations of fact made by policyholder during the policy application process. Resulted in order granting favorable equitable relief, and declaring the insurance policy rescinded and void ab initio.
- Defended publicly-traded company in wide-ranging international arbitration involving alleged breaches of material supply contract. Resulted in award dismissing all claims against the client.
- Represented leading investment bank in jury trial arising from its role as seller-side financial advisor in connection with all-stock sale, prior to revelations of the buyer's accounting fraud. Resulted in favorable jury verdict on every question.

**ADMISSIONS**

Massachusetts

U.S. District Court,  
Massachusetts

U.S. Court of Appeals, First &  
Third Circuits

**PRACTICE AREAS**

Complex Trial & Appellate  
Litigation

- Represented Special Committee to the Board of Directors of closely held corporation in internal assessment of executive performance, and follow-on litigation. As part of this effort, represented the chairman of the board against a motion for preliminary injunction challenging his independence and seeking to enjoin a \$300 million distribution by the Board. Successfully opposed preliminary injunction motion and moved to dismiss the complaint, ultimately allowing client to continue serving as chairman of the board.
- Defended 120 year-old historical society in Mass. Supreme Judicial Court action involving deeds and bequests of President John Adams, arising from allegations of trustee mismanagement. Resulted in summary judgment dismissing all claims against client.
- Defended leading neuroscience-focused biotechnology company in multi-year civil and criminal investigation arising from alleged violations of the federal False Claims Act and Food, Drug, and Cosmetic Act. Resulted in favorable agreed-upon misdemeanor resolution.
- Represented leading global asset management firm and affiliated investment management boutique in wide-ranging SEC, CFTC, and NFA investigation. Resulted in favorable agreed-upon settlement.
- Represented high-profile technology executive in criminal investigation involving alleged violations of the Foreign Corrupt Practices Act.
- Represented Fortune 500 pharmaceutical companies through internal and government investigations.

**PUBLICATIONS AND PRESENTATIONS**

- "A Great Scholar and a Great Man," *author, Northwestern University Law Review*, 2013.
- "Constitutional Interpretation, and the Democratic Dilemma: Proposing a 'Controlled Activism' Alternative," *author, Florida Law Review*, 2012.
- "Recent Developments in False Claims Act Litigation: Pleading With Specificity Under Rule 9(b)," *author, Suffolk University Law School Advanced Legal Studies Conference*, 2011.
- "A Maverick Achieves Something Nobler Than Simple Rebellion: Why Sharesleuth is Legal Under Section 10(b) and Rule 10b-5, and Why It Should Remain That Way," *author, Northwestern University Law Review*, 2009.
- "A Set of Dynamic Compromises: Advertising Regulations and Their impact in Vietnam," *author, Social Science Research Network*, 2008.