

John C. Calhoun

PRINCIPAL

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John Calhoun advises a wide range of clients, with particular emphases on antitrust, patent/trade secret, and complex commercial litigation. In addition to representing clients at trial and throughout the litigation process, he also helps clients avoid or resolve litigation risk in a cost-effective way.

Some of John's notable clients include Tufts University, Harvard University, the Consortium on Financing Higher Education, Bank of America, Liberty Mutual, and Hewlett Packard.

Prior to law school, John served as a Marshall Scholar at the University of Oxford, as well as a Fulbright Scholar in Taiwan. He has advised presidential, gubernatorial, and congressional administrations and campaigns on a range of legal and policy issues.

Recognition

- *The Legal 500* (2024)
- High Honors Recipient, Massachusetts Supreme Judicial Court Pro Bono Honor Roll (2023)
- *Best Lawyers in America*: "Ones to Watch" (2026)

Representative Engagements

- Prevailed at summary judgment (including for costs) while representing a major private equity firm in a suit filed by the founder of an acquired company.
- Prevailed in a First Circuit appeal while representing a major private equity firm on an issue related to a purchase agreement's indemnity provisions.
- Won at trial while representing an international insurer in successful action to rescind $25 million product contamination insurance policy based upon policyholder's material misrepresentation of facts.
- Prevailed on a motion to dismiss while representing the founder of a leading software firm in a board dispute.
- Reached favorable settlement for law firm in a legal malpractice suit filed by a former client.
- Reached favorable settlement for automotive parts manufacturer seeking indemnification from Chinese suppliers.
- Reached favorable settlement for large U.S. bank in an OSHA-proceeding brought by an internal company whistleblower.
- Extensive representation of private independent schools in investigating and remediating allegations of sexual misconduct.
- Investigated internal company whistleblower complaint for international insurer.

Focus Areas

- Intellectual Property
  - IP Litigation
- Litigation and Investigations
  - Business and Financial Litigation
  - Insurance and Reinsurance
- Private Equity and M&A
  - Data Centers and Digital Infrastructure

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- ***Momenta Pharm., Inc. v. Amphastar Pharm., Inc. et al., D. Mass., Fed. Cir.:*** Trial counsel for Momenta Pharmaceuticals in patent infringement litigation relating to innovative methods of processing therapeutic polysaccharides.
- ***Guardant Health, Inc. v. Foundation Medicine, Inc., D. Del.:*** Counsel for Foundation Medicine in patent infringement litigation relating to next generation sequencing analysis.
- ***Alnylam Pharmaceuticals, Inc. v. Dicerna Pharmaceuticals, Inc., D. Mass.:*** Counsel in trade secret misappropriation lawsuit brought against Dicerna Pharmaceuticals.

Publications and Presentations

- "1st Circ. ADA Decision Turns On 'Essential Function' Doctrine," *author, Law360,* May 2018
- "6th Circ. Sheds Light on Mandatory Arbitration," *co-author, Law360,* March 2018
- "Investigating and Reporting Sexual Misconduct at Private Independent Schools," *coauthor, New England Association of Schools and Colleges Newsletter,* January 2018
- "When Can a Former Employee-Turned-Whistleblower Use Internal Company Documents?," *co-author, Corporate Counsel*
- "Proving Ratification Of A Supervisor's Retaliatory Motive," *author, Law360*
- "Looking for the Dog That Didn't Bark: Do Increased SEC Budgets Reduce Rates of Securities Fraud?," *author, 41 Vermont Law Review 208*
- *Whistleblowing and Retaliation* (6th Ed.), *contributor*
- "Measuring the Fortress: Explaining Trends in Supreme Court and Circuit Court Dictionary Use," *author, Yale Law Journal*
- Book Review of "Terrorism, Ticking Time Bombs, and Torture" by Fritz Allhoff, *author, Yale Journal of International Law*, Vol. 38, No. 1

Professional & Community Involvement

- Member, Boston Bar Association
- Member, American Bar Association
- Member of multiple business and charitable boards, including the Connecticut Policy Institute, Give a Summer, the Match Charter School Network, and Firoz Academy
- Through Choate's pro bono program, John represents special needs children to help them secure appropriate educational services

Education & Credentials

- Yale Law School, JD (2015) *Editor, Yale Law Journal, Managing Editor, Yale Journal of International Law*
- Oriel College, University of Oxford, MSc (2012) *with honors*
- University of York, MA (2011) *with honors*
- University of Richmond, BA (2009) *summa cum laude, Phi Beta Kappa*

Admissions

- U.S. Court of Appeals, First Circuit
- District of Massachusetts
- Massachusetts

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