



# Jonathan I. Handler

## Partner

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## Overview

Jonathan Handler represents corporate clients in complex commercial litigation with an emphasis on large-scale contract and product liability disputes. He has represented clients in state and federal courts in Massachusetts and elsewhere in matters involving toxic torts, wireless telecommunications, construction, accounting, litigation, insurance broker malpractice, unfair and deceptive trade practices, and mergers and acquisitions. He also assists corporate clients in a variety of industries, including specialty chemicals and aerospace, in evaluating the risks and benefits of particular actions and counsels them on ways to mitigate risk and avoid litigation.

Jonathan has been published on a variety of legal subjects, including "earn out" disputes, Chapter 93A, the work product doctrine and recent developments in product liability law. He is a former member of the firm's Executive Board and previously served as office managing partner of the firm's Boston office.

## Experience

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.*

Successfully defended alternative fuels system manufacturer against breach of contract claims brought by seller of acquired business seeking "earn out" payments

Successfully represented non-profit Educational Broadband Service providers in obtaining preliminary injunction and partial summary judgment again wireless telecommunications company

Defended a construction products/specialty chemicals company in cost recovery and wrongful death lawsuits arising from a ceiling collapse in the I-90 Connector Tunnel on the Big Dig project in Boston; all claims were settled on highly favorable terms

Successfully defended a "Big Four" accounting firm against claims of professional malpractice before a three-member panel, which issued a favorable decision on plaintiffs' claims against our client after a five-day arbitration, and a Superior Court judge, who entered summary judgment in our client's favor on a related third-party claim for contribution

## Practices & Industries

[Class Action Litigation](#)

[Insurance & Reinsurance](#)

[Insurance and Reinsurance Disputes Litigation](#)

[Mass Tort Litigation](#)

[Product Liability & Torts Litigation](#)

[Real Estate Litigation](#)

Represented a commercial building owner in a complex tort action seeking to recover for the failure of pre-stressed concrete pilings that led to the collapse and condemnation of a waterfront office building, where we obtained a favorable settlement for our client after extensive discovery and mediation

Successfully defended an aerospace subsidiary of a Fortune 100 company against a tortious interference claim in U.S. District Court, where the court granted our client's motion for summary judgment after extensive discovery

Defended an insurance company in a complex bad faith claim arising out of payment of life insurance proceeds, where the Massachusetts Appeals Court reversed and vacated, ruling that our client had not engaged in any unfair or deceptive practices after multiple superior court judges had ruled against our client (then represented by predecessor counsel)

## Education and Credentials

### Education

University of Virginia School of Law, J.D., 1992

Harvard College, A.B., *magna cum laude*, 1988

### Admissions

Commonwealth of Massachusetts

State of Maine

U.S. District Court, District of Maine

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Second Circuit

U.S. District Court, District of Massachusetts

U.S. District Court, District of Connecticut

U.S. District Court, District of Colorado

U.S. District Court, Northern District of Illinois

U.S. District Court, Northern District of New York

### Affiliations

New England Legal Foundation, Board of Directors, 2022-Present; State Advisory Council, Massachusetts, 2006-2022

Federal Bar Association, Massachusetts Chapter, President, 2018-2019, Board of Directors, 2009-2021

Massachusetts Board of Bar Overseers, Hearing Committee, 2006-2011, 2014-2019, 2023-Present

Boston Bar Association, Federal Practice & Procedure Committee, Litigation Section, Co-Chair, 2009-2010

American Bar Foundation, Fellow, 2016-Present

# Recognition and Community

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## Recognitions

Chosen for inclusion in [The Best Lawyers in America](#) (Woodward/White, Inc.), Product Liability Litigation - Defendants, 2024-2025

Selected to the list of Massachusetts [Super Lawyers](#) (Thomson Reuters), Business Litigation, 2004, 2006, 2010-2021, 2023-2024

## Community Involvement

Alray Scholars Program, Mentor, 2017-2021

Thrive Scholars (formerly SCS Noonan Scholars), Mentor, 2018-2022

Big Brothers Big Sisters/2.0 Program, Mentor, 2017-2018

Greater Boston Legal Services, Board of Directors, 2001-2010

Boston University School of Law, Program on Legal Writing, Instructor, 1998-1999

## Insights

The Delaware Supreme Court Adopts a Universal Demand-Futility Test in Facebook Investors' Derivative Suit  
September 27, 2021

Day Pitney Continues Support of GLAD  
October 30, 2020

Wills for Veterans  
November 8, 2018

Anticipating Case and Claim Deadlines in the Age of COVID-19  
April 14, 2020

Federal Preemption Under the Federal Aviation Act  
July 16, 2019

Day Pitney Pro Bono Client International Spy Museum Holds Grand Opening at L'Enfant Plaza in DC  
May 12, 2019

Geographic Information Systems For Environmental Litigation  
September 18, 2018

Citizenship of LLCs and Subject Matter Jurisdiction in the Federal Courts: A Serious Concern Begging for Resolution  
October 10, 2016

Update on Recent Developments in Earn-out Law  
November 23, 2015

Citizenship of LLCs and Subject Matter Jurisdiction in the Federal Courts: A Trap for the Unwary  
October 28, 2015

Jonathan Handler and Jillian Hirsch Discuss Trends in Earn-Out Clauses in M&A Lawyer

August 14, 2014

Jonathan Handler Discusses Work Product and Attorney-Client Privilege in Mass. Lawyers Weekly

December 27, 2012

## News

Jonathan Handler Elected to New England Legal Foundation Board of Directors

July 11, 2022

Day Pitney Partner Jonathan Handler Elected as President of the Massachusetts Chapter of the Federal Bar Association

November 8, 2018

87 Day Pitney Lawyers Named to 2016 Super Lawyers List

November 10, 2016

91 Day Pitney Lawyers Named to 2015 Super Lawyers List

October 30, 2015

Eighty-Four Day Pitney Attorneys Recognized by Super Lawyers for 2014

November 3, 2014

Eighty-eight Day Pitney Attorneys Recognized by *Super Lawyers* for 2013

October 22, 2013

Ninety-eight Day Pitney Attorneys Recognized by *Super Lawyers*

October 22, 2012

## In The Media

Expert's 'Pilot' Surveys Discoverable in Trademark Case

Massachusetts Lawyers Weekly, June 4, 2025

Despite Challenges It Presents, Influx of Federal Judges Seen As Positive

Massachusetts Lawyers Weekly, December 15, 2023

Auditor's report discoverable: Not covered by work product, attorney-client privilege

Massachusetts Lawyers Weekly, December 27, 2012

A Growing Number of States Recognize Medical Monitoring Claims

BNA Inc., Product Safety & Liability Reporter, April 26, 2010

The SJC on data privacy and 93A's injury requirement

Massachusetts Lawyers Weekly, May 23, 2013

Split Mass. Top Court Says Strict Time Bar Can Apply To 93A

Law360, August 29, 2018

Federal Bar Association: The Twenty-Six Words That Created The Internet

May 19, 2021

'We All Lost A Year': Boston Attys Return To Changed Hub

Law360, February 22, 2021

Info From Journalists Isn't 'Work Product'

Massachusetts Lawyers Weekly, January 3, 2020

New Mass. Top Court Favors Tough Queries, Long Arguments

Law360, March 20, 2019

Massachusetts Trends And Cases To Watch In 2019

Law360, January 1, 2019

Split Mass. Top Court Says Strict Time Bar Can Apply To 93A | Summer 2018

Law360, August 29, 2018

Injunction Secures Internet Access for Nonprofits

Fairfield County Business Journal, December 3, 2015

Sprint Barred From Shutting Off Low-Income Users' Internet

Law360, November 9, 2015

Judge Issues Injunction Against Sprint Over Network Shutdown

Massachusetts Lawyers Weekly, November 6, 2015

The Application of 'Plausibility' to Affirmative Defenses: Has the Wave Crested?

U.S. Law Week, October 28, 2015

Chair, "Contract Disputes & Litigation," MCLE, February 11, 2013

February 11, 2013

Jonathan Handler and Emily Zandy Discuss Recent SJC Decision on Consumer Privacy Statute

Massachusetts Lawyers Weekly, May 23, 2013

Co-author, "A Growing Number of States Recognize Medical Monitoring Claims," *BNA Inc., Product Safety & Liability Reporter*, April 26, 2010

Product Safety & Liability Reporter, April 26, 2010