

**Kathleen E. Cross**

Shareholder  
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**Areas of Concentration**

Business Litigation  
Business Separation  
Charter School Law

**Experience**

Ms. Cross began her legal career serving two years as a law clerk for the Honorable David S. Nelson of the United States District Court for the District of Massachusetts. She then practiced for over three years with the law firm of Brown, Rudnick, Freed & Gesmer, P.C. before joining Hanify & King in 1996. Ms. Cross also served as a Special Assistant Attorney General, assisting the Commonwealth prosecute actions against the tobacco industry.



Ms. Cross's practice includes resolution of business disputes in closely-held businesses as counsel to partners, shareholders, members of limited liability companies and receivers of businesses in crisis. She has affected successful results for the firm's clients through mediation and litigation in state and federal courts. In the bankruptcy context, Ms. Cross has litigated numerous spin-off adversarial proceedings on behalf of debtors and creditors in varied industries including manufacturing, real estate development and management and construction.

Ms. Cross has developed a specialty practice counseling and representing commonwealth and Horace Mann charter schools facing legal hurdles in the context of siting, construction, procurement, enrollment, and charter compliance and renewal.

She regularly provides written and oral advocacy for bankruptcy and civil appeals in both state and federal courts.

Ms. Cross is a certified mediator.

***Representative Engagements******Business Separation***

- Litigated and settled partner's separation from real estate partnership resulting in multimillion dollar payment to client.
- Resolved shareholder's withdrawal from family business through, including payment of fair value for business's repurchase of minority shares.
- Successfully settled member's separation from limited liability company formed for acquisition and development of real estate for medical offices.

***Receivership/Bankruptcy Litigation***

- Litigated valuation of Boston office towers in conjunction with bankruptcy reorganization of tower owners to successful conclusion in the face of hostile takeover bid by out-of-state competitor.

- Obtained a judicial order for return of substantial collection of artwork, which was being held by receiver of defunct art gallery amid numerous competing claims to the works by secured and unsecured creditors.
- Represented receiver of a multimillion-dollar business before a special master, resulting in a favorable determination of all issues related to the receiver and his professionals.
- Secured dismissal of claim by owner for broker's fees against purchaser of real property from receivership, as well as confirmation of dismissal on appeal.

#### **Charter School Counseling**

- Boston Bar Association On behalf of a charter school group, co-authored *amicus curiae* brief for the Supreme Judicial Court of Massachusetts supporting the successful interpretation of the Massachusetts Education Reform Act of 1993, as amended, regarding the approval process for new charter schools.
- Represented and advised commonwealth charter schools in administrative hearings over the renewal of their charters.
- Advised charter schools regarding public bid requirements and applicability of zoning ordinances for the construction of modular classrooms and leasing and renovation of landlords' property.

#### **Education**

Williams College, B.A., *cum laude*, 1982

Northeastern University, J.D., 1990

#### **Bar and Court Admissions**

Supreme Judicial Court of Massachusetts

U.S. District Court District of Massachusetts

U.S. Court of Appeals, First Circuit

#### **Professional Involvement**

Ms. Cross is the founding shareholder of Hanify & King's women's initiative, WomenAtLaw, which is fully supported by the firm as a vehicle for the professional enhancement of its female attorneys.

She also serves as a director and Clerk to Kartwheels in Motion, Inc., a nonprofit dedicated to providing recreational activities for children with physical, cognitive and emotional challenges. Kartwheels has been a *pro bono* client of the firm since 2001.

Ms. Cross also is a member of:

- Women's Bar Association
- Massachusetts Bar Association
- Boston Bar Association

#### **Other**

By avocation, Ms. Cross is an avid competitive rower, competing regularly in local, national and international regattas.