

Theodore J. Folkman

Associate

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Areas of Concentration

Business Litigation

**Experience**

Mr. Folkman concentrates his practice in complex business and commercial litigation. After his clerkship with Judge Ann Aldrich of the U.S. District Court in Cleveland, he was an associate at Hill & Barlow. He has represented clients at trial and on appeal and in arbitrations and mediated settlement negotiations.

Mr. Folkman is co-chair of the Massachusetts Practice and Procedure Committee of the Boston Bar Association. He has served as a trustee of Temple Sinai in Brookline, Massachusetts, and as a member of its Executive Committee. Prior to graduation from law school, he worked in the Office of the U.S. Attorney in Cleveland, Ohio.

Representative Engagements

- Represented a major Boston hospital in successful settlement of a claim of misrepresentation of coverage under an ERISA-regulated employee benefit plan.
- Represents a Boston law firm in a pending claim of actuarial malpractice against the administrator of the firm's defined benefit pension plan.
- Represented inventor of medical devices in patent infringement and licensing matters.
- Represented a Massachusetts utility company in successful settlement of a complex breach of warranty case against the manufacturer of an undersea cable.
- Obtained summary judgment for a government agency in a commercial lease dispute involving appropriations law, and successfully defended the judgment on appeal.
- Represented a Massachusetts importer of consumer goods in successful settlement of claim for breach of a contract of indemnification, and in successful settlement of claim for breach of the duty to defend of the importer's insurer.

EducationPrinceton University, A.B., *magna cum laude*, 1996

Columbia University, M.A., 1997

Harvard Law School, J.D., *cum laude*, 2000**Bar and Court Admissions**

Massachusetts

U.S. District Court, District of Massachusetts

U.S. Court of Appeals, First Circuit

U.S. Court of Appeals, Federal Circuit

Professional Involvement

Boston Bar Association

American Bar Association

Federal Circuit Bar Association



Reported Cases

Bradston Assocs., LLC v. Cabral, 70 Mass. App. Ct. 822, 877 N.E.2d 638 (2007).

Children's Hosp. Corp. v. Kindercare Learning Centers, Inc., 360 F.Supp.2d 202 (D. Mass. 2005).

Honors

Editor, Harvard Journal on Legislation

2006 and 2007. Named a Massachusetts "Rising Star" by Law & Politics and Boston Magazine.