

Patrick T. Voke



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education

Vanderbilt University Law School (J.D.)

Connecticut College (B.A.)

- *History*

admissions

Massachusetts

U.S. District Court for the District of
Massachusetts

U.S. Bankruptcy Court for the District of
Massachusetts

U.S. District Court for the District of Connecticut

U.S. Court of Appeals for the First Circuit

U.S. Supreme Court

honors

- *The Best Lawyers in America*® (Commercial Litigation, Litigation – Banking and Finance), 2023
- Litigation Counsel of America, Fellow
- *Massachusetts Super Lawyers* (Business Litigation, Banking, and Professional Liability: Defense), 2013–2018

Patrick Voke focuses his practice on complex civil litigation and commercial disputes for financial institutions, businesses, and insurance companies. He represents clients in state and federal courts, as well as Alternative Dispute Resolution (ADR) venues.

Patrick has represented corporations, retailers, manufacturers, professionals, contractors, individuals, and insurers in product liability, professional liability, toxic tort litigation, insurance coverage and unfair insurance claims and settlement practices, construction defect and injury litigation, premises liability, commercial contract disputes, trucking and motor vehicle tort, real estate litigation, commercial property damage, employment matters, and securities litigation. His experience extends to insurance coverage issues and he is adept at analyzing and defending the terms of commercial insurance policies.

Patrick has also defended financial institutions and organizations against Fair Credit Reporting Act (FCRA) and Fair Debt Collection Practices Act (FDCPA) claims, mortgage-backed securities litigation, Ponzi scheme victim and consumer class actions, mortgage foreclosure litigation, and other state and

affiliations

Professional

- Massachusetts Defense Lawyers Association (MDLA)
- Claims and Litigation Management (CLM) Alliance
- Defense Research Institute (DRI)
- Mortgage Bankers Association (MBA)

federal consumer protection litigation. He also handles bankruptcy adversary proceedings, including preference actions and fraudulent transfer and rescission claims by unsecured creditors, account disputes, check fraud and forgery claims under the Uniform Commercial Code (UCC), Real Estate Owned (REO) property litigation, usury claims, predatory lending, and other consumer and commercial lending-related claims.

Representative Matters

- Represented general contractor against claims of unfair and deceptive bidding practices and violation of state open bid laws asserted by losing bidder.
- Represented insurance alliance broker against multiple member agency claims of breach of broker agreements, fraud, and misrepresentation claims over multi-year period.
- Represented international money transfer company against claims by disabled plaintiff claiming violations of ADA and CA disability statute in connection with electronic transaction kiosks at national retail drug stores.
- Represented construction company against claims that negligent design of ATV racecourse on company-owned property resulted in accident and catastrophic injury to invited rider during holiday barbeque event.
- Defended Canadian student travel company against negligence claims relating to pool accident in Dominican Republic, resulting in paralysis of high school student traveler.
- Represented manufacturer of automated wheelchair against product liability claims and claims of negligent supervision of product at trade show resulting in injuries to bystander.
- Represented insurer in coverage litigation involving claims by insured liquor distribution company that insurer wrongfully denied coverage for claimed legal fees and for

indemnification damages stemming from New York federal court action by company shareholders.

- Defended insurance carrier against claims by general contractor for wrongful denial of additional insured status under insured Subcontractor's policy in connection with wrongful death construction accident.
- Represented multiple makers of refractory cements and Bakelite and insulation products containing asbestos against personal injury and wrongful death claims allegedly caused due to exposure in ship building, manufacturing, and other occupations.
- Defended manufacturer of bass fishing boat against product liability claims relating to malfunctioning kill switch where driver was injured by boat after being thrown overboard.
- Defended manufacturer and designer of gas fitting against product liability claims relating to natural gas explosion which resulted in deaths of two young girls.
- Represent national theatre chain against premises liability claims at Massachusetts theatres.
- Defended class action claims in New York federal court by blind class members alleging that international money transfer client failed to comply with ADA, state, and local New York regulations relating to accessibility of functions on electronic money transfer kiosks.
- Represented manufacturer of custom trailers for transport of modular homes in connection with wrongful death of driver killed when trailer wheel disconnected during transport and struck windshield of oncoming vehicle.
- Represented trucking company against negligent maintenance and wrongful death claims in case in which plaintiffs alleged that faulty brakes on client's large commercial trailer caused loaded trailer and truck to overturn on interstate ramp, resulting in deaths of driver and passenger.

- Represented sales executive for electronic securities lending company on his claims for breach of contract, fraud, and unfair and deceptive acts and practices relating to non-payment of extensive commission and bonus payments, resulting in substantial recovery for client.
- Defending subcontractor on large condominium construction project against negligence and indemnification claims relating to worker's fall from unfinished balcony, which resulted in serious injuries.
- Represented national clothing retailer in employment matters involving claims of sexual discrimination and harassment and wrongful termination brought before Massachusetts Commission Against Discrimination.
- Represented retailer of electronic e-cigarette against product liability claims involving explosion of vaping device and/or battery, resulting in severe burn injuries to plaintiff.
- Defended national residential real estate brokerage company against misrepresentation and discrimination claims regarding the sale and lease of residential real estate.
- Defended manufacturer and designer of steel beams and related double connections against negligent design claims in connection with wrongful death of steel worker on major construction project.

Representative Trials

- Defended steel fabrication subcontractor in state court trial against indemnification and negligence design claims by national construction company and cross-claims by steel erection subcontractor, in connection with construction of Blue Cross Blue Shield headquarters and fatal fall of steel worker. Three-week jury trial resulted in full defense verdict for client, including exoneration of plaintiff general contractor which had paid multi-million dollar settlement to decedent's family several years earlier.

- Defended manufacturer of patio umbrella in state court jury trial against claims by 65 year-old female music venue patron who sustained permanent disability injuries when umbrella struck her during sudden inclement weather. Jury returned full defense verdict after two-week trial.
- Defense verdict in 7-day state court jury trial in case involving negligence claims arising out of significant construction accident which allegedly resulted from excavation by client subcontractor. Plaintiff alleged significant injuries resulting in spinal fusion, preventing him from returning to occupation. Damages claimed exceeded \$2M.
- Defended regional bank against negligence and breach of fiduciary duty claims in class action brought by defrauded investors in Ponzi scheme, in which investment advisor allegedly used several accounts at bank's Boston retail branch to steal \$32.6 Million from 125 investor-clients. The defense prevailed after a month-long federal jury trial, during which plaintiff's expert cited numerous red flags that should have alerted bank employees to the fraud.
- Defended shopping plaza owner against negligent security claims stemming from violent attack on plaintiff in plaza parking lot, resulting in serious injuries and extensive medical expenses. Cross-examination of plaintiff's security expert severely undermined plaintiff's case and resulted in full jury verdict for defendant client after two-week trial.

presentations

"Money Transmitters, Intermediaries, and AML / BSA Issues," 2019 Consumer Finance Legal Conference, New Orleans, LA, October 15, 2019

published articles

"Default Mortgage Servicing of Litigated Matters in the COVID-19 Era," *The Business Lawyer*, Volume 76, Issue 2, Spring 2021

"Preliminary Injunction Prohibits Enforcement of Portions of Massachusetts Emergency Debt Collection Regulation," *ABA Business*

Law Today, June Month-In-Brief: Business Regulation & Regulated Industries, June 2020

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