



# Daniel J. Murphy

Shareholder

Meet Dan, a skillful litigator and thoughtful legal advisor.

## Here's why you'll enjoy working with him.

Dan is passionate about the law, rigorous in his analysis, and steadfast in his commitment to developing airtight cases. He has been steeped in legal scholarship since the earliest days of his career, when his work was published by the *Maine Law Review*. The State of Maine actually amended a key procedural rule as a direct result of Dan's paper for the *Review*, which centered on protecting the rights of immigrants during plea bargaining. Dan also is published in *A Practical Guide to Superior Court Practice in Maine*, for which he co-authored the chapter addressing injunctive relief in Maine courts.

Clients value Dan's practicality and responsiveness. In all matters, he brings his experience and judgment to bear in order to obtain the best result possible for his clients. Dan has a broad-based civil litigation practice



### CONTACT

[dmurphy@bernsteinshur.com](mailto:dmurphy@bernsteinshur.com)

207 228-7120 direct

207 774-1200 main

207 774-1127 facsimile

100 Middle Street

PO Box 9729

Portland, ME 04104-5029

### PRACTICES & INDUSTRIES SERVED

Litigation & Dispute Resolution

### AWARDS

that centers on business and commercial matters, including complex contract disputes, claims involving breach of fiduciary duty, unfair trade practices, and internal corporate disputes. He also has served as litigation counsel for a number of municipalities in Maine.

## But that's not all. Dan is also very experienced in:

- Partnership litigation, including disputes involving general and limited partners
- Corporate disputes involving separation of business associates and judicial dissolution
- Contract disputes, including serving as counsel to one of Maine's largest auto dealerships
- Disputes involving franchisors and franchisees
- Claims concerning defamation and defenses based on Maine's Anti-SLAPP statute, which affords protection for petitioning activity

## In his former life, Dan was:

- A law clerk for Chief Justice Leigh I. Saufley of the Maine Supreme Judicial Court
- A member of the International Planning Department at Norinchukin Bank in Tokyo, Japan
- An intern with the Hon. Kermit I. Lipez, Circuit Judge for the US Court of Appeals for the First Circuit
- Business editor of the *Maine Law Review*

## When Dan isn't working, he is ...

- Rated AV Preeminent by Martindale-Hubbell
- *Benchmark Litigation 2015* Local Litigation Star
- Named Rising Star in Business Litigation by New England *Super Lawyers*
- Vincent L. McKusick Award for best article, Maine State Bar Association
- Medal for Excellence in Bankruptcy Studies, The American Bankruptcy Institute

Interviewing Maine lawyers who have fascinating or unusual pursuits outside their legal practice for his column, “[Beyond the Law](#),” in the *Maine Bar Journal* (for which he chairs the editorial board). Dan also serves as vice president of the historic Cleaves Law Library, an invaluable resource for Maine’s legal community.

## Representative Matters

*Desjardins v. Reynolds*, CV-13-369 (Maine Superior Court – 2015) and *Desjardins v. Willard*, 2014 WL 2815698 (U.S. District Court -D. Me. 2014) (obtained dismissal of defamation and related claims brought under 42 U.S.C. § 1983 through use of Maine’s Anti-SLAPP statute (14 M.R.S. § 556).

*York Voters for Referendum on the Initiated Ordinance for the Legislation of Marijuana v. Town of York*, CV-14-185 (Maine Superior Court – 2014)(Obtained successful result for Town of York and denial of requested injunctive relief in relation to dispute concerning placement of referendum on ballot).

*Messier v. Town of Brunswick et al.*, 2:13–CV–139–DBH, (U.S. District Court -D. Me. 2013) (Obtained dismissal of claims brought against the Town of Brunswick concerning contract and tax related claims).

*Arem v. Chance et al.*, CV-389201 (Maryland – Montgomery County Circuit Court – 2014) (Obtained dismissal of all claims based on the U.C.C. and tort addressed to disposition of collateral).

*Eastwood Investors VII, LLC et al. v. Newgate Gardens et al.*, CV12-3132 (North Carolina Business Court – 2014) (obtained successful

result for client in dispute between limited partner and general partner concerning governance).

*Korenthal v. Rite Aid Hdqtrs. Corp.*, ES-CV-11-02323 (Massachusetts – Essex County Superior Court- August 30, 2013) (prosecuted successful enforcement actions on behalf of Trustee and Assignee for the Benefit of Creditors of First Boston Pharma, LLC); *see also Korenthal v. McKesson*, ESCV12-00306; *Korenthal v. Kmart*, ESCV12-00064; *Korenthal v. Supervalu, Inc.*, ESCV12-00540; *Korenthal v. Safeway, Inc.*, ESCV12-539; *Korenthal v. Meijer, Inc.*, ESCV12-00378; *Korenthal v. H.J. Sutton Ind., Ltd.*, ESCV11-002445; *Korenthal v. Western Family Holding Co.*, ESCV11-2352

## Background

### **EDUCATION**

JD, University of Maine School of Law, 2002,  
*magna cum laude*

BA, St. Michael's College, 1993

### **ADMITTED TO PRACTICE**

State of Maine

Commonwealth of Massachusetts

U.S. District Courts and U.S. Bankruptcy Courts:

District of Maine and District of Massachusetts

## Memberships

Maine State Bar Association

Nathan and Henry B. Cleaves Law Library (Board of Directors)

Maine Bar Journal (Editorial Advisory Committee)

Campaign for Justice Legal Aid Fund (Volunteer)

Edward Thaxter Gignoux Inn of Courts

National Association of Dealers Counsel (NADC)

(Member)