



Daniel J. Mitchell

Shareholder

Meet Dan, trial lawyer, data security guru, and passionate advocate for his clients.

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

The co-chair of Bernstein Shur's Litigation & Dispute Resolution practice group, Dan represents businesses and individuals in a broad range of matters, from large-scale commercial litigation to significant personal injury cases. Dan also uses his expertise in data security and privacy law to advise his clients on dealing with a host of issues in these emerging areas. With over two decades of litigation and trial experience, Dan has an in-depth knowledge of the state and federal courts and is widely respected as a confident, compelling, and ethical counselor.

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



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207 774-1200 main
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100 Middle Street
PO Box 9729
Portland, ME 04104-5029

CO-CHAIR

Litigation & Dispute Resolution
Practice Group
Data Security Team

LEGAL ASSISTANT

Robin Learned

- Disputes involving securities brokers and their customers
- Products liability cases
- Cases brought before Maine’s Business and Consumer Court
- Consumer class actions
- Civil claims brought under the Racketeer Influenced and Corrupt Organizations (RICO) Act

In his former life, Dan:

- Served as a law clerk to the Honorable David G. Roberts, associate justice of the Maine Supreme Judicial Court
- Was on the legislative staff of US Senator John H. Chafee (R-RI)

When Dan isn’t working, he is...

Spending time with his wife and two sons, especially if it involves hiking or fishing anywhere in Maine. Dan and his family are very active in their church and he is a former member of the Board of Trustees of the Catholic Foundation of Maine.

Representative Matters

Patco Construction Co., Inc. v. People’s United Bank, 684 F.3d 197 (1st. Cir. 2012) (security procedures for electronic banking)

Passamaquoddy Wild Blueberry Co. v. Cherryfield Foods, Inc., 2019 Me. Super LEXIS _ (Jan. 22, 2019) (Breach of an output contract)

Sabina, et al. v. JP Morgan Chase, et al., 2014 WL 5489447 (D. Me. 2014) (federal jurisdiction under the Class Action Fairness Act)

(207) 228 – 7164

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PRACTICES & INDUSTRIES SERVED

Litigation & Dispute Resolution
Technology, Outsourcing & Data Security

AWARDS

- Recognized in *The Best Lawyers in America*® 2021
Appellate Practice
Commercial Litigation
- Ranked in *Chambers USA* (2021)
– Litigation: General Commercial
- Rated AV Preeminent by
Martindale-Hubbell
- Named to the National Law Journal’s list of Cyber Security Trailblazers (2016)
- Named a Top Ten Influencer by
Bank Info Security (2014)

Sabina, et al. v. JP Morgan Chase, 148 A.3d 284 (ME. 2016) (Reinstatement of a class action based on Mortgage Release Statute)

MyFreeMedicine.com, LLC v. Alpine Investors, 739 F.Supp.2d 8 (D. Me. 2010) (RICO)

New England Surfaces v. DuPont, 558 F.Supp.2d 116 (D. Me. 2008) (attorney's fees as sanction)

Mank v. Green, 350 F.Supp.2d 154 (D. Me. 2004) (ERISA)

Abington Constructors v. Madison Paper, 215 F.3d 1311 (1st Cir. 2000) (quantum meruit recovery)

Background

EDUCATION

JD, University of Maine School of Law, 1996, *magna cum laude*

Member, *Maine Law Review*

BA, University of Rhode Island, 1989

ADMITTED TO PRACTICE

States of Maine, New Hampshire, and Rhode Island, and Commonwealth of Massachusetts

US District Court, Districts of Maine, Massachusetts, and New Hampshire

US Court of Appeals, First Circuit and Federal Circuit

Memberships

Maine Trial Lawyers Association (President, 2019)

Maine Bar Association

Federal Bar Association – Maine Chapter (Charter Member)

Maine Civil Process Improvement Stakeholders Working Group

New Hampshire Bar Association

Maine Fee Arbitration Commission (Past Chair)

Catholic Foundation of Maine (Former Member,
Board of Trustees)