



John F. Lambert, Jr.

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PRACTICE AREAS

Agriculture & Food Processing
Civil Litigation
Commercial Litigation
Construction

Corporate & Small Business
Employment Practices & Litigation
Family & Divorce Law
Healthcare & Professional Liability

Insurance Defense
Intellectual Property
Probate & Trust Litigation

Although a trial lawyer, John understands that addressing his clients' challenges may sometimes require him to turn to resources outside the courtroom – legislation, agency assistance, state trade groups, municipal councils, etc. – to find the means to help his clients achieve their goals. Having tried many cases, chaired a town council, lobbied in Augusta, and appeared before multiple agency tribunals and boards, John knows that there are often many different forums available to provide his clients with the solutions they want. He also knows that the options may not be readily apparent and that a fresh look at each client and each situation is required. By first defining and understanding the clients' needs and goals, John works with the client to craft an effective, efficient strategy – through litigation or otherwise – to reach the goal.

Given his approach, John's practice involves a wide variety of trial and administrative work, including complex corporate litigation, antitrust litigation, majority-minority shareholder disputes, probate and estate-related litigation, and employment benefits and discrimination litigation. John does considerable employment and labor counseling and is the author of the Maine Human Resources Manual written at the request of the Maine State Chamber of Commerce. John also spends substantial time on governmental relations advocacy before the Maine Bureau of Insurance, the Maine Legislature, and OSHA. *Morrill v. Maine Turnpike Authority*, 2009 ME 116, provides an example of a legislative solution crafted by John that withstood judicial scrutiny.

John was the lead defense lawyer in *American Economy Insurance Company v. Maine Workers' Compensation Residual Market Pool*, a lawsuit that challenged the constitutionality of state legislation that established a \$220 million deficit funding package for the Pool. For more than a decade, John has served as general counsel to the Pool, an unincorporated association of more than 160 insurance companies, and guided the Pool from deficits estimated to be in excess of \$500 million to solvency. John has also successfully defended oil companies alleged by the State of Maine to have ruined town aquifers. In the employment arena he has handled employment

discrimination claims from the agency level through the First Circuit, ERISA defense work for a paper company, a national bank and a life insurance company. More recently John has been involved in many probate disputes and is believed to be the only Maine lawyer to have successfully obtained jury verdicts for two plaintiffs in will contests involving substantial estates. See Theriault v. Burnham, 2010 ME 82. In 2011, John completed his representation of a coalition of Maine employers and trade groups that through a successful lawsuit and enactment of legislation that he drafted and negotiated, compelled the Maine Workers' Compensation Board to promulgate a medical fee schedule that will yield substantial savings for Maine employers.

HONORS AND DISTINCTIONS

AV rated by Martindale Hubbell

EDUCATION

Middlebury College, *cum laude*

George Washington University School of Law, J.D., *cum laude*

BAR ADMISSIONS

State of Maine

United States Supreme Court

United States Court of Appeals First Circuit

United States District Court for the District of Maine

PROFESSIONAL MEMBERSHIPS

Maine State Bar Association

Maine Trial Lawyers Association

Defense Research Institute

COMMUNITY SERVICE

Vice Chair and Chair, Cumberland Town Council

President of the sailing class Club 420 Association

Vice President of the United States Optimist Dinghy Association

The experience of yesterday / the energy of tomorrow.



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