



Robert B. Hemley, Of Counsel

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Bob Hemley was admitted to the bar in 1971 in New York. After working for a Wall Street firm and serving as an Assistant U.S. Attorney for the Southern District of New York in Manhattan, he joined the firm in 1976.

EDUCATION

New York University, J.D. 1970

Amherst College, B.A. 1967

HONORS

Named Burlington Lawyer of the Year in various categories in *The Best Lawyers in America*® since 2011

Listed in *The Best Lawyers in America*® for more than 25 consecutive years, since 1989

Listed in *Chambers USA: America's Leading Lawyers for Business* since 2003

AV Preeminent Peer Review Rating in *Martindale-Hubbell* since 1986

Listed in *New England Super Lawyers* since 2007

Named as one of the Top 100 New England attorneys in *New England Super Lawyers* (2007-2011, 2013, 2015-2017, 2019)

Named as a “litigation star” in Benchmark’s *Guide to America’s Leading Litigation Firms and Attorneys* since 2008

Received Matthew Lyon Award by the Vermont Press Association for lifetime achievement in First Amendment work

REPRESENTATIVE MATTERS

Won a jury verdict of \$6,000,000 for a local garbage hauler in a predatory pricing case against Browning Ferris.

The judgment was affirmed by the Second Circuit Court of Appeals and the U.S. Supreme Court.

Won a \$3,000,000 jury verdict on behalf of a young girl whose t-shirt ignited, on the theory that cotton t-shirts are a dangerously defective product.

Won numerous jury verdicts in medical malpractice, negligence and products liability cases, obtaining millions of dollars for injured plaintiffs.

Successfully defended numerous local businesses at trial in minority shareholder cases.

Represented at trial a national packager of medical data in a successful effort to declare a Vermont statute unconstitutional. The verdict was affirmed by the U.S. Supreme Court.

Represented at trial the owner of the Vermont Yankee Nuclear Power Plant in a successful effort to declare a Vermont statute unconstitutional.

Obtained an arbitration award on behalf of the owners of a hydroelectric facility obtaining a valuation millions of dollars higher than the valuations presented by the opposing party.

Represented numerous national companies in disputes with the Vermont Attorney General over fair trade practices and advertising.

Represented numerous criminal defendants in federal courts.

Represented national and regional brokerage firms in disputes with customers and the State Department of Financial Regulation.

Represented physicians at the state's largest hospital in employment-related disputes.

Represented national employers in defense of wrongful discharge and other employment related matters.

MEMBERSHIPS & AFFILIATIONS

Chair, U.S. District Court Advisory Committee (formerly Civil Justice Reform Act Task Force) for Vermont, 1993-Present

Fellow, American College of Trial Lawyers

Fellow, International Academy of Trial Lawyers

Member, Chittenden County, Vermont and American Bar Associations

Member, The Association of Trial Lawyers of America

Member, Defense Research Institute

Member, American Board of Trial Advocates (Charter member, Vermont Chapter; President, 1993-1994)

Member, Federal Panel of Early Neutral Evaluators

SELECTED REPORTED CASES

Browning-Ferris Indus. of Vermont, Inc. v. Kelco Disposal, Inc., 492 U.S. 257 (1989)

Travelers Ins. Co. v. Henry, 2007 WL 1448072 (D. Vt. May 14, 2007)

Austin v. Downs, Rachlin & Martin, 2006 WL 2585102 (D. Vt. Aug. 24, 2006)

Dwight v. JP Morgan Chase Bank, 2005 WL 756517 (D. Conn. Mar. 31, 2005)

In re Inquest Subpoena (WCAX), 2005 VT 103, 179 Vt. 12, 890 A.2d 1240 (2005)

State v. Whitney, 2005 VT 102, 178 Vt. 435, 885 A.2d 1200 (2005)

Austin v. Downs, Rachlin & Martin, 114 Fed. Appx. 21 (2d Cir. 2004)

Blanchard v. Eli Lilly & Co., 207 F. Supp. 2d 308 (D. Vt. 2002)

Soutiere v. Betzdearborn, Inc., 189 F. Supp. 2d 183 (D. Vt. 2002)

Herald Ass'n v. Dean, 174 Vt. 350, 816 A.2d 469 (2002)

Andrew C. & Margaret R. Sigler Found., Inc. v. Town of Norwich, 174 Vt. 129, 807 A.2d 442 (2002)
Needham v. Coordinated Apparel Group, Inc., 174 Vt. 263, 811 A.2d 124 (2002)
Vermont Mobile Home Owners' Ass'n v. Lapierre, 131 F. Supp. 2d 553 (D. Vt. 2001)
In re Sealed Documents, 172 Vt. 152, 772 A.2d 518 (2001)
Vermont Soc'y of Ass'n Executives v. Milne, 172 Vt. 375, 779 A.2d 20 (2001)
Savoie v. Merchants Bank, 166 F.3d 456 (2d Cir. 1999)
Lapien v. Citizens Utils. Co., 159 F.3d 102 (2d Cir. 1998)
Boston & Maine Corp. v. Canadian Nat'l Ry., 152 F.3d 917 (2d Cir. 1998)
Ray v. Doughboy Recreational, Inc., 122 F.3d 1057 (2d Cir. 1997)
Costello v. Gannett Satellite Info. Network, Inc., 939 F. Supp. 313 (D. Vt. 1996), *aff'd*, 112 F.3d 503 (2d Cir. 1997)
Shaw v. Agri-Mark, Inc., 67 F.3d 18 (2d Cir. 1995)
Ross v. Times Mirror, Inc., 164 Vt. 13, 665 A.2d 580 (1995)
Beauchemin v. Blodgett Corp., 163 Vt. 175, 656 A.2d 984 (1995)
State v. Gundlach ex rel. Smallbeer, 160 Vt. 193, 624 A.2d 368 (1993)
Downs v. Downs, 159 Vt. 467, 621 A.2d 229 (1993)
David L. Threlkeld & Co. v. Metallgesellschaft Ltd. (London), 923 F.2d 245 (2d Cir. 1991)
State v. Schaefer, 157 Vt. 339, 599 A.2d 337 (1991)
Mobbs v. Cent. Vermont Pub. Ry., 155 Vt. 210, 583 A.2d 566 (1990)
U.S. v. Starr, 816 F.2d 94 (2d Cir. 1987)
Schaafsma v. Morin Vermont Corp., 802 F.2d 629 (2d Cir. 1986)

BAR ADMISSIONS

New York (1971)
U.S. Court of Appeals for the Second Circuit (1972)
U.S. District Court, Southern District of New York (1972)
U.S. District Court, District of Vermont (1976)
Vermont (1977)
U.S. District Court, Northern District of New York (1977)
U.S. Supreme Court (1989)

LANGUAGES

Spanish



PRACTICE AREAS:

- Alternative Dispute
- Antitrust Litigation
- Employment Litigation
- First Amendment
- General Business Litigation
- Medical Malpractice & Legal Malpractice
- Personal Injury & Products Liability
- Regulatory Investigations