

## Peter G. Callaghan

Director

Peter is a Director in Preti Flaherty's Concord, New Hampshire office where he focuses his practice on:

- Business and Commercial Litigation
- Real Estate Litigation
- Civil Litigation
- Employment Law
- Professional Liability
- White Collar Criminal Defense

He has extensive jury trial experience in the state and federal courts and with hearings before administrative agencies. He advises businesses on employment and other matters and handles internal investigations. Peter serves as Chair of Preti Flaherty's Professional Development Committee, is a Fellow in the American College of Trial Lawyers, and is recognized by *The Best Lawyers in America* for his work in Commercial Litigation. Peter is a member of the New Hampshire Public Employee Labor Relations Board and the District of New Hampshire's Federal Court Advisory Committee, and he recently served on the Magistrate Judge Merit Selection Panel.

A New Hampshire native, he resides in Concord with his wife Tenley.

### Practice Areas

- Litigation
- Employment Law
- Professional Liability
- White Collar Defense & Government Investigations
- Media Law

### Education

- Villanova University School of Law (J.D., 1989)
- Villanova University (B.A., magna cum laude)
  - Phi Beta Kappa

### Admissions

- New Hampshire
- U.S. District Court, District of New Hampshire
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Second Circuit



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## Professional Affiliations

- Fellow, American College of Trial Lawyers
- New Hampshire Public Employee Labor Relations Board
- Federal Court Advisory Committee
- New Hampshire Bar Association, Dispute Resolution Committee
- New Hampshire Association for Justice

## Honors & Awards

- Martindale-Hubbell® AV Preeminent™ Peer Review Rating
- Listed in *Best Lawyers in America* for Commercial Litigation

## Civic Involvement

- Board of Directors, New England Chapter of the Villanova Law Alumni Association
- Former Chair, Board of Directors, Havenwood Heritage Heights, a Continuing Care Retirement Community

## Representative Matters

Represented bank as Plaintiff in in case where Plaintiff made a series of loans to borrower, which in the end totaled \$12 Million. In 2011 it was discovered that the borrower had overstated its assets by \$10.5 Million. The borrower filed for bankruptcy protection and ultimately dissolved. The bank sued the company CFO for negligent misrepresentation, which was covered by the company's D&O policy, and the company's outside accountant and auditor for negligence, which was covered by the professional liability policy. Obtained \$2.35 Million settlement for client shortly before trial. The settlement was approved by the Bankruptcy Court. The settlement secured the bulk of the available insurance proceeds before coverage was declined and before any criminal charges have been filed. The company CEO subsequently pled guilty to a conspiracy charge. Represented multiple parties including bank and mortgage company as Defendant in 2 million dollar case where Plaintiffs borrowed \$2.9 million in order to purchase a home. The borrowers defaulted in 2009 and after numerous failed attempts to resolve the default, the lender initiated foreclosure proceedings. Borrowers filed suit to declare the mortgage void and for damages related to the collection efforts of the lender. Plaintiffs brought claims for violation of RESPA and the New Hampshire Consumer Protection Act. The Plaintiffs challenged the validity of the endorsement on the Note, as it was a successor trustee who was seeking to foreclose. Plaintiffs also challenged the endorsement of the Note to the successor trustee, which endorsement occurred during the litigation. Obtained dismissal of all claims but one on Motion to Dismiss (Plaintiffs later Amended their Petition). Won Judgment for Defendants on all claims following Bench Trial. This enabled the lender to enforce the note and mortgage by foreclosing on the property.