

## Sigmund D. Schutz

Partner

With courtroom successes for Fortune 500 companies, regional businesses, insurers, and entrepreneurs, Sig is a trial lawyer with many contested hearings to his credit, including jury and bench trials in state and federal court, multi-week complex arbitrations, and high-stakes administrative hearings. Sig has been counsel of record in many state and federal reported judicial decisions, including more than twenty appeals in the Maine Supreme Judicial Court.

Sig's environmental law practice includes toxic torts litigation, state and federal environmental enforcement defense, environmental damage and mold claims, defense of natural resource damage claims, and zoning and land use litigation and appeals.

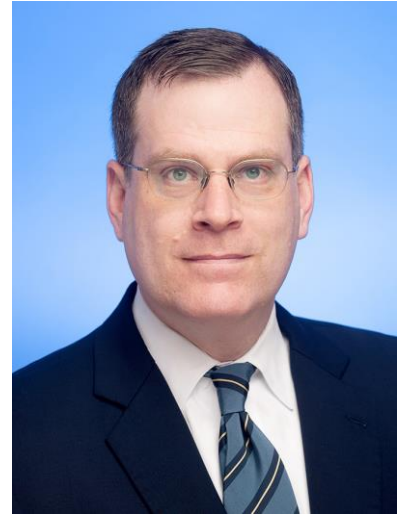
Active in securities disputes, Sig handles claims involving broker-dealers, securities fraud, and investment malpractice. He has participated as counsel in numerous Financial Industry Regulatory Authority (FINRA) arbitrations and in securities litigation in state and in federal court.

In his media law practice, Sig represents the news media in First Amendment matters, defamation and privacy, state and federal freedom of information, newsgathering and cyber law. He has also served as counsel in copyright, Lanham Act and advertising matters.

Sig handles a range of complex state and federal litigation and appeals, including major trust and estate disputes, product liability claims, construction litigation and arbitration, civil rights and constitutional litigation, professional liability, and unfair trade practices and administrative matters.

### Practice Areas

- Construction Law
- Data Security & Privacy
- Environmental
- Environmental Litigation
- Financial Industry Litigation & Arbitration
- Freedom of Information
- Government Procurement
- Litigation
- Media Law
- Natural Resource Damages
- Professional Liability
- Real Estate
- Securities
- Trusts & Estates



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## Education

- Cornell University Law School (J.D., 1997)
- Colby College (B.A., 1994)

## Admissions

- Maine
- Massachusetts
- New Hampshire
- New York
- U.S. District Court, District of Maine
- U.S. District Court, District of New Hampshire
- U.S. District Court, District of Massachusetts
- U.S. Court of Appeals, First Circuit
- U.S. Supreme Court

## Professional Affiliations

- American Bar Association
- Maine State Bar Association
- New Hampshire Bar Association
- Public Investors Arbitration Bar Association
- Media Law Resource Center, Defense Counsel Section

## Honors & Awards

- AV Preeminent™ rating by Martindale-Hubbell® Peer Review Ratings
- *Chambers USA: America's Leading Lawyers for Business*, General Commercial Litigation
  - *Chambers USA* (2014) reports that "Schutz is described by interviewees as 'an outstanding, top attorney.'"
- *Best Lawyers in America*®, Litigation - First Amendment Law, Litigation - Environmental, Litigation - Securities, Appellate Practice
- *New England Super Lawyers*
- *Benchmark Litigation*, Future Star
- Maine Bar Foundation, Fellow
- Litigation Counsel of America, Fellow

## Civic Involvement

- Board of Directors, Portland Ovarions (2008 - Present)
- Board of Directors, New England First Amendment Coalition (2008-Present)
- Clerk and Board of Directors, Maine Freedom of Information Coalition (2003-Present)
- Clerk and Member, Environmental Technology Council of Maine (2006 - Present)
- Former Board Chair, American Red Cross of Southern Maine (2004-2006)
- Pro Bono General Counsel, Maine Adaptive Sports (2014-present)

## Publications

- Sigmund D. Schutz and Benjamin S. Piper, Maine Privacy Law in MEDIA PRIVACY AND RELATED LAW (Media Law Resource Center) (annually, 2012 – Present).
- Jonathan S. Piper & Sigmund D. Schutz, Maine Libel Law, in MEDIA LIBEL LAW, (Media Law Resource Center) (annually, 1998 – Present).
- Sigmund D. Schutz, Public Access to Judicial Proceedings in Maine: Worth Protecting, 27 *Me.B.J.* 198 (2012).
- Daniel Rapaport, Kurt Olafsen, Sigmund D. Schutz, & Jonathan Mermin, Tort Killer: Applying the Economic Loss Doctrine to Service Contracts, 20 *Me.B.J.* 100 (2005).
- Sigmund D. Schutz, Time to Reconsider Nullum Tempus Occurrit Regi – The Applicability of Statutes of Limitations Against the State of Maine in Civil Actions, 55 *ME.L.REV.* 373 (2003).
- Sigmund D. Schutz, Freedom of Access Law: It's Not Easy Keeping Secrets, 14 *Me.B.J.* 138 (1999).

## Representative Matters

### Environmental

- Defended medical device company in four-week hazardous waste trial in federal court involving clean-up of mercury in river sediment.
- Defended \$250 million clean-up order at nine-day hearing before Maine Board of Environmental Protection.
- Defended largest Maine petroleum enforcement action in over 20 years.
- Defended largest U.S. EPA pesticide enforcement action in Region I.
- Resolved property damage claims for residential and commercial landowners located on former municipal landfill.
- Resolved state and federal natural resource damage claims at three former Maine oil terminals.
- Resolved property damage lawsuit by lakefront property owners arising from No. 6 fuel oil spill.
- Defended environmental consultants in \$1 million federal court jury trial against manufacturing company claim of faulty environmental site assessment.
- Defended environmental engineers in three-week New Hampshire arbitration in \$15 million alleged negligent water treatment system design at superfund site.
- Defended paper company in multi-plaintiff toxic tort lawsuit involving alleged brain cancer cluster.
- Successful U.S. EPA sole source aquifer petition under the Clean Water Act, Conanicut Island, Rhode Island.
- Successful license transfer for 99MW wind power project in New Hampshire.
- Successful contested air emission license amendment for paper mill.

### Financial and General Litigation

- Won \$40 million securities arbitration in Washington, D.C. on behalf of publicly traded company in connection with stock purchase of Maryland manufacturer.
- Won \$419,000 securities arbitration in Boston.
- Won appeal of award of \$50 million contract for wireless emergency communication service.
- Won appeal of award of \$35 million contract for state-wide lottery services.
- Represent beneficiaries, executors, personal representatives in securities and probate litigation and arbitration related to mishandling of assets, securities fraud, fiduciary mismanagement, and related matters.
- Represent owners and contractors in construction claims.

## Media

- Won news media First Amendment challenge to secret jury selection in high profile criminal case.
- Won federal summary judgment in favor of eight news media organizations against claims of libel, invasion of privacy, and civil rights violations arising from reporting on alleged unlawful firearms confiscation.
- Won trials and appeals permitting access to state and federal public records for news media.
- Pre-publication review of news articles, features, and broadcasts for news media.
- Won dismissal of defamation claims against *New York Times* reporter.
- Won lawsuit attempting to compel disclosure of identity of author of anonymous newspaper.
- Won dismissal of federal copyright claims against prominent magazine.