

Civil Litigation

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Related Services

Civil Litigation

Appeals and Post-Trial Motions

Breach of Contract and Commercial Disputes

Injunctive Relief and Emergency Motions

Restraining Orders (Harassment Prevention)

Tort Claims and Personal Liability Defense

Overview

Skilled counsel. Swift action. Strategic advocacy.

We represent individuals and businesses in complex civil disputes from pre-litigation strategy through trial and appeal, combining disciplined preparation with decisive advocacy to resolve matters efficiently.

When a Civil Dispute Demands More Than a Conversation

Most civil disputes do not begin in a courtroom. They begin with a broken agreement, an unpaid invoice, a letter from opposing counsel, or a situation that has simply deteriorated past the point of informal resolution. By the time a client reaches out to a litigation attorney, the dispute has usually been building for weeks or months, and the decisions made in those early stages often determine how the case unfolds.

Civil litigation is the mechanism through which individuals and businesses enforce their rights, defend against claims, and seek remedies when private resolution fails. It encompasses everything from demand letters and pre-suit negotiation to full trial proceedings and post-judgment enforcement. The process is deliberate, governed by procedural rules and evidentiary standards that reward preparation and punish delay. Cohen Cleary represents both plaintiffs and defendants across a broad range of civil matters, providing the kind of disciplined, stage-by-stage advocacy that keeps cases on track and positions clients for the strongest possible outcome. Specialized litigation areas, including [family law](#), [employment disputes](#), and [probate matters](#), are addressed under their own dedicated practice areas.

Our Civil Litigation Services

Cohen Cleary's civil litigation practice covers the full lifecycle of a dispute. Our attorneys handle matters across five core service areas:

Appeals and Post-Trial Motions

When a trial court decision contains legal error, or when a favorable verdict needs protection from a post-trial challenge, appellate advocacy requires a fundamentally different skill set than trial work. We handle [appeals](#) before the Massachusetts Appeals Court and the Supreme Judicial Court, as well as motions for reconsideration and a new trial.

Breach of Contract and Commercial Disputes

[Contract disputes](#) are the backbone of civil litigation. We prosecute and defend claims involving non-performance, non-payment, vendor and customer conflicts, partnership breakdowns, and unjust enrichment.

Injunctive Relief and Emergency Motions

Some disputes cannot wait for the ordinary litigation timeline. We pursue and defend temporary

restraining orders, preliminary injunctions, and [emergency motions](#) when immediate court intervention is necessary to prevent irreparable harm.

Restraining Orders and Harassment Prevention

Massachusetts Chapter 258E [harassment prevention orders](#) provide critical protection outside the domestic violence context. We represent both petitioners seeking protection and respondents defending against allegations.

Tort Claims and Personal Liability Defense

When individuals or businesses face [lawsuits alleging negligence, defamation, tortious interference](#), or fraud, the defense strategy must account for insurance coverage, exposure assessment, and reputation protection simultaneously.

How We Help: From Pre-Litigation Strategy Through Trial and Resolution

We tell our clients that the strongest litigation position is built before a complaint is ever filed. Our approach begins with a thorough investigation of the facts, the law, and the practical dynamics of the dispute. Who are the parties? What is the realistic range of outcomes? What does the client actually need to achieve, and what is the most efficient path to get there?

From that foundation, we develop a case strategy that accounts for every stage of the process. Pre-litigation, that means calibrating demand letters and settlement negotiations to create leverage without unnecessary escalation. Once litigation begins, our attorneys manage discovery, depositions, and motion practice with a focus on building the evidentiary record that supports our client's position at trial or in settlement discussions.

Not every case should go to trial. But every case should be prepared as though it will. That distinction matters. Opposing counsel and opposing parties negotiate differently when they know the other side is genuinely trial-ready. In Bristol County Superior Court, Plymouth County courts, and courthouses across southeastern Massachusetts, our litigation team maintains the kind of active caseload and courtroom familiarity that produces practical advantage: knowing how individual judges manage their dockets, understanding local procedural expectations, and anticipating the issues that cause unnecessary delay.

Why Choose Cohen Cleary's Civil Litigation Attorneys

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our Civil Litigation work, this approach helps clients navigate high-stakes disputes with clarity, efficiency, and confidence.

What Many Clients Get Wrong About Litigation

Many clients arrive assuming their case is straightforward because the facts seem clear. A strong factual position is important, but civil litigation is won on procedure, evidence, and timing as much as on the merits. A compelling claim poorly executed loses to a weaker position backed by superior preparation. That is why we invest disproportionate effort in early case assessment. The cost of correcting a misread case theory six months into discovery is far greater than the cost of getting it right at the outset.

Serving Clients in Civil Litigation Matters Across New England

Cohen Cleary maintains offices in [Taunton](#) and [Plymouth](#), with litigation teams actively practicing in courts across Massachusetts and Rhode Island. Our attorneys appear regularly in Superior Court, District Court, and Housing Court throughout southeastern Massachusetts, as well as in Rhode Island Superior Court and District Court.

For commercial and business disputes, the firm also represents clients throughout New England, bringing the same preparation and courtroom discipline to matters in state and federal courts across the region. This combination of deep local presence and active regional practice allows us to serve clients wherever their disputes arise while maintaining the court-specific familiarity that produces practical advantage.

Take the Next Step and Speak With a Massachusetts Civil Litigation Attorney

Civil disputes do not improve with time. Whether you are evaluating a potential claim, responding to a lawsuit, or navigating a matter that has stalled, [contact](#) Cohen Cleary to discuss

your situation with an attorney who will give you an honest assessment of your options and a clear path forward.

Frequently Asked Questions About Civil Litigation

How long does a civil lawsuit typically take in Massachusetts?

Timelines vary significantly depending on the complexity of the case, the court's docket, and whether the parties pursue settlement. A straightforward breach of contract claim in the District Court may be resolved in six to twelve months. Complex Superior Court litigation involving extensive discovery and motion practice can take two years or longer. Emergency matters involving injunctive relief move on an accelerated timeline, sometimes within days.

Do I need a litigation attorney if I just received a demand letter?

A demand letter is often the opening move in a dispute that could escalate to litigation. How you respond, and when, can significantly affect your position if the case proceeds. An attorney can evaluate the strength of the claims, identify your options, and craft a response that protects your interests without unnecessarily escalating the situation.

What is the difference between a plaintiff and a defendant in civil litigation?

The plaintiff is the party who initiates the lawsuit, claiming that the defendant caused them harm or violated their rights. The defendant responds to those claims. Cohen Cleary represents clients on both sides. Whether you need to pursue a claim or defend against one, the strategic considerations are equally important.

Can I recover my attorney's fees if I win my case?

Massachusetts follows the "American Rule," meaning each party generally pays its own attorney's fees regardless of outcome. There are exceptions: certain statutes (such as consumer protection claims under Chapter 93A) provide for fee-shifting, and some contracts include fee-recovery provisions. We evaluate fee-recovery potential early in every case because it materially affects the cost-benefit analysis.

What if the other party doesn't comply with a court order?

Violations of court orders, whether they involve judgment payments, injunctions, or discovery obligations, can be addressed through contempt proceedings and enforcement motions. Courts take non-compliance seriously, and the remedies available can include sanctions, fines, and in some cases modification of the underlying order. Enforcement is a routine part of the litigation process, not an afterthought.