



Benjamin A. Goldberger

COUNSEL

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Overview

After serving as the General Counsel for the state's Executive Office of Energy & Environmental Affairs and as Deputy Legal Counsel for Governor Charlie Baker, Ben brings extensive experience developing strategy and policy on complicated, technically complex matters, particularly in the areas of environmental law, regulatory compliance and enforcement.

Ben's prior experience includes seven years as an Assistant District Attorney with a focus on white collar crime and public corruption and as an associate and partner at an international law firm. He focuses his practice on government disputes and opportunities, particularly involving agencies within the Executive Office of Energy and Environmental Affairs and Executive Office of Economic Development, providing services in the following areas:

Environmental: Ben has significant subject matter experience with issues involving the Massachusetts Environmental Policy Act (MEPA), Coastal Zone Management (CZM) program, developing regulatory compliance programs, Chapter 91 waterways issues, environmental justice initiatives, the Toxics Use Reduction Act (TURA), Massachusetts Environmental Police matters, and public-private partnerships.

Litigation: Ben has tried more than three dozen cases to jury verdict and has briefed and argued a number of appeals. He combines book smarts and street smarts to provide zealous advocacy in the courtroom. Ben welcomes cases involving software and other high tech subject matters, allowing him to leverage his undergraduate studies in computer science and work experience as a software developer.

Public Law: Ben brings expertise and sound judgment honed at the highest levels of state government to state agency and municipal clients faced with challenging aspects of Massachusetts public law.

Internal Investigations and Government Enforcement Defense: While serving as an Assistant District Attorney for the Suffolk County District Attorney's Office, Ben developed a specialty in financial crimes and public employee investigations, handling high profile matters including a successful prosecution of a significant Ponzi scheme that received national recognition. He brings the insights from that experience to the representation of municipalities, universities, companies and individuals in internal investigations, criminal investigations and prosecutions, and other government enforcement actions. Ben welcomes representation of subjects, targets and defendants, as well as victims of financial crime.

Experience

Negotiated agreement to resolve Title VI investigation of federal funds recipient.

Advised multiple state agencies on revisions to regulations, including both substantive and procedural issues.

Served as principal legal advisor to the Massachusetts Environmental Police.

PRACTICE AREAS

Environmental
Internal Investigations
Litigation
Public Law
White Collar Defense &
Government Enforcement

CREDENTIALS

Education

Harvard Law School, J.D., 2002 – magna cum laude, 2001 Sears Prize

University of Pennsylvania, B.A.S., B.A., 1998 – summa cum laude, Phi Beta Kappa

Admissions

State and Federal Courts in Massachusetts

Registered Attorney – U.S. Patent and Trademark Office

Clerkship

Law Clerk to the Honorable Mark L. Wolf, United States District Court for the District of Massachusetts

Affiliations

Former Commissioner, Boston Human Rights Commission

Boston Bar Association, Member

Oversaw public records compliance across multiple secretariats.

Conducted internal investigations on behalf of state agency and corporate clients.

Represented Commonwealth in civil forfeiture action involving claims of Native American rights.

Prevailed at federal bench trial against state agency for violation of Religious Land Use and Institutionalized Persons Act (RLUIPA).

Provided strategic and tactical guidance to trial team that successfully defended state agency from Endangered Species Act (ESA) suit.