HUSCH BLACKWELL



Emily C. Shanahan

SENIOR COUNSEL

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OVERVIEW

Emily represents healthcare clients in a variety of business disputes and commercial litigation matters.

Emily brings close to 25 years of experience to her litigation-focused practice. She primarily handles commercial and business disputes, including breach of contract claims and business tort claims, although she also has experience with labor and employment matters, noncompete agreements, false advertising and consumer class action suits, anti-SLAPP motion practice, and probate litigation. Emily's main focus is representing the firm's Boston-area healthcare clients, including hospitals, health systems, physician groups, and other providers, in commercial litigation matters.

At the heart of nearly every piece of commercial litigation is the breakdown in some business relationship, whether based on contract or otherwise. Emily's passion is digging into the details, developing a narrative, and figuring out where a matter went wrong and how it can be fixed most effectively and efficiently for a client. An excellent, persuasive brief writer, Emily is known as a trusted counselor whose decades of experience have left her with sharply honed instincts to make the best calls to protect the client's interest. She works to resolve disputes before they go to trial so that clients avoid the risk and cost of full-blown litigation.

Eager to support large institutional clients, Emily joined Husch Blackwell thanks to its nationally ranked healthcare practice. Emily provides practical, business-smart solutions customized to fit the client's needs.

Industries

Healthcare

Life Sciences

Services

Appellate

Commercial Litigation

Healthcare Litigation

Healthcare Providers

Litigation & Alternative Dispute Resolution

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Experience

HEALTHCARE-RELATED LITIGATION

- Defended hospital in a complex contract dispute with a provider group, serving as co-lead trial counsel in an arbitration and helping guide the matter to resolution.
- Achieved a favorable resolution for a medical technology company in a commercial contract dispute with a service partner, protecting the client's business interests without prolonged litigation.
- Advised an accountable care organization on regulatory strategy related to CMS reconsideration issues arising under the Medicare Shared Savings Program.
- Represented a pharmaceutical manufacturer in a contract dispute stemming from a distribution and commercialization relationship.
- Counseled healthcare and dental practice partners on partnership disputes and practice acquisition matters, including contested transactions and post-closing relationship breakdowns.
- Secured a settlement for a nursing home operator with a vendor, resolving the matter efficiently and on terms aligned with the client's operational needs.

GENERAL LITIGATION

- Negotiated pre-litigation buyouts, on both the buy side and sale side, among partners in closely held businesses going through "business divorces," thereby avoiding the expense and disruption of litigation, while allowing the remaining partners to continue the operation of the businesses.
- Secured a significant gift to a non-profit institution under a charitable trust the validity of which was challenged by the donor's adult children on several grounds, including lack of capacity and undue influence.

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Experience

- Achieved a favorable decision from the Massachusetts Supreme Judicial Court that the client had properly classified the plaintiffs in a possible class action as independent contractors under the Massachusetts Independent Contractor Law.
- Negotiated an agreement favorable to the client with the manufacturer of equipment that failed to perform as represented, resulting in the return of the entire purchase price to the client without the time or expense of a lawsuit.
- Settled on terms favorable to the clients, trustees of a business trust, and a number of family trusts, with claims arising under a phantom stock plan brought by a former executive who alleged he was entitled to a larger share of the proceeds from the sale of the business owned by the trusts.

Recognition

- *The Best Lawyers In America®*
  - Litigation - Trusts and Estates, 2023-2027
- Massachusetts Super Lawyers
  - Super Lawyer, 2013-2025
  - Rising Star, 2008-2012
- Litigation Counsel of America, Fellow

Education

- J.D., Georgetown University Law Center
  - *magna cum laude*
- B.A., Bowdoin College
  - *summa cum laude*

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Admissions

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

Community Leadership

- Wellesley Club, Secretary, 2021-2024; Director, 2021-2026
- Wellesley Free Library Foundation, Board of Directors, 2020-2023
- The Boston Club, Board of Directors and Chair of Governance Committee, 2019-2022



The Best Lawyers in America®

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