



Insights and tips from legal professionals: Dennis M. Lindgren

By: Ellen Keiley August 3, 2017



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LINDGREN**

Dennis M. Lindgren, Partner, Pierce & Mandell

EK: Tell me about your background and your current practice.

LINDGREN: First and foremost, I was a Badger (University of Wisconsin-Madison) and then an Eagle (Boston College Law School). I clerked for the justices of the Massachusetts Superior Court, and then for the Honorable Joseph P. Nadeau (ret.) of the New Hampshire Supreme Court. Boston has always been home, so I came back and began practicing as an insurance defense lawyer, focusing on construction-defect and personal-injury matters. It was an interesting practice, but I didn't find working exclusively on

the defense side to be personally fulfilling. When I joined Pierce & Mandell approximately nine years ago, it was to strike out and build my own plaintiffs' practice, which my partners have unwaveringly supported. Today, I handle a variety of litigation matters, but the bulk of my time is spent on construction defect and plaintiffs' personal injury cases, specifically those involving wrongful death and traumatic brain injury.

EK: What made you want to be a lawyer?

LINDGREN: I'd like to say it was an innate sense of justice and love for the law, which to a certain extent is true. But if I'm being honest, my path was set when I was 10 years old, and I asked my Aunt Lorraine for a Looney Tunes chess set, the fancy pewter one from Franklin Mint. Knowing that I liked a good argument and that I would undoubtedly starve to death if I tried to make my living with my hands, she promised that if I graduated law school, she would buy me the chess set. Unbeknownst to me, 13 years later, when I got into law school, she began ordering the pieces, one every other month, with the last arriving just before I graduated. It was the most remarkable gift I have ever received.

EK: Tell me about your professional and community involvement.

LINDGREN: I have been a fellow of the Massachusetts Bar Foundation since 2010 and a trustee since 2014. The MBF is a remarkably important part of the legal philanthropic community, last year giving out approximately \$3 million in grants to non-profits. I believe every lawyer in Massachusetts should be a member of the MBF. Last year, I joined the board of the Natural Resources Trust of Easton. The NRT is steward to approximately 250 acres of beautiful open space and runs nature education programs for thousands of school children each year. I also regularly participate in MCLE's Practicing with Professionalism Roundtables for newly admitted lawyers, sharing tips for surviving the first few years of practice, as well as fielding insightful questions from young lawyers.

EK: What is the best piece of advice you ever received?

LINDGREN: Luck is what happens when preparation meets opportunity. Make your own luck.

EK: What tips do you have for other lawyers, as it relates to marketing and business development, in general, or both?

LINDGREN: I am actively involved in both USA 500 and Provisors, which are business networking groups. I know

the term “networking” often results in eye rolls from the uninitiated, but over the last five years I have learned a tremendous amount about building professional relationships and business development, expanded my professional network exponentially, made great friends and generated a significant amount of business. The most important lesson I have learned in business development is to do for others with no expectation of return. First and foremost, it feels great to help other people, and it’s a natural way to build relationships. Friends go out of their way to help friends, and the more someone likes you, the more likely they are to spot your opportunity when it arises someday, and steer it to you.

EK: What are the most challenging aspects of construction defect cases? How do you overcome those challenges?

LINDGREN: While you learn a lot about construction over the years, the opposing parties and your clients always know more. So, while it’s helpful and necessary to have a certain base level of knowledge of construction practices, it’s even more important to immediately recognize what you don’t know so that you can educate yourself as thoroughly and quickly as possible. Also, the amount of documents and data generated in larger construction-defect cases, where you can have 20-plus parties, can be overwhelming if you aren’t organized and don’t know how to sift and winnow your way through to the really relevant information.

EK: You and your partner, Bob Pierce, achieved a significant settlement against a well-known Boston bar for negligent security on behalf of two men who had been shot by a bar patron. What were the most challenging aspects of that case?

LINDGREN: The case against the Glass Slipper was very interesting and very challenging for a variety of reasons. One of our clients had become involved in a verbal dispute with another patron over whether our client could sit in a chair that was being saved for a venue employee, who was performing at the time. Unbeknownst to our client, this particular patron had allegedly been allowed to enter the club with a backpack containing a loaded .22-caliber handgun and 16 rounds of loose ammunition. Without warning, the patron allegedly took out the handgun and shot our first client in the head. When our second client tried to assist his wounded friend, the patron allegedly shot him in the head as well. It always complicates matters when you are trying to advance a civil case while there is a criminal prosecution occurring on a parallel track. Also, in that particular case, while there were a number of witnesses, it was difficult to identify many of them, and those that we could identify had legal entanglements of their own that made them, for all intents and purposes, unavailable. Negligent security cases are all about the applicable standard of care (i.e., what is the industry standard). In that particular case, it was very helpful that there was a similar establishment just next door, which helped us establish the industry standard for security in “gentlemen’s clubs.”

EK: I understand that you have also represented a number of persons who have suffered serious injuries, including traumatic brain injury, as a result of porch and balcony railing collapses. What’s unique about these cases?

LINDGREN: There are typically three reasons porches and balcony railings collapse: One, they weren’t constructed correctly; two, they weren’t maintained properly; and/or three, they were overloaded. Having a background in construction-defect litigation is especially helpful in quickly determining what the cause of the collapse was and developing a theory of the case. Given the nature of the incident, these cases often result in very serious injuries, including traumatic brain injuries or even death. These incidents are awful, and they change families forever, so what is unique about these cases is that very often you are meeting a victim or their family at the very worst moment of their lives. They are scared, they are confused, and they are angry. So, in addition to needing to have the requisite expertise in construction defect and traumatic brain injury/catastrophic personal injury matters, you also need to help your clients and their families work through the emotional trauma. That can be very difficult when you are simultaneously trying to gather facts and move their case forward.

EK: Is there anything about you that might surprise others?

LINDGREN: My wife has two cats, two dogs and a horse. I have a wife.

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