

PARTNER

Ryan P. Avery

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OVERVIEW

Ryan Avery represents developers, contractors, and equipment/material suppliers across a comprehensive range of legal matters, including claims for defective and dangerous building conditions, change orders and delay claims, lien and bond claims, public bidding disputes, and land use/title disputes. Additionally, Ryan has extensive experience litigating complex lease disputes and other commercial transactions. He is well-versed in the process for appealing local permit and zoning decisions under Massachusetts General Laws Chapter 40A, having served on the zoning boards of two different towns in Central Massachusetts for nearly a decade.

In addition to his construction and commercial litigation practice, Ryan has litigated nearly every type of employment claim recognized under state and federal law, including claims for executive compensation, unpaid wages, discrimination, retaliation, wrongful termination, and the enforcement of non-competition, non-solicitation, and anti-raiding agreements. He serves as litigation and employment counsel to a diverse group of clients, including general contractors, lawyers, physicians, dentists and dental service organizations, home health agencies, long-term care/assisted living facilities, non-profit organizations, and banking institutions. Ryan also assists clients in drafting and reviewing executive employment contracts, non-competition agreements, separation agreements, and personnel manuals.

Ryan represents clients in state and federal court, arbitration, and mediation proceedings. He also routinely represents clients before state agencies including the Commission Against Discrimination, the Division of Administrative Law Appeals, the Division of Public Licensure, the Department of Labor Relations, the Division of Apprentice Standards, the Office of Consumer Affairs and Business Regulation, the Department of Elementary and Secondary Education, the Board of Registration in Medicine, the Board of Registration in Nursing, and the Board of Registration in Dentistry.

EXPERIENCE

- Successfully defended franchisees in the diagnostic testing industry against baseless claims for territorial encroachment filed by their fellow franchisee in the Business Litigation Session of Suffolk Superior Court, resulting in the voluntary dismissal of all claims. Secured the prompt dismissal of these same claims in a subsequently-filed arbitration action.
- Secured judgments for pipe supplier totaling more than $2 million on bond claims arising out of two public construction projects.
- Secured payment of over $900,000 for site contractor after timely-filed mechanic's lien placed on large commercial development in Worcester County.

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- Secured dismissal of all claims asserted by automobile repair business (valued at over $300,000) against commercial landlord following a jury trial in Norfolk County
- Obtained verdict establishing clients' ownership to four acres of disputed land following a five-day bench trial in Bristol County Superior Court; this verdict was affirmed on appeal with an award of appellate fees to client.
- Successfully settled claims against general contractor totaling more than $3 million asserted by the U.S. Department of Labor and contractor's surety bond company in three separate federal court actions filed in Massachusetts and New Hampshire.
- Secured dismissal of c. 93A claim filed by commercial landlord against Middlesex County dental practice client prior to trial.
- Secured unpaid vacation wages and a six-figure arbitration award for unpaid severance on behalf of a corporate executive following a five-day arbitration hearing; final settlement also included reimbursement for client's attorney's fees.
- Recovered approximately $420,000 in a small class action for pension contributions withheld from 65 employees of an environmental remediation contractor in Worcester County.

AFFILIATIONS

- Massachusetts Bar Association
  - House of Delegates (2024-2025)
  - Co-Chair, Real Estate Section Council; House of Delegates (2021-2022)
- Worcester County Bar Association
  - President (2024-2025)
  - Executive Committee (2017-2020; 2022-2026)
    - Sub-Committee or Section Chair (2014-2026)
      - Labor & Employment
      - Superior Court
      - Professional Responsibility
- Access to Justice Committee, Community Legal Aid
- Trustee, Worcester Law Library Trust
- Thomas More Society of Worcester
- Treasurer, Last Green Valley, Inc.

PREVIOUS

- Hearing Officer, Massachusetts Board of Bar Overseers (2020-2026)
- Zoning Board of Appeals, Charlton, MA (2020-2023)

HONORS

- Named to Massachusetts Super Lawyers list (2026)

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- Legal Luminaries, *Massachusetts Lawyers Weekly* (2025)
- Massachusetts Super Lawyers – Rising Star (2019-2025)
- President's Award, Worcester County Bar Association (2020)
- Fellow, Construction Lawyers Society of America

ARTICLES & TALKS

ARTICLES

- "Gratuitous Tenancies: A Conundrum of Massachusetts Property Law," Massachusetts Bar Association Section Review, 2022
- "Evaluating OT Policies in Anticipation of FLSA Overhaul," *Massachusetts Lawyers Weekly,* 2014
- "Fair Shake or an Offer They Can't Refuse? The Protection of Cooperating Alien Witnesses Under United States Law," 33 Suffolk Transnat'l. L. Rev. 347, 2010

BAR ADMISSIONS

- Massachusetts
- New York
- Rhode Island
- U.S. District Court for the District of Massachusetts
- U.S. First Circuit Court of Appeals

EDUCATION

- J.D., Suffolk University Law School, *Transnational Law Review*
- B.A., American University

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