



PRACTICE AREAS

Banking, Finance & Lending
Construction Law
Employment Law
Hospitality Practice Group
Litigation

INDUSTRIES

Communications
Technologies
Construction
Financial Services
Hospitality & Retail Services
Technology

EDUCATION

B.A., Boston College, 2004
J.D., Suffolk University Law
School, *summa cum laude*,
2009

ADMISSIONS

Massachusetts
U.S. District Court for the
District of Massachusetts
U.S. District Court for the
Northern District of Illinois
U.S. District Court for the
Eastern District of Wisconsin
U.S. Court of Appeals for the
1st Circuit
U.S. Court of Appeals for the
2nd Circuit
U.S. Court of Appeals for the
7th Circuit
U.S. Court of Appeals for the
D.C. Circuit

Roger L. Smerage

Associate

Call: 617-570-3512 | Email: rls@riw.com

OVERVIEW

Roger L. Smerage focuses his practice on complex business and commercial litigation. He has experience representing financial services, telecommunications, technology, retail, and energy companies in state and federal courts, arbitration facilities, and administrative agencies. Such matters have involved tort claims, breach of contract claims, Racketeer Influenced and Corrupt Organizations Act claims, mortgage foreclosure proceedings, and real-estate-related disputes. Roger has also represented shareholders and members of small businesses in corporate disputes. Roger has represented clients in a range of appellate proceedings, as well, and has submitted briefs to the Massachusetts Appeals Court and the United States Courts of Appeals for the First, Second, and D.C. Circuits. He has also assisted in the preparation of briefs to the Massachusetts Supreme Judicial Court and the United States Supreme Court.

In addition to his litigation experience, Roger has advised businesses on issues involving customer and employee data privacy. Roger also has experience advising clients on consumer and employment terms and conditions. Among other things, he has advised clients on how to structure and enforce pre-dispute arbitration agreements.

Additionally, Roger has represented clients on various aspects of state and federal consumer protection statutes and regulations, such as M.G.L. Chapter 93A, the Fair Credit Reporting Act, and anti-discrimination laws such as the Fair Housing Act and Equal Credit Opportunity Act, and has defended clients in state and federal class actions alleging violations of such statutes. Roger also has experience assisting clients through government investigations and enforcement proceedings.

Prior to joining Ruberto, Israel & Weiner, Roger practiced for over nine years at the Boston office of K&L Gates LLP. While attending Suffolk University Law School, he interned for Hon. William G. Young of the U.S. District Court for the District of Massachusetts and Hon. Robert J. McKenna, Jr. of the Boston Municipal Court. Roger was also a note editor of the Suffolk University Law Review.

PUBLICATIONS

- *SJC Rules Disgruntled Shareholder Can't Use Derivative Action to Relitigate Claims*, Massachusetts Lawyers Weekly (September 16, 2021).
- *With First-of-Its-Kind Decision, Pennsylvania High Court Identifies Common-Law Duty to Protect Digital*

- Data*, Washington Legal Foundation Legal Backgrounder, Vol. 34 No. 2 (February 15, 2019)
- *In Spokeo Remand, Ninth Circuit Adopts Hybrid Approach to Statutory-Standing Analysis*, Washington Legal Foundation Legal Opinion Letter, Vol. 26 No. 22 (October 20, 2017)
- *HUD Proposal Would Impose “Disparate Impact” Regulation on Property Insurance*, Washington Legal Foundation Legal Backgrounder, Vol. 27 No. 11 (June 8, 2012)
- Note, *Two for the T, Three for You and Me: The MBTA’s Exception to the Three-Year Statute of Limitations*, 42 Suffolk University Law Review 729 (2009)