

Beth I. Z. Boland

Partner

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Named one of the “Most Powerful Business People in Boston” by the *Boston Business Journal* and one of 2023-24’s “Most Influential Bostonians” by *Boston Magazine*, and inducted into the inaugural Hall of Fame class by *Massachusetts Lawyers Weekly*, Beth Boland gets things done. Through her deep involvement in the business, legal, and civic communities in Boston and as a lawyer, board member and advocate, she has built respected relationships and business acumen that she puts to work for clients.

“Beth’s extremely detailed and in-depth knowledge is invaluable,” said a client in *Chambers USA* about Beth’s securities litigation experience. She leads internal investigations for corporate boards and represents corporations in connection with shareholder disputes, insider trading issues, Ponzi schemes, accounting fraud, corporate control issues, whistleblower claims, executive compensation and strategic business transactions, and SEC and Attorney General investigations.

Beth defends some of the nation’s largest financial institutions and operating companies in class action litigation and multi-agency enforcement actions, and has won numerous class actions with industry-wide ramifications in state supreme courts and federal appeals courts across the country. She works with clients in a wide range of industries, including financial services, innovative technology, and manufacturing.

Beth is vice chair of the firm’s Environmental, Social, and Corporate Governance (ESG) practice, and the former chair of the Securities Enforcement & Litigation Practice and a former vice chair of the Litigation Department.

Active on many fronts in the legal community, Beth co-chaired the Boston Bar Association (BBA) Task Force on Corporate Governance and was appointed by the chief justice of the Massachusetts trial court to co-chair the committee charged with overseeing the state’s new business court. She is considered a pioneer on issues affecting women in the profession and women who are victims of abuse. Her representation of women who flee across international borders to escape abuse has received national attention and has produced seminal

court decisions under the Hague Convention on International Child Abduction. Beth was appointed by the governor of Massachusetts to serve on the board of the state Lottery Commission along with the Massachusetts treasurer.

Beth has served on a variety of nonprofit boards and received numerous awards for her work, including the WBA's highest honor, the Lelia J. Robinson Award, in recognition of her contributions to the legal profession and the greater community. Currently, she is chair of the New England Chapter of the National Association of Corporate Directors.

Earlier in her career, Beth served as a judicial clerk to the Honorable Milton Pollack in the U.S. District Court for the Southern District of New York while he was assigned to the Ivan Boesky and Michael Milken insider trading litigations.

Representative Experience*

- Representing CEO and CRO of Silvergate Bank (NYSE: SI), primary bank for FTX and other major crypto currency exchanges in connection with numerous securities class actions and derivative actions filed by the bank's shareholders and class actions by FTX's investors.
- EMC Casualty Corporation – Led defense of multiple shareholder suits and appraisal claims against controlling shareholder of large publicly traded insurance company in connection with its US\$350m "going-private" transaction. Obtained three unanimous favorable decisions from Iowa Supreme Court and Eighth Circuit Court of Appeals.
- Represented JPMorgan Chase Bank in connection with class action investor claims alleging that the bank aided and abetted a US\$100m+ Ponzi scheme involving the sale of fictitious certificates of deposit, patterned after the Stanford C.D. Ponzi scheme. Successfully settled all claims for less than litigation costs.
- Represented the largest regional bank in Utah, Zions Bank, in connection with numerous class action and individual investor claims alleging that the bank aided and abetted the largest Ponzi scheme securities fraud in Utah history. Successfully settled all claims for less than litigation costs.
- Represented Kids2, Inc. in connection with its acquisition of publicly traded Summer Infant (NASDAQ: SMR). Settled for nominal damages multiple shareholder class action suits in connection with disclosures in proxy materials for the acquisition, and prevented the filing of a shareholder class action suit against Summer Infant after closure of the transaction.
- Representing Earlybird Capital, a leading innovator in the SPAC market, in connection with Delaware appraisal claims filed in the wake of its US\$135m reorganization.
- Led the investigation by a Special Committee of the Board of Trustees of a major Boston-area university into conflict-of-interest and breach-of-fiduciary-duty allegations against the university president and the chair of the Investment Committee of the Board.
- Represented the president of Suffolk University in connection with an internal investigation by the Board of Trustees, amid widespread media coverage and attorney general investigation.

- In one of the leading “poison pill” cases in Delaware Chancery Court jurisprudence, represented Yucaipa American Alliance Fund and its principal Ron Burkle through trial in their challenge to the validity of the shareholder rights plan adopted by the board of directors of Barnes & Noble.
- Led the representation of a publicly traded government contractor in connection with an SEC investigation into the company’s restatement of its financial results, the withdrawal of its outside audit firm and the company’s public disclosures on other related issues. After a two-year investigation, the SEC decided not to pursue enforcement action against the company or impose any fines or penalties.
- Led the internal investigation involving the top executives of a publicly traded medical device company’s overseas operations engaged in internal accounting fraud, which resulted in the dismissal of the head of the overseas operations and other senior executives.

*Certain matters occurred prior to Beth joining Foley & Lardner LLP.

Awards and Recognition

- Hall of Fame inaugural class – *Massachusetts Lawyers Weekly* (2023)
- Most Influential Bostonians – *Boston Magazine* (2023)
- “Woman of the Year” – Tomorrow’s Women TODAY (2023)
- *The Best Lawyers in America*© Litigation – Regulatory Enforcement (2024)
- *Chambers USA* – America’s Leading Lawyers in Securities Litigation
- Most Influential Lawyers in the Commonwealth – *Massachusetts Lawyers Weekly*
- Top 50 Massachusetts Women Lawyers – *Boston Magazine* (multiple years)
- “Woman of the Year” – *EmergeMassachusetts* (2020)
- “Power 50” – *Boston Business Journal* (2018)
- “Circle of Excellence” (one of five women lawyers so honored) – *Massachusetts Lawyers Weekly* (2016)
- “Leading Woman Award” – Girl Scouts of Eastern Massachusetts
- Lelia J. Robinson Award – Women’s Bar Association of Massachusetts (2010)
- “The Power List” – *Massachusetts Lawyers Weekly* (2009)
- Women’s Leadership Award – The Alliance of Women’s Business and Professional Association (2007)
- *Super Lawyers, Massachusetts* (2004 – present); Top 50 Women Lawyers (2004, 2012, 2015 – present)
- President’s Award – The Boston Club (2004)
- “Business Ace Award” – New England Women’s Fund (2003)
- “Child Advocate of the Year” – Massachusetts Society for the Prevention of Cruelty to Children (accepted on behalf of Mintz Levin) (2002)
- Mintz Levin Pro Bono Award (accepted on behalf of McLarey v. Danaipour team) (2002)
- Abigail Adams Award – Massachusetts Women’s Political Caucus (1999)
- “Voice for Justice” Award – Support Committee for Battered Women (1998)

Affiliations

- Boston Bar Association
- American Bar Association
- National Association of Corporate Directors (NACD) – President, New England Chapter

Presentations and Publications

- “2023 Corporate Governance/Securities Law Update,” NACDNE Experienced Director Program (annual)
- “Legal & Regulatory Responsibilities of Board Members,” Harvard University (annually, since 2017)
- “Audit Committee Investigations: Traps for the Unwary,” Women Corporate Directors (2022)
- “ESG and Sustainability – A New Era of Enforcement and Litigation Risks,” 2022 ACI Annual Meeting (2022)
- “Audit Committee Investigations in the Next Normal,” National Association of Corporate Directors (2021)
- “Emerging Governance Issues in an Era of Disruption,” Association of Corporate Counsel (2021)
- “Board Committee Composition & Structure,” The Boston Club (2021)
- “Board Special Committees & Investigations,” National Directors Institute (2021)
- “The Rapidly Changing Landscape of the Board’s Role in Overseeing Corporate Compliance,” National Directors Institute (2020)
- “Corporate Governance and Disclosure Issues in the Age of Crises” Athena Alliance (2020)
- Co-author, “Shareholder Activism Pushes Boundaries of Board Duties,” Law360 (2019)
- “#METOO Meets the Boardroom,” National Directors Institute (2018)
- “‘Me Too,’ But Now What? What Corporate Boards Need to Know About Workplace Sexual Harassment,” *Legal News: Labor & Employment* (2018)
- “SEC Steps Up Investigation of Political Intelligence Firms for Insider Trading,” Foley & Lardner webinar and Litigation Advisory (2015)
- “Trends in Shareholder Bylaws,” National Directors’ Institute (2015)

Sectors

- [Digital Assets, Web3 & NFTs](#)
- [Energy](#)
- [Innovative Technology](#)
- [Manufacturing](#)
- [Racial Justice & Equity](#)
- [Sustainability & Product Stewardship](#)

Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Environmental, Social, and Governance \(ESG\)](#)
- [Litigation](#)
- [Securities Enforcement & Litigation](#)

- [State Attorneys General](#)
- [Transactions](#)

Education

- The University of Chicago Law School (J.D., 1988)
 - Articles Editor, *The University of Chicago Legal Forum*
 - Daniel Yee Merit Scholar
- The University of Chicago (B.A., with honors, 1985)
 - Rhodes Scholarship State Finalist
 - Phi Beta Kappa Society Member

Admissions

- New York
- Massachusetts
- United States Courts of Appeals
 - First Circuit
 - Second Circuit
 - District of Columbia Circuit
- United States District Courts
 - District of Massachusetts
 - Southern District of New York