

# Scarlett M. Rajbanshi

Partner

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## Practices

Business Litigation  
 General Litigation  
 Insurance Coverage and Bad Faith Litigation  
 Premises Liability and Tort Defense

## Bar Admissions

Commonwealth of Massachusetts  
 State of New Hampshire  
 State of New York  
 State of Rhode Island  
 United States Court of Appeals for the First Circuit  
 United States Court of Appeals for the Second Circuit  
 United States Court of Appeals for the Sixth District  
 United States District Court for the District of Massachusetts  
 United States District Court for the District of New Hampshire  
 United States District Court for the District of Rhode Island  
 United States District Court for the Eastern District of New York  
 United States District Court for the Southern District of New York

## Overview

Scarlett’s trial practice focuses on insurance coverage disputes, general liability and professional liability defense. She represents insurers, businesses, property owners and professionals in the state and federal courts of Massachusetts, New Hampshire, New York and Rhode Island. Scarlett also defends lawyers, accountants, condominium boards, property managers and owners, skilled nursing facilities, and other professionals in all aspects of litigation including, if necessary, arbitration and trial. She is an accomplished trial lawyer with a strong courtroom presence during both oral arguments and witness examinations. Insurance companies, businesses and professionals faced with litigation rely on Scarlett for her tenacity and strong legal advocacy skills to obtain a swift and favorable resolution of the matter. With her insightful legal analysis and practical approach, clients turn to Scarlett for her ability to solve highly complex and difficult disputes in a manner that makes both legal and business sense.

## Affiliations

- American Bar Association
- Massachusetts Bar Association
- New Hampshire Bar Association
- New York Bar Association
- Rhode Island Bar Association
- Women’s Bar Association of Massachusetts
- Professional Liability Underwriting Society

## Articles & Seminars

- Author, “*Cyber Liability: An Overview of Corporate/Law Firm Exposure, Preparedness, and Cyber Insurance,*” New Hampshire Bar News, February 2024 (Co-Authored with Tamara Smith Holtslag, Esq. of Peabody & Arnold and Jessica Eldridge, Sr. VP & Practice Director of Cyber, J.S. Held Forensic

### Education

Boston College Law School, J.D.,  
*cum laude*, 2006

University of Massachusetts,  
B.A., *summa cum laude*, 2002

### Clerkships

Honorable R. Malcolm Graham,  
Massachusetts Appeals Court  
(2006-2007)

Accounting/Insurance Service's Practice)

- "Proper Tool Use": An analysis of various courts' application of "hammer clauses" contained in insurance policies. *Best Review Magazine* (June 2012)
- "Property Managers Face Liability as Landlords." *Banker & Tradesman* (May 30, 2011)
- "The Designated Premises Endorsement." *Claims Magazine* (August 2010)

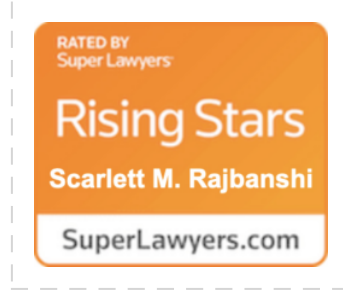
### Representative Cases

- *XL Specialty Insurance Co. et al. v. AR Capital, LLC et al.*, New York Supreme Court for the State of New York Index No. 650018/2019 (Feb. 2, 2021) (summary judgment allowed in favor of directors & officers liability insurers).
- *Hayes v. CRGE Foxborough, LLC*, C.A. No. 1:13-cv-12014 (D. Mass. 2016)(secured jury verdict in favor of architect sued for negligence).
- *Madden v. 4499 Acushnet Operating Company, LLC et al.*, C.A. No. 2011-02929 (Mass. Super. 2016)(defense verdict in favor of long-term acute care hospital).
- *Chute et al. v. Trustees of 2 Otis Place Condominium Trust*, C.A. No. 2014-03054 (Mass. Super. Ct. 2015)(successfully defended condominium trustees at bench trial concerning equitable relief claim asserted by a unit owner).
- *Simpson v. Bedford Hills Center*, C.A. No. 216-2015-cv-00341 (N.H. Super. Ct. 2015)(motion to compel arbitration allowed).
- *Mount Vernon Fire Insurance Company v. Visionaid, Inc.*, 91 F.Supp.3d 66 (D. Mass 2015)(insurer is not obligated to fund prosecution of insured's counterclaim).
- *Haley Charest et al. v. Western World Insurance Company*, C.A. No. 217-2015-cv-00126 (N.H. Super. Ct. 2016)(auto exclusion applied to preclude coverage under general liability policy).
- *Amponsah v. Mount Vernon Fire Insurance Company*, C.A. No. PC2015-5219 (R.I. Super. Ct. 2016)(motion to dismiss allowed concerning claimants' direct claims against insurance company).
- *Lexington Ins. Co. v. United Health Group, Inc.*, C.A. No. 09-cv-10504 (D. Mass. 2011)(insurer was prejudiced as a matter of law where insured failed to adequately notify insurer of multi-million-dollar lawsuit that insured litigated for years).

### Awards

- "Rising Star," Super Lawyers (2013-2018)
- "Top Women of Law," *Massachusetts Lawyers Weekly* (2020)





### Interests

Scarlett enjoys running, skiing, cooking and spending time with her family and faithful pug, Chata.