

## How Burns & Levinson, Mackie Shea View Recent Tie Up

By Emma Cueto

*Law360 (September 9, 2022, 12:06 PM EDT)* -- Leaders from Burns & Levinson LLP and the Boston environmental boutique it absorbed earlier this month, Mackie Shea & Durning PC, spoke to Law360 Pulse about how the firms decided to join forces, how the boutique fits into the firm's larger plans, and why they expect to see an uptick in environmental legal needs.

The five attorneys with Mackie Shea, including all three name partners, officially joined Burns & Levinson on Sept 1. Law360 spoke to Burns & Levinson co-managing partner David Rosenblatt and Mackie Shea name partner Peter Durning about the news.



Peter Durning

### How did the two firms first start talking about joining forces? What was the origination for this?

**Durning:** It really grew out of some internal discussions we were having in the spring of this year that were focused on a discussion of client services and how best to meet our clients' needs. Internally we decided that we wanted to look for a larger platform to be able to extend and support the services that we were delivering to our clients. David in particular and Burns & Levinson were one of the first places we contacted to say, "Hey let's have a discussion and see if this might work."



David Rosenblatt

### And David, what was your reaction to their interest?

**Rosenblatt:** Well first, the firm had already identified environment and real estate as important growth areas in our strategic plan. That was the starting point. And then I know most of the lawyers at Mackie Shea — and the three name partners very, very well — from practicing in the same market, and I think very highly of all of them. This was an opportunity to add a very strong and accomplished group. When I heard they were looking, I was very interested. This was a complement and a fit to our strategic plan, and having familiarity with their firm for so many years made it a wonderful opportunity for us to pursue.

### Peter, what had Burns & Levinson up near the top of your list?

**Durning:** As David just mentioned, there was a strong personal and collegial relationship, particularly between how Mackie, John Shea, and David had strong personal connections. And we were aware of

work David did in the industrial arena, and we thought we could really fit in well with that work.

In addition, as David mentioned, they were growing the environmental practice and the real estate practice at Burns & Levinson. A lot of the legal activity and client service that we see, there really is a close connection between real estate issues and environmental concerns. So we would on occasion have to rely on other firms to provide client services on the real estate side. We had increasingly thought that we could provide better service if we were within a firm that also provided that full array of real estate services. That was really one of the things that attracted us to Burns & Levinson.

### **For Burns & Levinson, why has the firm decided to focus on environmental and real estate as areas for growth?**

**Rosenblatt:** We identified environmental as a growth area of the firm for a number of reasons. First, in Massachusetts, it's a challenging regulatory environment and always has been. And now we were seeing a significant uptick with the Biden administration on the federal level with the new EPA administrator and team that had come in. So the activity from the government, which drives a lot of practice, is on the increase.

We also recognize and feel it's going to be a growth area because of emerging issues clients are going to need to deal with in the coming years. And we've already seen that. Some issues include PFAs regulation and compliance with things around PFAs and forever chemicals. This issue of climate change — there's all sorts of legislation being discussed and ultimately will be passed, we think, which will interact very heavily with our client base. And finally environmental justice, which has a significant impact in Massachusetts and also on the federal level.

So we saw this as a growth area because our clients are going to need it. There are emerging issues that have caused this to have renewed relevance and importance in the legal marketplace. So we wanted to expand and get the best practitioners we could to help us with this in the future.

**Durning:** I agree completely that these three areas — PFAs, climate change and environmental justice — really are at the forefront of environmental law right now. We were able to discuss with David and Burns & Levinson the ways in which our personnel could help Burns & Levinson provide greater focus and greater service in those areas.

Particularly in the area of PFAs, we have a lot of strong relationships with a number of water suppliers. We brought a cost-recovery action on behalf of a municipal water supplier to recover funds to treat PFAs-impacted water. And on the issue of climate change, John Shea in particular is a leading practitioner in the area of wetlands and coastal zone development, which we expect as we see climate change and sea level rise will be a really sticky issue in development.

And on environmental justice, we have spent a considerable amount of time on it. I chaired a program at the Environmental Business Council focused on environmental justice. Paul Mackie is a real thought leader in this area.

### **As you're settling in, are there things you're already working on or other things going on as you make the transition?**

**Durning:** On top of moving offices, we were already having a very busy summer with a lot of pressing issues, so it was about two days down for transition and then right back into it!

But in terms of some of the things we're already seeing in terms of collaboration, we're already setting up discussion of ways we can collaborate on both real estate and litigation matters, things that Burns & Levinson clients have that just came in and others that are more long-standing.

And likewise, our team is starting to learn the different strengths at Burns & Levinson and looking for ways we can bring that in on some of our existing matters.

**Rosenblatt:** What I think you're going to see from us is a stronger presence in the environmental legal community. We already had a strong presence, but we're going to be even more active in some of the committees at the bar association and the industry groups. You'll probably see us putting out more written materials, more branded material. Certainly on the marketing front, we're going to be a stronger presence than we ever have been on the environmental front.

**And other than the environmental expansion you are looking at, what are some other things the firm is focused on right now?**

**Rosenblatt:** We have a strategic plan that we've been working on and are now in the implementation phase. It calls for all of our major practice areas to grow: our corporate department, our intellectual property department, the private client group, our business litigation group, and also the real estate and environmental group.

This is very much a growth mode we're in. We're going to do it thoughtfully, intelligently, and this is one of the first steps that we've taken, adding these attorneys from Mackie Shea.

--Editing by Alyssa Miller.