

Contact

John E. Roberts

Partner

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John E. Roberts is a partner in the Litigation Department and co-chair of the firm's Appellate Practice Group. He litigates cutting-edge matters in federal and state appellate courts across the country, including the United States Supreme Court. In his most recent case at the U.S. Supreme Court, John successfully argued on behalf of the IAM National Pension Fund in *M&K Employee Solutions LLC v. Trustees of the IAM National Pension Fund*, winning a 9-0 decision.

For the past several years, John has represented the Financial Oversight and Management Board for Puerto Rico—the entity established by Congress to oversee the restructuring of Puerto Rico's massive public debt—in dozens of appeals, winning more than 90% of them. Recent victories include a U.S. Supreme Court decision upholding the Board's sovereign immunity and a First Circuit decision affirming confirmation of Puerto Rico's $33 billion plan of adjustment.

John has an active patent appellate practice. Among other notable victories, he prevailed in the landmark case of *Nautilus Inc. v. Biosig Instruments, Inc*., where the U.S. Supreme Court defined the standard for patent indefiniteness. John has also won some of the most important ERISA appeals in recent years. He has successfully litigated appeals in nearly every federal circuit and in state appellate courts in New York, California, Massachusetts, Pennsylvania, and Florida.

John maintains a robust *pro bono* practice and is a member of the firm's Pro Bono Initiative Committee. His recent *pro bono* victories include a successful representation of a criminal defendant in a death penalty case and two wins at the Second Circuit on behalf of incarcerated individuals. John has also provided *pro bono* representation to various advocacy organizations in high-impact litigations, including the American Civil Liberties Union of Massachusetts, the Brady Center to Prevent Gun Violence, Citizens for Juvenile Justice, the Bronx Defenders, and the National Immigration Litigation Alliance.

John graduated *magna cum laude* from the New York University School of Law, where he was an articles editor for the *New York University Law Review.* He received his B.A. in Applied Mathematics from Harvard University, where he graduated *cum laude*. He served as a clerk to the Honorable Bruce M. Selya, the most prolific opinion-writer in the history of the United States Court of Appeals for the First Circuit. He is an Adjunct Professor at the Roger Williams School of Law in Bristol, Rhode Island, where he teaches appellate advocacy, and he is a co-author of the treatise *Principles of Appellate Litigation: A Guide to Modern Practice*.

Before John attended law school, he worked as a journalist for National Public Radio for many years, where he was a co-creator of the national news program, *On Point,* and won several awards for his reporting. He lives in Providence, Rhode Island, with his husband, Michael.

Matters

Representative Matters

- *M&K Employee Solutions LLC v. Trustees of the IAM National Pension Fund*, No. 23-1209 (U.S.)
- *Harrow v. Dep't of Defense*, 601 U.S. 480 (2024)
- *Fin. Oversight & Mgmt. Bd. for P.R. v. Centro de Periodismo Investigativo, Inc.* , 598 U.S. 339 (2023)
- *Nautilus, Inc. v. Biosig Instruments, Inc.*, 572 U.S. 898 (2014)

- *Puerto Rico v. Franklin California Tax-Free Trust*, 579 U.S. 115 (2016)
- *Trustees of IAM Nat'l Pension Fund v. M&K Emp. Sols., LLC, 92 F.4th 316 (D.C. Cir. 2024)*
- *Pfizer Inc. v. Sanofi Pasteur Inc., 94 F.4th 1341 (Fed. Cir. 2024)*
- *Fin. Oversight & Mgmt. Bd. for P.R. v. Governor Pedro Pierluisi, 77 F.4th 49 (1st Cir. 2023)*
- *Pitman Farms v. ARKK Food Co. (In re Simply Essentials LLC), 78 F.4th 1006 (8th Cir. 2023)*
- *Fin. Oversight & Mgmt. Bd. for P.R. v. Federacion de Maestros de P.R., 32 F.4th 67 (1st Cir. 2022)*
- *In re Becker*, 993 F.3d 731 (9th Cir. 2021)
- *Genentech Inc. v. Immunex R.I. Corp.*, 964 F.3d 1109 (Fed. Cir. 2020)
- *Allen v. Wells Fargo & Co.*, 967 F.3d 767 (8th Cir. 2020)
- *Fin. Oversight & Mgmt. Bd. for P.R. v. Andalusian Global Designated Activity Co.*, 948 F.3d 457 (1st Cir. 2020)
- *Dorman v. Charles Schwab Corp.*, 934 F.3d 1107 (9th Cir. 2019)
- *Miami Marlins, L.P. v. Miami-Dade Cnty.*, 276 So. 3d 936 (Fla. 3d DCA 2019)
- *Autonomous Municipality of Ponce v. Fin. Oversight & Mgmt. Bd. For P.R.*, 939 F.3d 356 (1st Cir. 2019)
- *Meiners v. Wells Fargo & Co.*, 898 F.3d 820 (8th Cir. 2018)
- *Commonwealth v. Tradition (N. Am.) Inc.*, 71 N.E. 3d 142 (Mass. App. Ct. 2017)
- *Johnson v. Nextel Commc'ns Inc.*, 780 F.3d 128 (2d Cir. 2015)
- *SpeedTrack, Inc. v. Office Depot, Inc.*, 791 F.3d 1317 (Fed. Cir. 2015)

Practices

Litigation, Appellate

Education

New York University School of Law, J.D.

magna cum laude

Articles Editor, *New York University Law Review*

Harvard University, B.A.

cum laude

Admissions & Qualifications

Rhode Island

Massachusetts

New York

Clerkships

U.S. Court of Appeals, First Circuit - Judge Bruce M. Selya

Court Admissions

Supreme Court of the United States

U.S. Court of Appeals, District of Columbia

U.S. Court of Appeals, First Circuit

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Fifth Circuit

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Tenth Circuit

U.S. Court of Appeals, Federal Circuit

U.S. District Court, New York, Southern District

U.S. District Court, Rhode Island

U.S. District Court, Massachusetts

Awards & Recognition

National Law Journal's Appellate Hot List 2020

National Law Journal's "Boston Rising Star" 2015

The Legal 500 United States: Courts of Appeals 2020-2023

The Legal 500 United States: Dispute Resolution/Appellate: Supreme Courts 2024-2025