

Contact

Mike Hackett

Partner

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Mike Hackett is a partner in the Litigation Department and co-head of the Asset Management Litigation group. An experienced litigator and trial lawyer, Mike focuses on complex commercial litigation with a particular emphasis on disputes involving asset management, financial services, M&A, shareholder and life sciences. His clients include some of the world's largest asset managers and their principals and portfolio companies, multi-billion-dollar institutional investors, leading public and private companies and their executives, and emerging and innovative start-ups.

A significant portion of Mike's practice concerns disputes and regulatory matters involving asset managers, including private equity, venture capital, hedge, real estate and private credit sponsors, as well as their partners, funds, investors, portfolio companies, and officers and directors. He has extensive experience representing asset managers across a wide range of issues, including control contests within advisers, disputes between limited partners and general partners, including general partner removals, and regulatory examinations, investigations and enforcement actions. Mike routinely represents funds, fund sponsors, portfolio companies and their officers and directors, including in significant post-closing M&A disputes.

Mike also litigates high-stakes commercial disputes in the life sciences and financial services industries, representing pharmaceutical and biotechnology companies,

asset managers and other private capital investors. His experience includes disputes involving M&A, breach of contract, indemnification, fraud, contested earnouts and royalties, securities and capital markets, bankruptcy and corporate governance.

Mike is recognized by *Chambers USA* and has also been recognized by *The Legal 500 United States* and *Massachusetts Super Lawyers.*

Matters

Asset Management Disputes

- A private equity sponsor, together with its funds and partners, in defense of claims related to the sale of a portfolio company for more than $100 million (Del. Ch.)
- A private equity sponsor, together with its fund and partners, in defense of claims related to the liquidation of a portfolio company seeking more than $100 million (Del. Ch.) (Wis. Cir.)
- A private equity sponsor and its funds in defense of claims, including breach of fiduciary duty and aiding and abetting breach of fiduciary duty, related to the sale of a portfolio company for hundreds of millions of dollars (N.Y. Sup. Ct.)
- A private equity sponsor, together with its funds and co-investment vehicles, in defense of claims related to the sale of a portfolio company for tens of millions of dollars (Del. Ch.)
- A large institutional investor, as a limited partner and a member of the LP advisory committee, in investigating the misappropriation by a general partner of tens of millions of dollars, removing and replacing the general partner, and bringing an action against the general partner, and others, for fraud, conversion, and breach of fiduciary duty (Cal. Super. Ct.)
- A private credit sponsor and several of its affiliates and funds in defense of RICO and other claims in putative class action related to alleged “payday lending” activities (E.D. Va.)

- A private equity firm and two of its founders in defense of claims brought bythe third founder related to alleged improper distributions of tens of millions of dollars, misallocation of fees and expenses, and self-dealing (Del. Ch.)
- A limited partner (and majority interest holder) in connection with the dissolution of private equity fund and court-ordered liquidation of fund assets (Del. Ch.) and derivative lawsuit initiated by member of general partner (Cal. Super. Ct.)
- Several institutional limited partners in defense of claims related to alleged fraudulent conduct at a private equity-owned portfolio company prior to its leveraged buyout, in which the plaintiff trust sought the avoidance of approximately $250 million in equity distributions (D. Del.)
- A venture capital sponsor in defense of claims brought by limited partner related to alleged failure to make timely distributions of fund assets and properly allocate carried interest (N.Y. Sup. Ct.)
- Financial Oversight and Management Board for Puerto Rico, in its own right and as debtors' representative, in litigation related to the restructuring of the Commonwealth's $74 billion of bond debt and $50 billion of unfunded pension obligations (D.P.R.) (Bankr. D.P.R.)
- Rhode Island governmental issuer of tobacco settlement revenue backed bonds in defense of lawsuit brought by two municipal bond funds seeking to block proposed $600 million bond issuance. After expedited discovery, the court granted the issuer's motion for summary judgment in all respects, permitting the bond issuance to proceed. (*Oppenheimer Rochester High Yield Municipal Fund et al. v. Tobacco Settlement Financing Corporation*(R.I. Super. Ct.))
- A business development company in defense of claims, including class action claims, of aiding and abetting alleged improper lending practices (S.D. Ga.)
- A leading global healthcare and biotechnology investment firm in connection with the separation of one of its founders and managing partners
- A leading life sciences and biomedical venture capital firm in connection with the separation of two of its managing directors

- An opportunistic hedge fund in connection with the separation of one of its partners
- A founder and managing partner of a major hedge fund in connection with his separation from the hedge fund
- A venture capital firm against a former partner regarding the partner's breach of the firm's transition agreement
- Several private equity sponsors in disputes with placement agents related to the terms of placement agent agreements
- A venture capital firm against a former member regarding the member's resignation to join a competing firm, involving issues of fiduciary obligations, track record, and forfeiture of carried interest
- A large group of institutional limited partners in dispute with general partner and its partners over general partner's clawback obligations relating to private equity investments and performance
- A private equity firm in connection with an attempted extortion of a senior partner related to personal matters
- A private equity fund's portfolio company in connection with allegations that a target company's value was improperly inflated prior to acquisition
- The general partners of a private equity fund in a dispute with a former member over the enforceability of restrictive covenants, including non-solicitation of employees
- An institutional investor and member of the liquidation committee of Fairfield Sentry Limited, the largest Madoff feeder fund
- A large European investment fund that lost approximately $400M in various Madoff feeder funds

Government and Regulatory Investigations

- Multiple private equity fund sponsors in connection with investigation by SEC into secondary market trading by pre-IPO shareholders

- Multiple private equity fund sponsors in connection with SEC examinations regarding compliance with the whistleblower provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act
- Multiple private equity and venture capital fund sponsors in connection with SEC investigations into alleged pay-to-play and expense shifting violations and whether certain firm personnel are “covered associates”
- A venture capital fund sponsor in SEC investigation of whether firm’s “venture partner” structure shifted expenses to fund without proper disclosure to investors

Complex Commercial Litigation

- A biopharmaceutical company in defense of claims related to a disputed post-closing milestone payment (Del. Ch.)
- A biopharmaceutical company in arbitration related to the sale of assets and certain post-closing milestone and royalty payments
- A venture capital sponsor and its fund in arbitration relating to a significant investment in a drug development program and related post-closing milestone payments
- A medical device company in defense of dozens of consolidated class actions and pursuit of claims in separate multi-district litigations (W.D. Pa.) (D. Mass.)
- A US-based pharmaceutical manufacturer in connection with a dispute with its international manufacturer and supplier
- One of the world’s largest broker-dealers in litigation brought by the Massachusetts Attorney General arising out of alleged bid-rigging of municipal bond auctions, obtaining a favorable settlement and dismissal of all claims at the pleading stage, and reversal of dismissal of third-party claims on appeal (Mass. Sup. Ct.) (Mass. App. Ct.)
- MobileMedia Ideas, a patent portfolio licensor of inventions adopted by manufacturers of mobile phones and mobile media devices, in a patent infringement case against Apple Inc. The patents at issue related to features

of the iPhone camera and phone call handling and rejection. After a seven-day trial, the jury found that Apple infringed all three patents asserted by MobileMedia, and found that those patents were not invalid. (*MobileMedia Ideas LLC v. Apple, Inc.*(D. Del.))

- Franchise owner in breach of contract actions, including breaches of the covenant of good faith and fair dealing, conversion and violations of M.G.L. ch. 93A, brought by and against an international retailer in state and federal courts (Mass. Sup. Ct.) (D.N.H.)
- Renowned music management company and its principals in defense of copyright actions brought in state and federal courts, resulting in multiple affirmances by the First Circuit and a denial of a petition for writ of certiorari by the United States Supreme Court (*Steele v. Turner Broadcasting System, Inc. et al.* (D. Mass); *Steele v. Ricigliano et al.*(D. Mass); *Steele v. Boston Red Sox Baseball Club Limited Partnership et al.* (Mass. Sup. Ct.)
- Non-partisan reform group in its effort to obtain national ballot access for a presidential ticket
- United States Senator in campaign finance matters related to book deal

Practices

Litigation, Latin America, Securities Enforcement, Investment Management, Private Funds, Asset Management Litigation, Securities Litigation, Private Credit Restructuring

Industries

Private Equity, Private Capital, Asset Management, Financial Services, Life Sciences

Market Solutions

Environmental, Social and Corporate Governance (ESG), Regulatory & Compliance

Education

Suffolk University Law School, J.D.

cum laude

Executive Member, Moot Court Honor Board

Managing Editor, *Suffolk Journal of Trial & Appellate Advocacy*

Williams College, B.A.

Admissions & Qualifications

Massachusetts

Clerkships

U.S. District Court, Massachusetts - Intern, Hon. William G. Young

Court Admissions

U.S. District Court, Massachusetts

U.S. Court of Appeals, First Circuit

Awards & Recognition

Chambers USA: Massachusetts: Litigation: General Commercial, 2026

Chambers USA: Massachusetts: Litigation: General Commercial 2017-2018, 2025

Massachusetts Super Lawyers "Rising Stars" 2016-2018

The Legal 500 United States: General Commercial Disputes 2019