

# BOWIE & JENSEN LLC

Attorneys at Law



## Matthew A.S. Esworthy

Partner

(443) 921-4226  
esworthy@bowie-jensen.com

### PRACTICE AREAS

- Business Litigation
- Commercial Real Estate
- Construction Law
- Employment
- Estates & Trusts
- Intellectual Property
- Internet, Technology & Privacy Law

### EDUCATION

- The Dickinson School of Law of the Pennsylvania State University, J.D.
- Skidmore College, B.A.

### PROFESSIONAL PROFILE

A seasoned litigator, Matt has advocated on behalf of business owners, in-house legal teams, and individuals in state and federal court. Trusted for his leadership ability in addition to his legal acumen, Matt serves as President of Penn State Law's alumni association. A spirited member of the Penn State community, he was also appointed to the Alumni Council of Penn State University's Alumni Association. In addition, Matt holds numerous leadership roles with the American Bar Association related to cybersecurity, and is a frequent writer and speaker on the topic. Dedicated to the Greater Baltimore community, Matt has also served for over ten years as a board member of Civic Works and the Clarence H. "Du" Burns Memorial Fund.

For almost two decades, businesses and individuals in the region have relied on Matt for representation in a variety of matters at the trial and appeals court levels. This work includes contract, trade secret, real estate and partnership disputes, as well as counsel and representation in cybersecurity matters. In addition, Matt represents trustees, personal representatives, and fiduciaries in trust and estate litigation in Maryland state courts.

Matt also has considerable experience representing business owners and individuals accused of white collar crimes. This includes defense against allegations of mail and wire fraud, bank fraud, antitrust, election fraud, and cybercrimes. Respected for his knowledge in this area, he holds several appointed positions with the American Bar Association's Criminal Justice section.

Since 2016, Matt has been selected to the annual list of Top 100 Maryland Super Lawyers and to the annual list of Best Lawyers in America in the field of Commercial Litigation. Prior to entering private practice, Matt served the Maryland Court of Special Appeals as staff attorney and as judicial clerk to Hon. Joseph F. Murphy, Jr.

### ADMISSIONS

- Maryland
- District of Columbia
- Pennsylvania
- U.S. District Court, Maryland
- U.S. District Court, District of Columbia
- U.S. Court of Appeals, Fourth Circuit
- U.S. Supreme Court
- U.S. Bankruptcy Court, Maryland

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### BOARD AFFILIATIONS AND MEMBERSHIPS

*Matt is active on boards and committees with the following organizations:*

#### Penn State

- Alumni Association Executive Board Member, 2018-19
- Member & Past-President, Board of Directors, The Dickinson School of Law Alumni Association of the Pennsylvania State University
- Member & President, Board of Directors, The Penn State Law Alumni Association
- Honorary Member Board of Advisors, Penn State Law
- Member, Penn State University Alumni Council
- Past Member, Executive Board of Penn State Alumni Council

#### American Bar Association

- Member, American Bar Association Cybersecurity Legal Task Force
- Special Advisor to the American Bar Association Criminal Justice Section Council
- Co-Chair, Criminal Justice Section Cyber Crime Committee, 2013-2019
- Co-Chair, American Bar Association Section of Litigation, Cybercrime Subcommittee of the Criminal Committee

### REPRESENTATIVE MATTERS

*Matt has achieved favorable results in a number of high profile civil cases, including:*

- Defended a Fortune 500 corporation in a federal eminent domain lawsuit involving the installation of gas pipelines under the purview of the Federal Energy Regulatory Commission;
- Represented a large casino who sought to enforce non-compete and non-solicitation agreements of former employees and prohibit key competitors from using sensitive trade secret information;
- Defended a personal representative and trustee in a complex multi-million-dollar lawsuit;
- Defended a firearms designer in a commercial lawsuit;
- Defended a commercial building owner in a regulatory zoning lawsuit brought by Baltimore City;
- Defended a law firm in a multi-million-dollar defamation/invasion of privacy lawsuit brought by a public official;
- Represented minority shareholders of a Fortune 500 company in a complex shareholder dispute; and
- Defended internationally-renowned recording artists, producers and record labels in a civil conspiracy/intentional tort lawsuit.

#### Bar Associations

- Maryland State Bar Association – Member of Special Committee on Voir Dire (Appointed)
- Pennsylvania Bar Association
- Member, Baltimore County Bar Association
- Member, Baltimore City Bar Association
- Member, Federal Bar Association

#### Law Clubs and Professional Associations

- Member, J. Dudley Digges Inn of Court
- The Justinian Society
- Member, National Association of Criminal Defense Lawyers

#### Baltimore Area Non-Profits

- Member, Board of Directors, Civic Works, Inc.
- Member, Board of Directors, and Acting General Counsel, Clarence H. "Du" Burns Memorial Fund, Inc.

*Matt has also defended individuals targeted for criminal prosecution by federal and state authorities, involving a wide variety of criminal charges:*

- Defended a prominent businessman against federal antitrust (bid rigging) charges;
- Defended a Washington D.C. construction company against federal criminal conspiracy and fraud charges;
- Defended a Virginia based home construction business against federal bank and mortgage fraud charges;
- Defended numerous federal and state cyber crime prosecutions; and
- Defended and represented targets in election law fraud prosecutions.

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### MEDIA

- **April 2019** Quoted in, "Local Attorneys Wait to see Full Scope of Pugh's Legal Woes" - the Maryland Daily Record
- **February 2019** Quoted in, "Sensitive Personal and Business Data Make Law Firms Attractive to Hackers" - the Maryland Daily Record
- **December 2018** Quoted in "How Lawyers Can Help Business Before - and After - Disasters Strike" - the Maryland Daily Record
- **April 2018** Featured In, "Matthew A.S. Esworthy: Bite-sized cybersecurity" - The Daily Record
- **May 2017** Authored, "Congratulations to the Penn State Law Class of 2017!" LinkedIn Pulse
- **May 2017** Quoted, "Inaccurate leads from IP addresses prompt police to serve warrants on innocent people," ABA Journal
- **May 2017** Quoted, "Alumni Council Charters Two New Groups," Penn State Alumni Association's AlumInsider
- **April 2016** Authored, "Putting Data Security to the Test," The Daily Record
- **Winter 2016** Co-authored, "Cases Without Borders – the Challenge of International Cybercrime Investigations," ABA Criminal Justice Magazine
- **September 2015** Co-authored, "Will the Court Define 'Actual Damages' in the OPM Cyber-Attack Lawsuit?" ABA Litigation Section's Criminal Litigation Newsletter
- **September 2015** Quoted, "Ashley Madison Hack May Yield a Crop of Reluctant Plaintiffs," Progressivelawpractice.com
- **June 2015** Quoted, "AFGE lawsuit seeks relief for victims of OPM data breach," Federal News Radio
- **May 2015** Quoted, "Cybercrime," Washington Lawyer
- **April 2015** Quoted, "Law firms victims of computer hackers" (translation from Spanish), DirigentesDigital.com
- **April 2015** Quoted, "Should Businesses Negotiate to Recover Stolen Data?" Legaltech News
- **March 2015** Quoted, "\$10 Million Settlement in Target Data Breach Gets Preliminary Approval," The New York Times
- **March 2015** Quoted, "Targeting Law Firms," The Daily Record
- **October 2013** Co-authored, "Glitches Within the CFAA's 'Exceeds Authorized Access' Language," ABA Litigation Section's Criminal Litigation Newsletter
- **2012 and 2013 editions** Co-authored, "Cybercrime Task Force" chapter, ABA's The State of Criminal Justice
- **January 2013** Authored, "Pitfalls of Predictive Coding," Federal Litigation Section of the Federal Bar Association's SideBAR
- **2012** Co-authored, "E-Discovery Task Force" chapter, ABA's The State of Criminal Justice
- **Spring 2012** Co-authored, "The ESI Tsunami: A Comprehensive Discussion about Electronically Stored Information in Government Investigations and Criminal Cases," ABA's Criminal Justice Magazine
- **2010** Authored, "Notaries in the Digital Era," LawDragon.com and The Daily Record

### RANKINGS AND AWARDS

- Super Lawyers
  - Selected to the Maryland Top 100 Super Lawyers list, 2016-2019
  - Selected to the Maryland Super Lawyers list, 2014-2019
  - Selected to the Maryland Rising Stars Super Lawyers list, 2011-2013
- Best Lawyers
  - Named Lawyer of the Year for work in Technology Law in Baltimore, 2019
  - Selected to the Best Lawyers in America list in the field of Commercial Litigation (2016-2021)
  - Selected to the Best Lawyers in America list in the field of Technology Law, 2019-2021
- Penn State Alumni Association's Outstanding Alumni Council Members, 2019
- Winner of The Daily Record's Leadership in Law Award, 2019
- Selected to the Best Lawyers in America list in the field of Commercial Litigation (2016-2018)
- Rated as "AV Preeminent" and endorsed for "High Ethical Standing" in Martindale-Hubbell, a leading peer review survey
- Selected to The Daily Record's Top 40 Under 40 Very Important Professionals list (2012)



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### EVENTS

- Presenter, Bar Association of Baltimore City's Business Litigation Committee: ESI Roundtable - May 2019
- Presenter, "CFMA Maryland Chapter Seminar: White Collar Crime and Fraud" - February 2019
- Presenter, Iowa State Bar's 2018 eCommerce and Intellectual Property Law Seminar on The CLOUD Act - November 2018
- Presenter, Hon. Anselm Sodaro Judicial Civility Award - June 2018
- Speaker, Penn State Law Class of 2018 Commencement - May 2018
- Panelist, CFMA Seminar on Construction & Cyber Resiliency: What You Need to Know & What You Need to Do - at RCM&D in Towson, Maryland - March 1, 2018.
- Speaker, Penn State Law Class of 2017 Commencement - May 2017
- Speaker, Penn State Law Class of 2016 Commencement - May 2016
- Speaker, Penn State Law Class of 2015 Commencement - May 2015
- Speaker, Penn State Dickinson School of Law Class of 2014 Commencement - May 2014
- Panelist, "Cybercrimes: The Perfect Crime and Local Governments are Not Immune," Annual International Municipal Lawyers Association Conference - September 2014
- Moderator and panelist, "Cyber Attacks: The Perfect Crime? A Lawyer's Guide to the World of Cybersecurity," ABA's Criminal Justice Section program - February 2014
- Panelist, "Why Cybercrime Has Become the Perfect Crime," Government Security Conference & Expo - May 2013
- Panelist, "Anatomy of a Trial," ABA's Litigation Section Annual Conference - May 2013
- Moderator, "Cost Effective Approaches to Dealing with ESI" panel discussion, ABA Criminal Justice Section's Spring Conference - Spring 2012
- Speaker, "Rule of Law in Cyber Conflict & Cybercrime," Government Security Conference & Expo - April 2012
- Faculty member, "The Digital Age Meets the Constitution: Implications of United States v. Jones," Bloomberg BNA webinar - February 2012
- Moderator, "A Comprehensive View of Where Cyber Crime is Heading in 2012" panel discussion, ABA Criminal Justice Section Annual Meeting - February 2012
- Moderator, "The ESI Tsunami: A Comprehensive Discussion about Electronically Stored Information in Criminal Cases," ABA Criminal Justice Section's Second Annual Prescription for Criminal Justice Forensics - June 2011