



## Ari N. Stern

Partner

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Ari is a nationally recognized franchise attorney focused on dispute resolution. He counsels domestic and international franchisors, master franchisees, franchisees (multi-unit and single unit), franchisee associations, and franchise executives and entrepreneurs in connection with Franchise Disclosure Document issues, risk mitigation, brand protection and franchise agreement compliance. He also provides counsel to manufacturers, distributors and dealers on related matters and issues.

A trusted legal advisor who also serves on the American Arbitration Association's Panel of Franchise Arbitrators and is a trained mediator, Ari applies a pragmatic, interest-based approach to assisting companies and their owners, officers and directors in high stakes commercial and employment disputes. He regularly handles litigation, arbitration and mediation matters involving:

- Claims of unfair and deceptive acts and practices
- Fraudulent inducement
- Negligent misrepresentation
- Breach of contract
- Breach of the implied covenant of good faith and fair dealing
- Violations of the Federal Trade Commission – Franchise Rule and related state franchise laws

Ari also assists with certain corporate and transactional matters. He negotiates and drafts agreements, performs internal investigations and advises clients on risk management.

### Services

- Litigation
- Franchising & Distribution
- Automotive
- International Arbitration
- Israel
- Law Firm Defense & Risk Management

### Before Fox Rothschild

Immediately prior to joining Fox, Ari served as co-chair of the Franchise Law Practice Group of a Boston law firm. Prior to that, he was a founding member of a national litigation boutique's Boston office and of its franchise practice.

Early in his career, Ari was associated with an international law firm. He also previously litigated cases as a Special Assistant District Attorney in the Roxbury section of Boston and served as General Counsel to a startup affiliated with the Massachusetts Institute of Technology.

## Client Resources

Ari is among the contributors to the firm's [Franchise Law Update](#) blog, which focuses on regulatory aspects of franchising as well as diverse topics such as business finance, employment, litigation and the protection of intellectual property including trademarks and copyrights.

## Bar Admissions

- Massachusetts
- New York

## Court Admissions

- U.S. Court of Appeals, First Circuit
- U.S. District Court, District of Massachusetts
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Michigan

## Education

- American University, Washington College of Law (J.D.)
- American University (M.A.)
- Cornell University (B.S., *with honors*)

## Memberships

- American Bar Association
  - Forum on Franchising
- International Franchise Association
- Boston Bar Association
- Massachusetts Bar Association
- New England Franchise Association

## Languages

- Hebrew

## Honors & Awards

- Selected to the "Best Lawyers in America" list for Franchise Law in Boston, MA by *Best Lawyers* (2021-2026)
- Selected to the "Super Lawyers" list for Franchise & Dealership in Massachusetts (2021-2025)
- Selected to the *Franchise Times* list of "Legal Eagles" (2021-2026)
- Selected to the "Super Lawyers - Rising Stars" list for Franchise & Dealership in Massachusetts (2017,2018)
- Chair's Award for Substantial Written Work or Presentation from the American Bar Association – Forum on Franchising (2017)

## Franchisor-Side Representation

- Served as co-counsel to international franchisor adverse to flagship U.S. franchisee in arbitration involving claims related to misuse/misappropriation of the relevant advertising/brand fund. The arbitrator ruled in favor of the franchisor on all counts, finding that the pertinent limitations window had lapsed and that franchisee's claims were time-barred.

- Advised national franchisor on issues related to the establishment of an advertising/marketing fund.
- Worked with national franchisor to strengthen the dispute resolution provisions set forth in its template franchise agreement, providing the franchisor with a more advantageous adjudicatory process in the event that a franchisee attempted to assert claims of wrongdoing.
- Collaborated with transactional attorney on certain issues pertaining to the development of a franchisor's annual Franchise Disclosure Document.
- Provided guidance to national franchisor on disclosure issues raised by state franchise regulators. The issues were resolved without the franchisor having to offer rescission or any compensation to existing franchisees.
- Assisted regional franchisor with developing campaign to strengthen its franchise relationships while obtaining "releases of claims" from franchisees, thus mitigating risk of future disputes.
- Counseled franchisors on issues pertaining to misclassification under the Massachusetts Wage Act.

## Franchisee-Side Representation

- Worked with prospective franchisee on review of Franchise Disclosure Document and identified issues pertaining to the franchise offering. The prospective franchisee decided not to proceed with becoming a franchisee.
- Served as lead counsel to entities (and related entrepreneurs) that entered into a business/quasi-franchise relationship and later learned that they were subject to fraudulent/negligent disclosures and other wrongdoing. Extricated the entities (and related entrepreneurs) from the franchise relationship, freeing them from having to pay royalties and other fees. Also had it acknowledged and recognized the entities (and related entrepreneurs) owned the franchisor's trademark.
- Drafted demand letter on behalf of franchisee entity and its owners with respect to them being subject to unfair and deceptive acts and practices, as well as other wrongdoing, during the franchise discovery process. Negotiations ensued, with the franchisee being freed from the franchise relationship and having a significant sum of money returned.
- Represented individual who was sold an illegal franchise by virtue of the franchisor (and its executives) failing to comply with the Federal Trade Commission – Franchise Rule and relevant state law. The individual was freed from the business relationship and received a substantial return of capital, all without having to initiate litigation or file for arbitration.
- Served as co-counsel to franchisee entity and its principal with respect to wrongdoing by franchisor and its executives, including, but not limited to, fraudulent representations, negligent disclosures, unfair and deceptive acts and practices, and failure to comply with relevant federal and state franchise law. After surviving motions to dismiss and modest discovery in litigation, case resolved with franchisee receiving settlement valued in excess of \$1 million.

## General Commercial and Employment Matters

- Represented foreign company and its subsidiary in defending against breach of contract and related claims associated with the alleged non-payment of millions of dollars in fees. Matter resolved for fraction of claimed amount.
- Represented former chief executive officer in negotiating severance package with company.
- Part of case team defending international law firm and certain of its partners against claims of gender discrimination, aiding and abetting discrimination, failure to investigate and remedy discrimination, retaliation, and tortious interference with contractual relations. Matter resolved.
- Part of case team that represented prominent law firm in a matter before the Equal Employment Opportunity Commission (EEOC). EEOC issued lack of probable cause finding.
- Counseled a small private school on how to handle allegations of violence against a child, first by developing a forty-eight hour crisis management strategy and then by advising the head of school on follow-up legal and communication issues (ultimately no negative press or mass exodus of students from the school).

## Appellate Litigation

- Co-authored *amici* briefs on behalf of Anti-Defamation League (ADL) and other major Jewish organizations in support of the right of a U.S. citizen born in Jerusalem to list "Israel" as the place of birth on his/her/their U.S. passport (first before the U.S. Supreme Court, then before the D.C. Circuit Court of Appeals, and then again before the U.S. Supreme Court). See *Zivotofsky v. Clinton*, 566 U.S. 189 (2012); *Zivotofsky v. Sec'y of State*, 725 F.3d 197 (D.C. Cir. 2013); *Zivotofsky v. Kerry*, 576 U.S. 1 (2015).

## Publications

March 9, 2026

**NLRB Formalizes Joint Employer Rule, But Is An Upcoming DC Circuit Decision What Counts?**

September 12, 2025

**The Clause That Can Cost the Most If You Get It Wrong**

August 5, 2025

**What Federal Save Local Business Legislation Could Mean for the Joint Employer Standard**

May 21, 2025

**Texas Supreme Court Reverses Liability Finding Against Franchisor**

March 13, 2025

**The 2025 Franchise Disclosure Document Update Season: What QSR Franchisors Need to Know**

*QSR Magazine*

October 13, 2021

**I Would Love to, but I Can't: Examining the Status and Future for Force Majeure, Impossibility, Impracticability, Frustration of Purposes, and Other Defenses to Performance**

*American Bar Association - 44th Annual Forum on Franchising*

Summer 2021

**"But They Were Not My Client": The Prospect of a Franchisor's Outside Counsel Being Liable to an Aggrieved Franchisee**

*Franchise Law Journal*

October 16, 2019

**Stepping on Toes: Territorial Rights and Encroachment**

*American Bar Association – 42nd Annual Forum on Franchising*

Fall 2019

**Feeling Exposed? How to Use Franchise Applications to Close Gaps in Arbitration Coverage for Section 1981 Cases**

*The Franchise Lawyer - Vol. 22, No. 4*

2017

**Litigating Franchise Cases Under Unfair Trade Practices Statutes**

*American Bar Association – 40th Annual Forum on Franchising*

Spring 2017

**Conditions Precedent to Arbitration or Litigation: Barriers or Facilitators to Dispute Resolution?**

*The Franchise Lawyer, Vol. 20, No. 2*

April 2016

**Resolving Franchise Disputes Through Mediation: Factors for a Franchisor to Consider When Drafting a Mediation Clause**

*ComCom Quarterly*

Spring 2016

**A Proposal for a Mandatory Summary Franchise Disclosure Document**

*Franchise Law Journal*