

PARTNER

PROLOY K. DAS

Proloy K. Das is the Chair of the appellate group at Murtha Cullina. He has argued over seventy appeals before the Connecticut Supreme Court, Connecticut Appellate Court, and U.S. Court of Appeals for the Second Circuit. Proloy has argued first impression cases in several areas including election law, constitutional law, tort liability, municipal law, contract law, insurance coverage, and felony prosecutions. The U. S. Court of Appeals for the Second Circuit has appointed Proloy to its pro bono panel of appellate advocates for indigent appellants.

Proloy has been named as one of the *Connecticut Law Tribune's* New Leaders of the Law (2005); the *Hartford Business Journal's* "40 Under Forty" (2007); the National Asian Pacific American Bar Association's (NAPABA) Best Under 40 (2011); the "Super Lawyers Rising Stars" list of Connecticut appellate lawyers (2008-2012); and the "Super Lawyers" list of top appellate lawyers in New England (2013-2021). The *Connecticut Law Tribune* named the appellate department then chaired by Proloy at Rome McGuigan as its "2015 Appellate Litigation Department of the Year." In 2017, 2018, 2019, 2020 and 2021 the publication named Murtha Cullina's appellate practice group as its "Appellate Litigation Department of the Year."

In addition to leading the firm's appellate practice, Proloy represents clients in elections and political cases. He is the Connecticut chair to the Republican National Lawyers Association, served as general counsel to the Connecticut Republican Party, and has represented the House and Senate Republican caucuses in constitutional litigation.

Prior to private practice, Proloy served as an Assistant State's Attorney in the Appellate Bureau of the Chief State's Attorney's Office. He earned his undergraduate degree from Boston College and his law degree from the Indiana University Maurer School of Law.

Some of Proloy's significant supreme and appellate court cases include:

[Town of Ledyard v. WMS Gaming, Inc., 336 Conn. \(2021\)](#) (successfully represented town before Supreme Court in obtaining reversal of Appellate Court decision on statutory right to collect taxes and fees from tribal casino vendor)

[E. I. du Pont de Nemours & Co. v. Chemtura Corp, 335 Conn. \(2020\)](#) (successfully represented plaintiff before Supreme Court in reversing judgment based on notice provision in multimillion dollar commercial contract dispute)

[Riley v. Travelers, 333 Conn. 60 \(2019\)](#) (successfully represented homeowner before Supreme Court in upholding \$1.5 million verdict against insurance company that made false accusation of arson)

[Saunders v. Briner, 334 Conn. 135 \(2019\)](#) (successfully represented LLC member before Supreme Court in overturning judgment in derivative suit)

[R.T. Vanderbilt Company v. Hartford Accident and Indemnity Company, 333 Conn. 343 \(2019\)](#) (successfully represented manufacturer before Supreme Court in suit over insurance coverage for asbestos-related personal injury claims)

[Redding Life Care v. Town of Redding, 331 Conn. 711 \(2019\)](#) (appellate jurisdiction and recognition of common law unretained expert privilege)

[O'Brien v. New Haven, 330 Conn. 791 \(2019\)](#) (interpretation of municipal indemnification statute)



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BAR & COURT ADMISSIONS

Connecticut

U.S. Court of Appeals for the
Second Circuit

U.S. Supreme Court

EDUCATION

Indiana University, J.D.

Boston College, A.B. in Economics
and Political Science

PRACTICES & INDUSTRIES

Litigation

Business Litigation

Appellate

Municipal

Independent Party v. Merrill (2018) (successfully represented Republican candidates for state legislature before Supreme Court in case about cross-endorsement ballot line)

Feehan v. Marcone (2018) (represented Republican candidate for state house in election challenge before Supreme Court)

Maio v. City of New Haven, 326 Conn. 708 (2017) (successfully represented City before Supreme Court in overturning jury verdict based on former testimony exception to hearsay rule)

Lawrence v. O & G Industries, Inc., 319 Conn. 641 (2015) (successfully represented power plant company in explosion case involving economic loss doctrine)

Town of Rocky Hill v. SecureCare Realty, 315 Conn. 265 (2014) (successfully represented town in obtaining reversal of trial court decision on sovereign immunity and zoning immunity claims by state contractor)

Meyers v. Livingston, 311 Conn. 282 (2014) (successfully represented law firm in negligence and breach of contract claims)

Town of Marlborough v. AFSCME, Council 4, 309 Conn. 790 (2013) (successfully represented town in obtaining vacatur of arbitration award)

Connecticut State Police Union v. Malloy et al., S.C. 18967 (2013) (successfully represented state police union in action challenging trooper layoffs and police staffing mandates)

Republican Party of Connecticut v. Denise W. Merrill, 307 Conn. 470 (2012) (successfully represented GOP in action against Secretary of the State regarding order of the parties on the state election ballots)

State v. Gault, 304 Conn. 330 (2012) (pro bono representation of sexual assault victim over right to privacy)

In re Judicial Inquiry No. 2005-02, 293 Conn. 247 (2009) (successfully represented panel of judges in appeal to Supreme Court regarding jurisdiction of appellate court over grand jury panel decision on sealing of records)

Vermont Mutual v. Walukiewicz, 290 Conn. 582 (2009) (successfully obtained reversal on first impression issue of whether self-defense is an intentional act under personal liability insurance policies)

State v. Jackson, 283 Conn. 111 (2007) (first impression adoption of new reasonable doubt instruction) (ranked number one in Connecticut Law Tribune's listing of twenty-five most important supreme court cases of 2007)

State v. Singleton, 274 Conn. 426 (2005) (adoption of "doctrine of vacatur in the public interest") (awarded Connecticut Law Tribune's Development of the Law Award for advancing new doctrine in state supreme court)

Other Supreme and Appellate Court Cases:

- Town of Glastonbury v. Metro. Dist. Comm'n, 328 Conn. 326 (2018) (successfully represented Town before Supreme Court in declaratory judgment action about illegal surcharges)
- A Better Way Wholesale Autos, Inc. v. Rodriguez, 176 Conn. App. 392 (2017) (arbitration award)
- Riley v. Travelers, 173 Conn. App. 422 (2017) (defending \$1.5 million emotional distress verdict)
- Redding Life Care v. Town of Redding, 174 Conn. App. 193 (2017) (first impression unretained expert privilege)
- Parillo Food Group v. Board of Zoning Appeals, 169 Conn. App. 598 (2016) (liquor control act and zoning)
- Feliciano v. Autozone, Inc., 315 Conn. 65 (2015) (employment defense of discrimination claim)
- Tremblay v. Mohegan Sun Casino, 599 Fed. Appx. 25 (2d Cir. 2015) (tribal sovereign immunity and Title VII)
- Single Source v. Central Regional Tourism District, 312 Conn. 374 (2014) (successor liability)
- Thoma v. Oxford Performance Materials, Inc., 153 Conn. App. 50 (2014) (breach of employment contract)
- Cruz v. Visual Perceptions, 311 Conn. 93 (2014) (breach of employment contract)
- Investment Associates v. Summit Associates, 309 Conn. 840 (2013) (first impression judgment revivals)
- Anatra v. Zoning Board of Appeals, 307 Conn. 728 (2013) (conditions attached to variances)
- Canty v. Otto, 304 Conn. 546 (2012) (first impression issue regarding fraudulent transfer laws)
- Jansen v. Jansen, 136 Conn. App. 210 (2012) (modification of alimony)
- State v. Miscellaneous Fireworks, 132 Conn. App. 679 (2011) (interpretation of consumer pyrotechnics statute)
- McKeon v. Lennon, 131 Conn. App. 585 (2011) (financial orders pursuant to judgment of divorce)

- [Arias v. Geisinger](#), 126 Conn. App. 860 (2011) (motor vehicle exception to workers compensation)
- [St. Paul Travelers v. Kuehl](#), 299 Conn. 800 (2011) (declaratory judgments and workers compensation statutes)
- [Perricone v. Perricone](#), 292 Conn. 187 (2009) (constitutionality of non-defamation orders)
- [Froom Development Corp. v. Developers Realty, Inc.](#), 114 Conn. App. 618 (2009) (commercial contracts)
- [State v. Preston](#), 286 Conn. 367 (2008) (jurisdictional of appellate court over probation revocation)
- [State v. Kelly](#), 106 Conn. App. 414 (2008) (prosecutorial impropriety)
- [Grant v. Commissioner of Correction](#), 103 Conn. App. 366 (2007) (ineffective assistance of counsel)
- [State v. Jose G.](#), 102 Conn. App. 748 (2007) (adequacy of record; prosecutorial impropriety)
- [State v. Jones](#), 99 Conn. App. 196 (2007) (sufficiency of the evidence for drug possession)
- [State v. D'Haity](#), 99 Conn. App. 375 (2007) (sufficiency of evidence for sexual assault convictions)
- [State v. Smith](#), 280 Conn. 285 (2006) (source of semen exception to rape-shield law)
- [State v. Jackson](#), 93 Conn. App. 671 (2006) (reasonable doubt instruction)
- [State v. Moore](#), 97 Conn. App. 243 (2006) (accessory to criminal impersonation & failure to appear)
- [State v. Gumbs](#), 94 Conn. App. 747 (2006) (sufficiency of evidence for probation revocation)
- [State v. Sewell](#), 95 Conn. App. 815 (2006) (late disclosure of witness)
- [Hollby v. Commissioner of Correction](#), 98 Conn. App. 751 (2006) (ineffective assistance of counsel)
- [Cole v. Commissioner of Correction](#), 96 Conn. App. 852 (2006) (ineffective assistance of counsel)
- [State v. Francis](#), 90 Conn. App. 676 (2005) (sufficiency of evidence)
- [State v. Monk](#), 88 Conn. App. 543 (2005) (adequacy of canvass)
- [State v. Marshall](#), 87 Conn. App. 592 (2005) (admissibility of evidence)
- [Dontigney v. Commissioner of Correction](#), 87 Conn. App. 681 (2005) (doctrine of collateral estoppel)
- [State v. Sanders](#), 86 Conn. App. 757 (2005) (admissibility of evidence)
- [Daniel H. v. Commissioner of Correction](#), 89 Conn. App. 904 (2005) (ineffective assistance of counsel)
- [Daniels v. Commissioner of Correction](#), 86 Conn. App. 62 (2004) (actual innocence)
- [State v. Smith](#), 83 Conn. App. 411 (2004) (waiver of jury trial)
- [State v. Jarrett](#), 82 Conn. App. 489 (2004) (prosecutorial misconduct)
- [State v. Izzo](#), 82 Conn. App. 285 (2004) (admissibility of evidence)
- [State v. Bookless](#), 82 Conn. App. 216 (2004) (waiver)
- [State v. Vlahos](#), 81 Conn. App. 904 (2004) (reconciliation of General Statutes §§ 14-215 and 14-36)
- [State v. Ramos](#), 271 Conn. 785 (2004) (self-defense)
- [State v. Smith](#), 85 Conn. App. 96 (2004) (rape-shield law)
- [State v. Long](#), 268 Conn. 508 (2004) (constitutionality of insanity acquittee statutes)
- [State v. Singleton](#), 81 Conn. App. 409 (2004) (sufficiency of field tests for narcotics)
- [State v. McKiernan](#), 78 Conn. App. 182 (2003) (first amendment gloss to disorderly conduct statute)
- [State v. Bothwell](#), 78 Conn. App. 64 (2003) (scrivener's errors in DUI conviction)
- [State v. Harvey](#), 77 Conn. App. 225 (2003) (admissibility of evidence)
- [Bruno v. Commissioner of Correction](#), 74 Conn. App. 910 (2003) (ineffective assistance of counsel)
- [Dash v. Commissioner of Correction](#), 74 Conn. App. 909 (2003) (ineffective assistance of counsel)
- [State v. Santiago](#), 74 Conn. App. 736 (2003) (sufficiency of the evidence)

Federal Court Matters

- [Charlery v. Department of Education](#), 2nd Cir. 17-1888 (*pro bono appointment*)
- [Rebenstorf v. City of New York](#), 2nd Cir. 16-4169 (*pro bono appointment*)
- [Tremblay v. Mohegan Sun Casino](#), 2nd Cir. 14-2031 (tribal immunity's applicability to ADEA and Title VII)
- [Stroud v. Mohegan Tribal Gaming Authority](#), 2nd Cir. 13-3546 (waiver and reviewability of employment claim)
- [Quinnipiac Tribal Council v. Connecticut](#), 2nd Cir. 11-5191 (tribal recognition claim)

- Eno Farms Cooperative Association v. Corporation of Independent Living, 2nd Cir. 07-5294-cv (RICO suit)
- Sullivan v. Stein, 2nd Cir. 07-3085-cv (civil rights claim under § 1983)
- Vega v. Semple, 3:17-cv-00107-JBA (§ 1983 suit based on inmates' exposure to radon)
- Democratic Governors Association v. Brandi, 3:14-cv-00544-JCH (standing; first amendment and campaign finance)
- Paolillo v. Transportation General, 3:12-cv-01489-AWT (employment)
- United States v. Safdie, 3:09-cr-00007-JBA-1 (defense in criminal prosecution)
- United States v. Ruocco, 3:09-cr-00210-WWE-1 (defense in criminal prosecution)

Amicus Briefs Include:

- City of Meriden v. Freedom of Information Commission (2020) (amicus brief for Connecticut Conference of Municipalities on open meetings law)
- NetScout Systems, Inc. v. Gartner, Inc., 334 Conn. 396 (2020) (amicus brief for Connecticut Business & Industry Association on unfair trade practices act)
- U.S. Bank National Association v. Crawford (2019) (amicus brief for Connecticut Bar Association on effect of bankruptcy stay on trial court's jurisdiction)
- Jemiola v. Hartford Casualty Insurance Company (2019) (amicus brief for United Policyholders on whether crumbling foundations were covered by home owners insurance policies)
- Karas v. Liberty Insurance Corporation (2019) (amicus brief for United Policyholders on whether crumbling foundations were covered by home owners insurance policies)
- Nutmeg Housing Dev. Corp. v. Town of Colchester, 324 Conn. 1 (2016) (amicus brief for CHFA about tax valuations)
- Bifolck v. Philip Morris, Inc., 324 Conn. 402 (2016) (amicus brief for Connecticut Business & Industry Association about product liability standard)
- State v. Anderson, 319 Conn. 288 (2015) (amicus brief for National Crime Victim Law Institute about victim's rights amendment)
- Gonzalez v. Connecticut, U.S. Sup. Ct. No. 14-1997 (amicus brief on behalf of National Association of Criminal Defense Lawyers, Connecticut Criminal Defense Lawyers Association, and California Attorneys for Criminal Justice)

Representative Election and Political Cases Include:

- Independent Party v. Merrill (2018) (successfully represented Republican candidates for state legislature before Supreme Court in case about cross-endorsement ballot line)
- Feehan v. Marcone (2018) (represented Republican candidate for state house in election challenge before Supreme Court)
- Fasano v. Wyman (2016) (represented Senate Republican caucus in dispute over effect of 18-18 tie in Senate resulting in power-sharing agreement)
- Republican Party of Connecticut v. Democratic Party of Connecticut (2014) (brought lawsuit against political party over improper use of federal campaign funds in a state gubernatorial election leading to record \$300k SEEC fine)
- Democratic Governors Association v. Brandi (2014) (intervened on behalf of GOP in federal suit and successfully defended challenge to state campaign finance laws during 2014 election)
- Republican Party of Connecticut v. Merrill (2012) (successfully represented GOP before Supreme Court in challenge to SOTS' ordering of parties on election ballots)

Memberships

- Judicial Performance Evaluation Program Advisory Panel (appointed by Chief Justice), 2009 – Present
- Connecticut Law Tribune Editorial Board, Board Member, 2007 – Present
- Lawyers Collaborative for Diversity, Board Member, 2016 – Present
- Connecticut Asian Pacific Bar Association, President (2013-2014); Board Member (2011-Present)
- South Asian Bar Association of Connecticut, Vice-President, 2005 – 2007, Board Member 2012-2013
- Connecticut Bar Journal Board of Editors, Member, 2007 – 2014
- Connecticut Bar Association Committee on Professional Ethics, 2011 - Present

- Connecticut Bar Association, Young Lawyers Section, Officer, 2006 – 2009, Chair, 2009 - 2010
- Connecticut Bar Association, Young Lawyers Section, Appellate Practice Chair, 2004 - 2006
- Connecticut Bar Association Appellate Section, Executive Committee, 2006 – Present
- Connecticut Bar Association Criminal Justice Section, Executive Committee, 2007-Present
- Connecticut Bar Association Litigation Section, Executive Committee, 2010-Present
- Oliver Ellsworth Chapter of Inns of Court, Barrister, 2007 - 2010
- Federalist Society, Connecticut Lawyers Chapter, Member, 2015 – Present
- Connecticut Supreme Court Historical Society, Member, 2007 - Present
- United States Supreme Court Historical Society, Member, 2008 - Present
- Republican National Lawyers Association, Connecticut State Chair - 2020

Recognition

- Holds an AV® Preeminent™ Peer Rating from Martindale-Hubbell
- James W. Cooper Life Fellow of the Connecticut Bar Foundation
- Trailblazer Award, South Asian Bar Association of Connecticut, 2021
- Connecticut Law Tribune Litigation Department of the Year – Appellate (2015 and 2017, 2018, 2019, 2020, 2021)
- Listed in New England Super Lawyers® in the area of Appellate Law from 2013-2019
- Listed as Connecticut Super Lawyers® Rising Star in the area of Appellate Law from 2008-2012
- National Asian Pacific American Bar Association Best Lawyers Under 40 (2011)
- Hartford Business Journal 40 Under Forty (2007)
- Connecticut Law Tribune New Leader of the Law: Development of the Law Award (2005)

Prior Experience

- Appellate Bureau—Office of the Chief State's Attorney, Connecticut, Assistant State's Attorney, 2002–2007
- University of Connecticut School of Law, Adjunct Professor on Appellate Advocacy, 2005-2007

With offices throughout Connecticut, Massachusetts and New York, Murtha Cullina LLP offers a full range of legal services to meet the local, regional and national needs of our clients. Our practice encompasses litigation, regulatory and transactional representation of businesses, governmental units, non-profit organizations and individuals.

