

## Employment Litigation

### TEAM

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### OVERVIEW

For both employers and employees, disputes involving current or former colleagues can have significant impact on finances, productivity and morale. Whether the plaintiff is a company or worker, the issues giving rise to employment disputes tend to be emotionally charged, and everyone involved seeks fast, fair resolution so they can get back to business.

We represent companies and individuals in a wide range of conflicts involving the employer-employee relationship. Our team is adept at analyzing the facts and bringing practical legal and business thinking to resolution, whether through negotiation, arbitration, mediation or litigation. Tapping our experience as trial lawyers, we apply best practices in e-discovery, document retention and production, deposing witnesses and filing pleadings and motions as we develop and advance an effective case strategy.

Our experience representing employees or employers in workplace disputes includes:

- Non-compete and non-solicitation claims
- Trade secrets claims
- Wrongful termination
- Wage and compensation claims
- Breach of employment contract
- Discrimination based on race, gender, age, religion, sexual orientation, medical condition
- Harassment
- Claims related to reduction in force
- Employee wrongdoing
- Severance and termination agreements

We zealously protect the rights of individuals in contract negotiations, termination agreements and investigations into conduct—on the job or after departure. In doing so, we pride ourselves on providing

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highly personal, responsive attention as we thoroughly address your needs and concerns. And when representing employers, we conduct investigations and due diligence discretely and efficiently, appropriately respecting and balancing the rights of all parties and the priority to resolve the situation as quickly as feasible.

We routinely handle cases in state and federal courts, arbitrations and MCAD and EEOC proceedings.

### **EXPERIENCE**

- Won dismissal after trial of age discrimination claims.
- Successfully defended a national medical consulting company and several of its key managerial employees against a competitor's motion for a preliminary injunction alleging violation of non-competition and confidentiality agreements, and misappropriation of trade secrets.
- Won triple damages on summary judgment in a lawsuit for substantial unpaid compensation brought by a withdrawing partner against a major accounting firm.
- Obtained dismissal of race discrimination charges brought against a security services firm in California.
- Represented a company in connection with claims against a former employee and his son engaged in direct competition and customer solicitation in violation of various agreements. Successfully resolved the matter after filing preliminary injunction papers.
- Successfully defended an IT professional in connection with a claim that he violated non-competition and non-solicitation agreements.
- Arbitrated to a successful conclusion an eight-figure dispute between a hedge fund portfolio manager and his employer regarding his alleged termination for "Good Reason."
- Resolved quickly and successfully on behalf of a national publishing company a civil action for employee raiding against a competitor arising out of the en masse resignation of many of its key employees who had left to work for the competitor in violation of their employment contracts.
- Successfully defended allegations of workplace sexual harassment, obtaining summary judgment on all claims.
- Represented a food company before the Occupational Safety and Health Administration during an accident investigation.

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- Represented a biotechnology company against allegations of wrongful discharge and state constitutional free speech violations.
- Obtained a groundbreaking injunction from a Federal District Court judge, upheld by the First Circuit Court of Appeals, barring the forced retirement at age 60 of more than 100 Massachusetts State Troopers, followed by summary judgment in their favor and the substitution of a fitness testing regimen for a mandatory retirement age. Won a second federal trial court victory upheld by the First Circuit in a related case.