Employment Litigation

Seasoned employment litigators helping you achieve the best resolutions for your legal and enterprise goals at all stages of litigation.

In the current war for talent and customers, employment-related litigation claims can present a massive business and reputational risk if not handled properly. At a time when the number of employment litigation filings continues to rise, employers are challenged to handle these workplace claims with efficiency and a high degree of sensitivity to business and reputational costs.

Sophisticated multinational and domestic employers need skilled legal counsel who possess an understanding of the business issues involved in employment litigation, and can weigh the legal, commercial, and practical risks confronted by the claim.

HOW WE HELP

Our Employment Litigation team is a global leader in employment disputes. Our attorneys understand the impact of monetary or injunctive relief on the corporation, the role of the media and the impact of its reporting, and how litigation defense strategy can impact a client's business and workforce. We recognize the role of special interest advocacy groups and their efforts to influence the matter's outcome, and have the ability to skillfully navigate our clients through these issues as they arise. We also understand the effect of litigation on corporate image and, in the case of consumer-oriented companies, on direct consumers. We appreciate how all of this adds up, and nimbly guide our clients through every step of the process to achieve the best resolution for their legal and enterprise business goals.

Our Employment Litigation attorneys bring decades of experience in obtaining favorable results, including at trial. In an area in which disputes can be straightforward
or complex, local in scope, national or international, and where risks may be circumscribed or “must-win,” our attorneys work closely with clients to develop and implement the appropriate strategy tailored for the situation at hand. Equally important, we craft innovative yet practical solutions to the most challenging problems, whether those challenges involve high-volume work, a high stakes trial, or other complex issues. Litigation requires a legal strategy that is sensitive to not only the demands of the litigation in the current matter, but also to identify and mitigate future implications which may arise.

We recognize the role of litigation avoidance in becoming an “employer of choice.” We represent companies in designing and implementing workforce strategies aimed at minimizing litigation risk. When trial is necessary, we offer creative strategies and our deep bench of trial lawyers to try cases to verdict.

Our team represents leading multinational and domestic employers of all sizes and disciplines before administrative agencies, judges, and juries, and handles high-profile matters for some of the world’s largest employers. For instance, we represent 80 percent of the top companies in the United States across a multitude of industries, including financial services, insurance, retail, health care, transportation, hospitality, high tech, media, and the public sector. We bring to each case a trial lawyer’s courtroom perspective, and provide practical, business-focused advice, getting results and limiting risk for clients. We regularly defend clients of all industries in individual, collective and multi-plaintiff litigation matters.

**OUR SERVICES**

In the US, our experience covers the spectrum of employment litigation matters, including, but not limited to:

- Single and multi-plaintiff discrimination actions, including those alleging age, disability, gender, marital status, pregnancy, national origin, race, religion, or sexual orientation discrimination
- Single and multi-plaintiff ERISA and employee benefit claims
- Disparate treatment claims and disparate impact theories involving complex statistical or econometric evidence
- Equal Pay
Harassment

Retaliation

FCRA

FMLA and other leave claims

Unfair competition litigation and trade secret misappropriation

Non-compete and theft of company property

Wage Hour

Wrongful termination

Whistleblower actions

THE SEYFARTH EXPERIENCE

Our approach to employment litigation is unique in the industry. We apply our advanced service delivery platform to employment litigation, allowing us to enhance predictability, provide proactive and consistent legal advice, and maintain a dialogue to ensure that our solutions fit the client’s needs. Our flexible, customizable technology tools allow us to maintain the highest standards of quality while managing significant volumes of work. Working side-by-side with our industry-leading Lean Solutions team, we have created hundreds of proprietary process maps equipped with company-specific template documents, early assessment templates, and other materials that are designed to maximize efficiency by eliminating duplication of effort across multiple matters. This allows us to actively litigate thousands of labor and employment matters a year while maintaining the highest standards of legal excellence.

We take pride in our ability to keep our clients informed about current legal developments in a way that is pertinent to their business, providing materials and customized training tailored to our clients' specific needs and interests. We anticipate and remain abreast of evolving trends and new twists that can present opportunities or obstacles to a litigation defense.

Key Contacts
Laura J. Maechtlen
Partner

Ariel D. Cudkowicz
Partner

Related Practices

Employment

Wage Hour Class & Collective Actions

Complex Discrimination Litigation

ERISA & Employee Benefits Litigation

Pay Equity

Trials

Appellate

Class & Collective Actions

Commercial Class Actions

ADA Title III & Public Access

Labor Management Relations

Workplace Arbitration & ADR

Wage Hour Audit, Assessment & Advice
Related Key Industries

Cannabis
Construction
Consumer Financial Services Litigation
Financial Services
Franchise & Distribution
Health Care, Life Sciences & Pharmaceuticals
Hospitality & Leisure
Manufacturing
Retail, Wholesale & Distribution
Technology, Mobility & Connectivity
Transportation & Logistics

Blogs

ADA Title III News & Insights Blog
California Peculiarities Employment Law Blog
Consumer Class Action Defense Blog
Employer Labor Relations Blog
Employment Law Lookout Blog
Wage Hour Litigation Blog
Workplace Class Action Blog

EXPERIENCE
• Won a $3.014 billion jury verdict on behalf of a multinational information technology company in a high-profile matter involving allegations of misconduct, misappropriation of trade secrets and breach of contract.

• Secured a 9-0 victory in the Supreme Court of the United States stating that the Dodd-Frank Act's anti-retaliation provision does not extend to an individual who has not reported a violation of the securities laws to the SEC. This is a significant whistleblower victory for all American companies that are publicly traded and has very wide legal implications for US employers.

• Represented a leading full-service restaurant chain in the largest hiring discrimination and age discrimination case ever brought by the federal government involving thousands of applicants at more than 400 restaurants nationwide.

• Obtained a complete “walk away” from a plaintiff for a property/casualty insurance carrier in an age and disability discrimination and retaliation, and workers’ compensation retaliation lawsuit filed by a former employee.

• Secured a unanimous jury verdict for a major nationwide employer in a case brought by a former employee alleging religious discrimination, failure to accommodate, hostile work environment, and retaliation.

• Representation of numerous nationwide employers, handling their entire portfolio of employment litigation matters, including, for example, managing a large portfolio of more than 100 single plaintiff and administrative charge matters, OSHA litigation and multiple commercial and non-compete litigation matters on behalf of a global staffing company.

Related News & Insights

ATTORNEY PUBLICATION  10/18/2019
Lynn Kappelman and Dawn Solowey authored an article in Rhode Island Lawyers Weekly

LEGAL UPDATE  10/04/2019
October Brings Increased Legal Exposure for Maryland Employers for Workplace Harassment Claims
Part 541 Salary Level Increases to $684/Week

Cyber Restraints of Trade in the New Era of Digital Markets

Recognition

Seyfarth Earns Top Rankings - US News: Best Lawyers

Seyfarth Shaw Attorneys Named in The Best Lawyers in America 2020

Seyfarth Earns Top Rankings in Legal 500 U.S. 2019

Seyfarth Earns Top Rankings - US News: Best Lawyers

Copyright © 2019 Seyfarth Shaw LLP. All Rights Reserved.