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PRACTICE AREAS

Franchise & Distribution
Noncompete Agreements

Franchise Reorganization &
Bankruptcy

General Business & Complex
Commercial Litigation

Franchise & Distribution
Litigation

Investigations & White-Collar
Defense

eDiscovery: Data, Records &
Information Governance

Enforcing System Standards

Franchise & Dealership
Terminations

Non-Compete, Non-Solicit,
Trade Secrets & Other
Restrictive Covenants

Vicarious Liability/Risk
Management

Franchise Litigation & Dispute

Justin L. Sallis

Partner | justin.sallis@lathrooggpm.com

Justin litigates commercial disputes across the country on behalf of both corporations and individuals. He regularly counsels and represents some of the nation's most prominent franchisors on matters central to the integrity of their brands and systems, including trademark infringement, breach of in-term and post-termination covenants against competition, violations of brand standards, claims arising from pre-contractual disclosures and representations, and vicarious liability issues.

Justin practices in federal and state courts and in domestic and international arbitrations. He also represents corporations and individuals in connection with internal and government investigations.

Justin currently serves as Editor-in-Chief for the ABA publication, *The Franchise Lawyer*.

Prior to joining the firm, Justin served as a law clerk to the Honorable Thomas F. Hogan of the United States District Court for the District of Columbia.

Representative Experience

- Obtained an award in favor of a national quick service restaurant franchisor following a full evidentiary arbitration hearing. A panel of three arbitrators unanimously dismissed all claims against the franchisor, including claims of pre-franchise agreement misrepresentations concerning start-up costs, potential earnings, and the level of support to be provided, brought by a multi-unit franchisee seeking in excess of \$8 million in damages. The franchisor was awarded attorney's fees in full.



Resolution
International Law

INDUSTRIES

Health Care
Restaurant, Food & Beverage

COURT MEMBERSHIPS

- District of Columbia
- Virginia
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Virginia
- U.S. Court of Appeals Third Circuit
- U.S. Court of Appeals Sixth Circuit
- U.S. District and Bankruptcy Courts for the District of Columbia

EDUCATION

The George Washington University Law School, J.D.
University of Wisconsin-Madison, B.A.

- Defended a national tax return preparation franchisor against claims that it had unlawfully terminated the plaintiffs' franchise agreements for breaches of their in-term covenants against competition. The case settled on terms favorable to the client after a successful motion for summary judgment in which the United States District Court for the Central District of California upheld the termination and found in favor of the franchisor on its counterclaim for damages arising from the franchisees' competition.
- Obtained final judgment from the United States District Court for the District of Massachusetts rejecting the claim of an association of franchisees that their franchisor's pricing arrangements with the designated supplier of its proprietary products breached the franchise agreements of the association's members.
- Defended a national retail franchisor against breach of contract claims alleging encroachment in the form of brick and mortar stores and online retail operations. The matter settled on terms favorable to the client after the client largely prevailed on a motion to dismiss the franchisees' claims in proceedings before the United States District Court for the District of Minnesota.
- Secured preliminary injunctions on behalf of numerous franchisor clients seeking to enjoin a franchisee's continued use of the franchisor's trademarks and business systems following the termination of a franchise agreement.
- Conducted an internal investigation of potential False Claims Act violations for national health care contractor.
- Represented a physician in a Stark and False Claims Act matter investigated by the U.S. Attorney's Office for the Eastern District of Virginia.

Events

- Franchisors & Bankruptcy Webinar
March 22, 2023
- Webinar Series: Diversity in Franchising - Where Are We & How Can We Improve?
October 28, 2021
- State of Litigation Virtual Event Series
Session 1 - Wednesday, June 9; Session 2 - Wednesday, June 16;
Session 3 - Wednesday, June 23
- Barbarians at the Gate: Franchisors and the Attorney-Client Privilege, the Work-Product Doctrine and the Common Interest Privilege

October 5, 2017

Presentations

- Co-presenter, "W-1: You Won! Now What? Handling Judgment Enforcement and Collection," 46th Annual ABA Forum on Franchising, November 2, 2023; November 3, 2023
- Panelist, "Dealing with Non-compliant and Disengaged Franchisees," H.E.A.T. Franchise Summit, August 25-27, 2020
- Panelist, "Conspiracy Theories: Establishing Third Party Liability in Franchise Litigation," IFA Legal Symposium, August 12-13, 2020
- Roundtable Facilitator, "Roundtables: Non-Solicitation/Anti-Poaching Clauses - In or Out?," IFA Legal Symposium, Washington, D.C., May 6, 2019

Publications

- Virginia Chapter Author, "Covenants Against Competition in Franchise Agreements," American Bar Association Forum on Franchising (4th ed. 2022)
- Author, "How To Increase Diversity In Franchising," *Franchising World*, September 2022

Client Alerts And Blog Posts

- Arizona Federal Court Grants Temporary Restraining Order and Preliminary Injunction Against Former Franchisee for Violation of Noncompete
February 15, 2024
- California Federal Court Denies Franchisor's Motion to Dismiss Consumer's Claims Alleging Violation Under the Unfair Practices Prong of California's Unfair Competition Law
January 18, 2024
- Fifth Circuit Affirms Ruling in International Breach of Contract Case
August 10, 2023
- Connecticut Federal Court Denies Franchisee's Motion for Temporary Restraining Order Following Termination
January 11, 2023
- Georgia Federal Court Denies Franchisor's Motion to Dismiss Good Faith and Fair Dealing Counterclaim
January 13, 2022
- "The Economic Loss Doctrine: Getting Rid of the Surplusage," *Franchise Law Journal*, Vol. 39, No. 4

July 8, 2019

- Health Alert: Supreme Court Clarifies Statute of Limitations in Nonintervened False Claims Act Qui Tam Suits
May 31, 2019

In The News

- Becker's Healthcare Features Thought Leadership by Lathrop GPM Attorneys Justin Sallis and Kevin Graff
February 21, 2024

News Releases

- 14 Lathrop GPM LLP Practice Groups and 35 Attorneys Ranked in Chambers USA 2023
June 1, 2023
- Chambers USA 2022 Names Lathrop GPM a Top Law Firm, Franchise Group Ranked Nationwide
June 1, 2022
- Lathrop GPM Continues Increasing Diversity in Franchising Speaker Series with “Increasing Diversity in Franchise Systems”
February 2, 2022
- Lathrop GPM Launches Increasing Diversity in Franchising Speaker Series
September 22, 2021
- Five Attorneys Named 2021 Washington, D.C. Super Lawyers and Rising Stars
April 27, 2021
- Eight Attorneys Named 2020 Washington, D.C. Super Lawyers and Rising Stars
June 10, 2020
- Lathrop GPM's Justin Sallis Named to Leadership Council on Legal Diversity's 2020 Fellows Program
February 24, 2020
- 11 Gray Plant Mooty Attorneys Named 2019 Washington, D.C. Super Lawyers and Rising Stars
April 19, 2019
- Gray Plant Mooty Elects New Shareholders for 2019
January 7, 2019
- 11 Gray Plant Mooty Attorneys Named 2018 Washington, D.C. Super Lawyers and Rising Stars
April 23, 2018

- 11 Gray Plant Mooty Lawyers Named 2017 Washington, D.C. Super Lawyers and Rising Stars
April 24, 2017
- Justin Sallis Named to Lawyers of Color's 2014 Hot List
June 30, 2014
- Gray Plant Mooty Adds Three New Attorneys to Firm
January 31, 2013

Professional Affiliations

- ABA's The Franchise Lawyer, Editor-in-Chief, 2023
- Leadership Council on Legal Diversity, Fellows Program, 2020

Honors

- *Chambers USA: America's Leading Lawyers for Business*, Nationwide Franchise, Up & Coming, 2022-2023
- "Legal Eagle," Franchise Times, 2021
- "Washington, D.C. Rising Star," Super Lawyers, 2017-2021
- Lawyers of Color Hot List, 2014