

A graphic with a purple triangle and the text "Employment Litigation" in a bold, sans-serif font, set against a background of light gray geometric shapes and a dotted pattern.

Despite the best preventive efforts, when employment disputes arise, Lathrop GPM is your steadfast ally in navigating the complexities of litigation. We understand pressure rises when a career or livelihood are at stake, and we work diligently to balance the sensitive nature of these matters while protecting the employer's business interests and striving for favorable outcomes. From discrimination claims to class action lawsuits, our team is equipped to handle the full spectrum of employment-related challenges.

Employment disputes are challenging due to their emotional intensity, complex legal landscape, ever-changing regulations, and potential for significant financial and reputational harm. They can disrupt workplace morale and productivity while requiring careful navigation of evolving laws and regulations. The high stakes and uncertainty often prolong the resolution process, adding to the difficulty.

We represent our clients in the full spectrum of employment-related administrative charges and litigation, including:

- Breach of employment agreements, non-compete agreements, and other restrictive covenants
- Class and collective actions
- Defamation
- Discrimination
- Employee embezzlement
- Failure to accommodate
- Harassment
- Misappropriation of trade secrets
- PAGA claims
- Retaliation

## Primary Contacts

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- Sexual or other forms of harassment
- Tortious interference with contract
- Unfair competition
- Wage and hour violations
- Worker misclassification
- Wrongful discharge

## Why Choose Us?

- **Comprehensive Defense Strategies:** We don't just fight your battles in court; we consider the broader impact on your workplace. Our defense strategies are tailored to protect your company's productivity, morale, and reputation.
- **Proven Track Record:** With a history of successful outcomes, including high-profile cases and significant settlements, our experience translates into confident, effective representation.
- **Customized Approach:** Our approach to defending employment litigation recognizes that the defense strategy must assess and integrate the workplace's unique needs into a comprehensive and customized strategy for you to achieve a successful outcome at work and in court.

## Substantive Areas

Our employment litigation practice spans a wide range of disputes, ensuring that we can meet your needs no matter how complex the issue.

- **Administrative Agency Complaints:** We defend clients against charges filed with the Equal Employment Opportunity Commission (EEOC), Department of Labor (DOL), National Labor Relations Board (NLRB), Department of Housing and Urban Development (DHUD), Occupational Safety and Health Administration (OSHA), Office of Federal Contract Compliance (OFCC), United States Citizenship and Immigration Services (USCIS), state human rights agencies nationwide, and other federal, state, and local agencies.
- **Appellate Advocacy:** We handle appeals, ensuring that favorable lower court rulings are upheld and unfavorable ones are challenged.
- **Arbitration and Mediation:** We are experienced in alternative dispute resolution, offering clients a path to resolve disputes outside of traditional court proceedings.
- **Class and Collective Actions:** We represent clients against large-scale lawsuits while minimizing disruption to your business.
- **Discrimination and Harassment:** We represent employers facing allegations of discrimination based on sex, age, disability, race, and other protected classes, as well as workplace harassment claims.
- **PAGA:** In California, we have extensive experience defending employers in PAGA representative actions under the Labor Code, with a particular emphasis on class actions and representative actions under PAGA. Additionally, on behalf of California employers, we act as *amicus curiae* counsel in California's appellate courts on matters related to novel PAGA issues.



- **Retaliation and Wrongful Termination:** We protect your business from retaliation and wrongful termination claims, ensuring that your employment decisions are fairly defended in court.
  - **Trade Secrets and Unfair Competition:** We work to safeguard your company's proprietary information and competitive edge in cases of misappropriation of trade secrets or allegations of unfair competition.
  - **Wage-and-Hour Disputes:** We defend your business against wage-and-hour allegations, whether you are facing claims of unpaid overtime, off-the-clock work, or tip pooling violations.
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## Experience

- Prevailed at trial on behalf of a financial services company in an age discrimination and retaliation suit filed by an employee who was terminated just one day after complaining to the Chief Executive Officer about age discrimination.
- Obtained summary judgment and appellate rulings dismissing multiple race discrimination actions brought against a private employer
- Obtained over \$1 million dollar civil judgment against a former employee as a result of his embezzlement of employer funds
- Jury Trial: *RELCO, LLC v. Custom Fabricating & Repair, Inc., et al.* (obtained \$22.7 million verdict in misappropriation of trade secret and confidential information case; Minnesota state court), October 2013
- Jury Trial: *Mattson v. Dooley's Petroleum, Inc.* (employee whistleblower case; Minnesota state court), January 2012
- Successfully defended two technology companies and three of their engineers in a case involving claims for more than \$100 million based on alleged unfair competition and breach of non-solicitation covenants, negotiating a settlement that did not involve any payment by our clients.
- Won summary judgment for a technology company in a lawsuit with 11 causes of action filed by a former manager who alleged age discrimination and retaliation.
- Defended employer and prevailed at trial of disability discrimination and wage and hour claims
- Obtained summary judgment on behalf of employers in sexual harassment, discrimination, and workers' compensation retaliation claims brought by former employees
- Successfully defended employer against unfair labor practice charge
- Obtained summary judgment on behalf of a variety store chain in an age-discrimination case. The court ruled that our client did not engage in age discrimination when it terminated two of the highest-paid executives along with a number of other individuals as part of a reduction in force, nor did it breach its employment contracts with these individuals when it refused to pay certain expenses that were not earned prior to the executives' termination.
- Achieved summary judgment on behalf of a major motorcycle manufacturer in a lawsuit involving claims under the Family Medical Leave Act and race, gender and retaliatory discrimination following the plaintiff's termination from the company. The decision was affirmed by the 8th U.S. Circuit Court of Appeals.
- Successfully opposed a motion for injunctive relief against our client, a Fortune 50 company, alleging misappropriation of trade secrets and violations of non-compete covenants for hiring two executives from a



competitor, leading to a favorable resolution that enabled the executives to work in the roles for which they were hired.

- Successfully defended a national market research company against claims for discrimination and failure to provide reasonable accommodation, by winning dismissal of both claims through a motion for summary judgment.
- Achieved voluntarily dismissal with prejudice in Jackson County, Missouri, for publicly traded consumer products company in case where former maintenance employee charged age discrimination, workers' compensation retaliation and COBRA violations.
- Obtained complete dismissals by the Equal Employment Opportunity Commission on behalf of our client, a publicly traded, multi-billion-dollar company.
- Prevailed for a publicly traded financial services client in a contested appeal before the Oregon Employment Department, convincing the hearing officer to overturn the lower decision, which we argued had erroneously awarded benefits to a terminated agent.
- Successfully resolved various federal and state law claims actions against a manufacturing company client, arising from the alleged misclassification of approximately 50 individuals who were treated by the client as independent contractors. We negotiated a class-wide settlement for a fraction of the plaintiff's opening demand before discovery or class certification.
- Represented several manufacturing and food service industry clients in Missouri and other states in arbitrations relating to the discharge of employees or the interpretation of work rules.
- Represent employers in various industries in wage-and-hour collective actions involving claims of misclassification, off-the-clock work, minimum wage, and miscalculation of overtime.
- Obtained temporary restraining orders and preliminary injunctions in two separate jurisdictions on behalf of a leading financial services company after a regional sales representative shared proprietary and confidential data with competitors.
- Successfully led a national manufacturer of semiconductor components through a large workforce reduction without triggering the WARN Act or generating any claims from affected employees.
- Recovered more than \$750,000 misappropriated from a manufacturing company over time by a former payroll and accounting clerk.
- Negotiated more than 100 collective bargaining agreements for employers covered by the National Labor Relations Act, the Meyer-Miliias-Brown Act, and the Educational Employment Relations Act.
- Represented unionized employers in dozens of grievance arbitrations, including contract interpretation cases and just cause disciplinary actions and dismissals.

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## Related Areas of Focus

### Services

[Class, Collective & PAGA Representative Actions](#)

[Discrimination, Harassment & Abusive Conduct](#)



Labor & Employment

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

Occupational Safety

## **Sectors**

Construction

Financial Institutions

Health Care

Industrial & Manufacturing