

Service

Employment Litigation

Experienced Employment Litigators on your Side

Employment disputes can quickly escalate if not effectively addressed immediately. Oftentimes, these disputes can cost businesses time, resources, and even good employees, if not managed properly.

While the goal is always to resolve workplace disputes as quickly and effectively as possible to avoid litigation, that is not always feasible, so it is important to have a team of experienced employment litigators on your side.

The Right Strategy that Works Best for Your Business

Mirick attorneys work closely with clients of all sizes and from all industries to develop strategies that work best for their business, sometimes that means a reasonable settlement while other times aggressive litigation is the only option.

Backed by a successful track record, our skilled trial lawyers are well prepared to vigorously represent our clients in state and federal courts, as well as before the Massachusetts Commission Against Discrimination and the Equal Employment Opportunity Commission.

Our employment litigation team routinely defends claims of:

- Discrimination (Age, Race, Color, National Origin, Gender/Sex, Disability, Pregnancy, Religion)
- Sexual harassment

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Related Services

Business Law
Business Litigation
Government Investigations Response and Compliance
Labor, Employment and Employee Benefits
Litigation

Related Industries

Banking & Finance
Cannabis

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- Healthcare Whistleblower
- False Claims Act
- Retaliation
- Wrongful termination
- Breach of employment contract
- Defamation
- Intentional Infliction of Emotional Distress
- Intentional Interference with Contractual and Advantageous Business Relations
- Unfair labor practices
- Union grievance and arbitration
- Wage and hour violations
- Violation and/or Enforcement of Non-competition and Non-solicitation agreements
- Theft of confidential information and trade secrets

Experience Matters

At Mirick, we are well known and respected throughout the courts and by opposing counsel as strong advocates on behalf of our clients. Our attorneys are well-versed in labor and employment laws, and skilled at negotiating favorable results for our clients.

Experience

- Successfully represented a Hospital and physician leaders facing allegations of age, race, national origin, gender, and disability discrimination, which were asserted by a physician whose employment was terminated for substandard quality. All claims other than the age discrimination claim were dismissed at summary judgment. The age discrimination claim then proceeded to a jury trial in the U.S. District Court for the Central District of Massachusetts. At the conclusion of a two-week trial, the jury ruled in favor of the Hospital and its physician leader.
- Successfully represented a Hospital facing allegations of breach of

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contract and wrongful termination of a formerly-employed physician. Case was immediately dismissed based on the doctrine of Health Care Quality Improvement Act immunity as applied to decisions of a self-governing medical staff.

- Successfully represented a major healthcare industry client facing claims of race, color, national origin and disability discrimination, as well as retaliatory discharge, before the U.S. District Court for the District of Massachusetts. All claims were dismissed following a motion for summary judgment.
- Successfully represented a major healthcare industry client facing claims brought by a physician for breach of contract and breach of the covenant of good faith and fair dealing in Massachusetts Superior Court. All claims were dismissed following a motion for summary judgment.
- Successfully represented a major healthcare industry client facing claims of disability discrimination, retaliation and constructive discharge before the Massachusetts Commission Against Discrimination. All claims were dismissed following seven days of public hearing.
- Successfully defended a major healthcare institution facing claims of disability discrimination in U.S. District Court. Case was dismissed following a motion for summary judgment.
- Enforced a non-competition agreement on behalf of an educational software company, resulting in the removal of a former executive from the competitor's workforce and the recoupment of attorneys' fees.
- Successfully defended a sales executive facing a non-compete enforcement action by his former employer in Delaware Court of Chancery.
- Represented a public company facing allegations of disability discrimination; the case was dismissed at the investigative stage of proceedings before the Massachusetts Commission Against Discrimination.
- Successfully defended six executives facing 11 counts of discrimination, wrongful termination, and whistleblower retaliation in federal court; the case was won with an initial motion to dismiss prior to discovery.
- Defended a municipality facing breach of contract claims in federal

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court following termination of an employee's contract for poor performance; the case was won prior to summary judgment based on admissions extracted at plaintiff's deposition, followed by a demand that the plaintiff voluntarily dismiss her case or face a motion for sanctions for having filed an action in bad faith.

- Defended a major medical institution facing claims of breach of contract, intentional interference with contractual relations and defamation in federal court; the case was won with an initial motion to dismiss prior to discovery.
- Represented a service provider company and its executives facing age discrimination claims; the case was won based on admissions extracted at the plaintiff's deposition, followed by a demand that the plaintiff voluntarily dismiss his case or face a claim for attorneys' fees based on having filed a frivolous lawsuit.
- Successfully represented a major medical institution facing claims of pregnancy discrimination and gender bias at the Massachusetts Commission Against Discrimination.
- Successfully represented a major medical institution in grievance arbitration involving a claim that supervisors were performing bargaining unit work.
- Successfully represented a transportation company in grievance arbitration involving a claim that drivers were not properly compensated during meal breaks.
- Defended a major medical institution in an action at the Massachusetts Commission Against Discrimination brought by a former physician claiming disability discrimination; the case was won based on admissions extracted at the plaintiff's deposition, followed by a demand that the plaintiff voluntarily dismiss his case or face a motion for sanctions for pursuing an action in bad faith.
- Successfully represented in grievance arbitration a client who terminated an employee based on allegations of sexual misconduct in the workplace.
- Successfully represented a major medical institution in grievance arbitration involving the transfer of an employee based on the hospital's belief that he was unable to safely perform certain job duties.
- Successfully defended a financial services company facing allegations

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of breach of employment contract following the termination of an employee for inappropriate behavior in the workplace.

- Successfully represented a manufacturing company and two of its executives in Superior Court in response to claims of wrongful termination, defamation, and intentional interference with advantageous relations. Case was dismissed following a motion for summary judgment.
- Successfully prosecuted a suit against a former employee for cyber crimes and for defamation of the company's President and CEO. Client was awarded over $100,000 in damages following a successful motion for default judgment.
- Successfully defended a manufacturing employer and its President in defense of claims alleging failure to pay wage and retaliation under the Massachusetts Wage Act.
- Successfully defended an office solutions company in the U.S. District Court against a race discrimination claim brought by a regional sales manager. The plaintiff had rejected a settlement offer of several hundred thousand dollars before proceeding to trial.
- Obtained a high-seven-figure award for our minority shareholder client following a jury-waived trial for "freeze-out" in Worcester Superior Court. This was one of the few cases in which the Court ordered the repurchase of a minority shareholder's stock interest in the company at a percentage of the company value without any discount for marketability or minority interest.
- Successfully defended an automobile dealership and leasing company in Middlesex Superior Court against an age discrimination claim brought by a former sales manager.
- Secured preliminary and permanent injunctions in the Business Litigation Session of the Suffolk Superior Court on behalf of a nano-particulate business against a former chief chemist for trade secret misappropriation.
- Successfully defended an accounting firm against a pregnancy discrimination claim brought by an accountant in Worcester Superior Court.
- Obtained summary judgment in favor of our accounting firm client in a disability discrimination claim in the U.S. District Court. On appeal,

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dismissal was affirmed by the U.S. Court of Appeals for the First Circuit.

- Obtained summary judgment in favor of our aerospace manufacturing client in a race discrimination claim in the U.S. District Court. The plaintiff's appeal was dismissed by the U.S. Court of Appeals for the First Circuit.
- Obtained enforcement of a non-competition agreement on behalf of an educational software company, resulting in the removal of a former executive from a competitor's workforce and the recoupment of attorneys' fees.

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