

# Employment Litigation

Our labor and employment litigation team offers the experience and knowledge necessary to customize legal solutions. Our clients are public and private companies and organizations that range from large national and international corporations, to local and regional businesses, and nonprofits across a wide range of industries and sizes.

We partner with employers to provide advice, monitor potential claims and defend litigation on a local, regional and national basis. We establish a candid rapport with our clients, and their executives, general counsels and insurers. We advise clients on the best practices to limit their exposure and place themselves in the best position to defend and win claims before they are even made. If a claim is made, we obtain an early command of the facts and evaluate the case in order to defend the claim effectively and efficiently by providing expedient advice, a practical analysis and, when necessary, a thorough litigation plan.

We know that each case is a business decision and want to make sure you thoroughly understand the process, as well as your options at each stage to make the best decision for your business. We will work with you and guide you through every step of litigating a claim whether it be a charge of discrimination or wage claim, an audit or claim by an administrative agency, or a lawsuit filed in state or federal court.

Our goal is to work with you as your business partners throughout each matter. We understand the impact of litigation and recognize that there is a time and place when aggressive defense is needed and when it may be more beneficial to use our skills in the art of negotiation and dispute resolution. While we are able to evaluate and find creative solutions through negotiations and alternative dispute resolutions, our trial and appellate experience is extensive and we are not afraid of a legal fight.

Our litigation team is skilled in defending clients in all types of labor and employment law claims and cases in state and federal administrative agencies and courts across the country, including the following:

- Complaints, charges of discrimination and unfair labor practice claims filed by employees with the EEOC, NLRB, OSHA, DOL, and numerous state agencies and corresponding claims filed by the agency
- Class action defense
- Retaliatory or wrongful termination and whistleblower claims
- Discrimination, harassment, failure to accommodate and retaliation claims brought under Title VII, the ADA, the ADEA, the EPA, the FMLA and equivalent state statutes

## PROFESSIONALS

Beverly P. Alfon  
Partner

Heather A. Bailey  
Partner

Marissa R. Borschke  
Associate

Lisa Dolajec  
Paralegal

Jeffrey M. Glass  
Partner

Christopher R. Green  
Partner

Peter E. Hansen  
Partner

John R. Hayes  
Partner

Gini L. Hendrickson  
Senior Counsel

Callan Heurung  
Paralegal

Michael F. Hughes  
Partner

Rebekah A. Jones  
Paralegal

Craig A. Kubiak  
Partner

Debra A. Mastrian  
Partner

Margaret A. Miles  
Associate

Jennifer A. Murphy  
Partner

Suzannah Wilson Overholt  
Partner

Julie A. Proscia  
Partner

- Negligence, intentional infliction of emotional distress, defamation, and any other state or federal common law, statutory or other claim arising out of or relating to employment
- Non-competition / confidentiality agreement enforcement and defense
- FLSA, wage and hour, unlawful deduction and misclassification claims
- Arbitration
- Mediation
- ERISA and employee benefit controversies
- EEOC and commissioner charges and directed investigations
- State human rights and department of labor charges and complaints
- OSHA violations
- Workers' compensation
- Prevailing Wage/Davis-Bacon defense
- Contractor debarment defense
- False claims defense
- Anti-trust defense related to employee "no-poach" and unfair competition disputes
- Audits and claims by administrative agencies, including state unemployment insurance agencies and departments of labors
- Joint Employer / Employer Liability Defense

### Experience

Obtained a Seven-Figure Settlement for a Physician in a Wrongful Termination Case

Handles Corporate, Employment, Regulatory and Contracting Work for a Medical Practice

Assists an IT Consulting and Staffing Company with Their Employment, Corporate and Contracting Work

Represented an NFL Football Club in Arbitrations Before the Commissioner of Football

Obtained Dismissal of a Class Action Illinois Biometric Information Act Complaint Filed Against a Manufacturer

### Firm News

Margaret A. Miles Joins Labor & Employment Service Group  
Firm News, April 15, 2024

## Employment Litigation

Jeffrey A. Risch  
Partner

Sara M. Rose  
Associate

Timm W. Schowalter  
Partner

Laurie I. Smigielski  
Senior Counsel

Ryan L. Young  
Partner

Sara Zorich  
Partner

### RELATED SERVICES

Litigation

Amundsen Davis Welcomes Partner Ryan Young to Labor & Employment Team  
Firm News, February 5, 2024

Amundsen Davis Named in the 2024 Edition of Best Law Firms®  
Firm News, November 2, 2023

94 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2024 in America  
Firm News, August 17, 2023

Laurie Smigielski Joins Amundsen Davis  
Firm News, August 15, 2023

Attorney Craig Kubiak Joins Amundsen Davis's Appleton Office  
Firm News, March 20, 2023

Amundsen Davis Promotes Four Attorneys to Partner  
Firm News, February 21, 2023

Subscribe to Amundsen Davis's Litigation Nation Podcast for the latest legal updates!  
Firm News, February 10, 2023

Amundsen Davis Attorneys Included in the 2023 Illinois Super Lawyers and Rising Stars List  
Firm News, *Amundsen Davis*, January 23, 2023

42 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023  
Firm News, August 18, 2022

Heather Bailey Recognized as a Top Author of 2021 by JD Supra for Employer Liability Issues  
Firm News, *Automatic Merchandiser*, June 20, 2022

## Events

Amundsen Davis's Leadership & Management Certification Training Series  
Event, Webcast, September 2024

Employee Benefits in 2024 — Innovative Trends Shaping Our Future  
Speaking Engagement, Brown & Brown, Seminar; Oak Brook, IL, February 28, 2024

2024 Labor & Employment Law Update  
Speaking Engagement, Illinois Lumber & Material Dealers Association, ILMDA Expo; Bloomington, IL, February 15, 2024

2024 State and Federal Employment Law Update  
Speaking Engagement, Illinois Chamber of Commerce, Seminar; Springfield, IL, February 13, 2024

## Employment Litigation

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10th Annual New Laws Forum

Speaking Engagement, Illinois Chamber of Commerce, Seminar, Lisle, IL,  
December 5, 2023

New Year's Resolutions for Employers – Chicago's New Leave Laws Effective  
1/1/2024

Event, Amundsen Davis; Webcast, November 29, 2023

Amundsen Davis's Ninth Annual Labor & Employment Fall Seminar

Event, Livestream, September 13, 2023

Addressing Mental Health Issues in the Workplace

Event, Amundsen Davis Webcast, August 8, 2023

Illinois, Wisconsin, and Federal Employment Law Update

Speaking Engagement, Illinois Chamber of Commerce, Webcast, April 27, 2023

Eighth Annual Labor & Employment Fall Seminar

Event, Amundsen Davis, Live-stream, September 21, 2022

Managing Staff Issues Amid the Latest Covid-19 Requirements

Speaking Engagement, Kalahari Resort; Wisconsin Dells, WI, March 22, 2022

HR Management: Employment Supervision, Management, and Discipline

Speaking Engagement, Radisson Hotel & Conference Center; Green Bay, WI,  
November 3, 2017

### Blog Posts

State and Local Employment Law Update – Family Leave, Fair Labor Standards  
Act, Religious Accommodations and More

*Labor & Employment Law Update*, May 2, 2024

Time to Check Your Year-End Wage and Hour Compliance

*Labor & Employment Law Update*, December 20, 2023

Time is Running Out on Illinois Employers --- Better Have Your PAID LEAVE Policy  
in Place by 12-31-23!

*Labor & Employment Law Update*, December 18, 2023

“Hostile Work Environment”: Beyond the Buzz Words

*Labor & Employment Law Update*, June 1, 2023

Employers Beware: Egregious Behavior During Collective Bargaining Can Lead to  
Paying Attorney's Fees to the Union

*Labor & Employment Law Update*, August 16, 2022