

WRONGFUL TERMINATION

Employee lawsuits alleging "wrongful discharge" continue to be filed at a significant rate. "Whistle blower" retaliation and other public policy wrongful discharge claims are also increasing. These lawsuits represent substantial financial exposure to employers, both in terms of verdict potential and cost of defense. Recent California statistics show that jury verdicts in these cases over the past few years average over \$400,000, and the cost of defense can be considerable.

In addition to advising clients on how to adopt personnel policies to minimize the risks of being sued on such a claim, Sheppard Mullin attorneys have vast years of experience in defending claims of wrongful termination. At the outset of the dispute, we work with our clients to determine what if any evidence a plaintiff has to support the allegations. Assessing claims at an early stage enables us to project the likely course of litigation.

Through aggressive defense strategies and detailed knowledge of the law, Sheppard Mullin attorneys have convinced opposing counsel not to file suit or to dismiss cases of questionable merit. In addition, Sheppard Mullin has obtained court orders dismissing all or portions of complaints and settled matters for nominal amounts. In the event a matter proceeds to trial, we have significant trial expertise with a track record of excellent results.

Wrongful termination claims can take many forms. We have worked with clients to resolve wrongful termination claims involving a host of different theories, including:

- Wrongful discharge in violation of public policy
- Retaliation
- Discrimination (sex, age, race and disability, among others)
- Negligent hiring
- Infliction of emotional distress
- Invasion of privacy through drug testing
- Breach of contract
- Fraud
- False imprisonment
- Defamation

Our attorneys work closely with clients on innovative ways to keep defense costs down while maintaining the high level of expertise and attention called for in the face of such extremely high verdict exposure. Cases are staffed conservatively and economically. We pursue alternatives to costly court trials through arbitration, mediation, negotiation and various alternative dispute resolution ("ADR") programs.