



Dean Bennett

Partner

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Dean represents clients to resolve complex employment, contract, and other business disputes.

PRACTICES

Employment and Labor
Disabilities and Leaves
Wage and Hour
Employment Litigation
Discrimination and Harassment
Trade Secrets and Non-Competes
Business Litigation

EDUCATION

University of Idaho College of Law, J.D.,
2007

cum laude

Idaho Law Review, Lead Articles Editor
College of Law Trial Team

Vanderbilt University, B.A., 2002
Student Athletic Advisory Board
Southeastern Conference Student
Athlete Scholar Honor Roll

Blue Mountain Community College, A.A.,
2000

Student Athlete of the Year, 2000
All Academic-Student-Athlete Award

BAR ADMISSIONS

Idaho

COURT ADMISSIONS

U.S. District Court for the District of Idaho
U.S. Court of Appeals for the Ninth
Circuit

Dean represents a diverse array of clients, from Fortune 500 companies to start-ups. Dean has handled matters throughout the state of Idaho and regionally, and has tried complex cases to juries in both state and federal courts. He is also experienced in resolving matters through various forms of alternative dispute resolution, including arbitration, mediation, and informal settlement negotiations between counsel.

Dean previously served as a Law Clerk Extern for the Honorable Mikel H. Williams of the United States District Court for the District of Idaho. He also served as a Law Clerk for the Honorable Stephen S. Trott of the United States Court of Appeals for the Ninth Circuit.

Employment Counseling and Litigation: Dean represents clients in nearly every aspect of management-side employment law. He counsels clients on compliance matters, assists clients with pre-litigation matters, and represents clients in court and before state and federal agencies to resolve claims of whistleblowing, wage and hour violations, discrimination, retaliation, and wrongful discharge. He regularly writes and speaks on management-side employment matters.

Business Litigation: Dean represents clients in a variety of business disputes. These include business competition, non-compete, and trade secret disputes, shareholder disputes, limited liability company member disputes, partnership disputes, and derivative litigation. Dean also represents clients in other complex matters, including breach of contract claims, unfair business practices, fraud, defamation, and other business torts, including tortious interference claims.

Dean currently serves as the firm's Employment and Labor Practice Group Leader. He previously served as Administrative Partner of the Boise office from 2018 to 2022.

EXPERIENCE

Commercial Litigation

Dean's practice focuses on efficiently resolving disputes involving restrictive covenant agreements, partnerships, limited liability companies, complex insurance matters, and various business torts. Dean works with clients in a variety of industries, including manufacturing, retail, insurance,

transportation, hospitality, and technology.

Labor & Employment

Dean advises small and large businesses in various labor and employment matters, including:

- Discrimination, Harassment, Retaliation
- Administrative proceedings (EEOC and state civil rights commissions)
- Appeals from administrative agency and court decisions
- Breach of contract
- Complex litigation
- Discrimination claims (agency and court)
- FLSA and FMLA
- Investigations
- HR Counseling
- Non-Compete and Trade Secrets
- Wrongful Discharge
- Wage and Hour, Equal Pay, Compensation, and Benefits

CLIENT RESULTS

General Litigation

Successfully defended Fortune 500 private mortgage insurance company in federal district court against claims valued by the plaintiff at \$100 million, resulting in a favorable summary judgment decision.

Sought and received dismissal of business tort and RICO claims for large national insurance company in federal district court.

Successfully defended one of the nation's largest light manufactures in federal district court product liability dispute involving claims valued by the plaintiff at more than \$5 million.

Effectively represented Fortune 100 computer manufacture in defending against onerous third-party subpoena and resulting discovery dispute.

Defended large state agency against claims of constitutional due process violations resulting in favorable terms of settlement.

Represented multiple large public entities as part of litigation team to resolve complex disputes related to urban storm water.

Represented international oil company in megaloads case as part of litigation team whose work allowed the client to move equipment to keep an important regional refinery on-line.

Successfully prosecuted breach of contract claims on behalf of large

retailer, securing a judgment of over \$2 million dollars.

Successfully defended individual shareholders of a bio-analytics company in efforts by another shareholder to take control of the company.

Employment Counseling and Litigation

Successfully represented one of the nation's largest package companies in multiple litigation matters involving claims of discrimination, retaliation, and wrongful discharge.

Negotiated favorable result for privately owned mortgage bank in action against former employees who left their employment, took confidential trade secret information, and pursued a competing business.

Defended large retailer in federal district court against discrimination claims, prevailing at summary judgment.

Enforced terms of restrictive covenants for client against former employee by filing state court lawsuit and aggressively pursuing court intervention.

Counseled international services company on state and federal statutes and regulations related to wage and hour classification and white collar exemptions.

Successfully represented internet company against former employees who stole trade secret information and violated the Computer Fraud and Abuse Act.

Received numerous no probable cause determinations from the Idaho Human Rights Commission and the Equal Employment Opportunities Commission for clients in various industries including government, hospitality, technology, and others.

Successfully defended corporate client against claims of tortious interference with non-compete and non-solicitation agreements.

Handled several complex employment investigations, including at the executive and board level.

Appellate Representation

Presented oral argument to Idaho Supreme Court on behalf of government agency resulting in reversal of the district court with remand instructions to enter judgment in favor of the agency.

Achieved significant appellant victory for real estate company in appeal to the Ninth Circuit involving complex antitrust matters, including tying claims brought under the Sherman Act.

Handled appellate briefing to the Idaho Supreme Court for large regional construction management company, resulting in the Court affirming multi-million dollar judgment and awarding attorneys' fees on appeal.

Represented prominent local businessman and politician in appeal to the

Idaho Supreme Court, vindicating client's suspicions of the misuse of public funds.

Represented large national oil company on appeal to the Idaho Court of Appeals successfully upholding district court decision dismissing significant tort claims.

Successfully represented technology company on appeal before the Idaho Supreme Court regarding claims for unpaid compensation.

Upheld multi-million dollar judgment for large retailer in appeal to the Idaho Supreme Court.

PUBLICATIONS

"Is Everyone Disabled Under the ADA? An Analysis of the Recent Amendments and Guidance for Employers," *Employee Relations Law Journal*, Vol. 36, No. 4, Spring 2011, April 2011

"Using the Mandatory Rule 26(f) Discovery Conference to Manage ESI Pays Dividends Throughout Litigation," *The Advocate*, February 2011

SPEAKING ENGAGEMENTS

"Hot Topics in Employment Law," *Association of Corporate Counsel Mountain West Chapter, Employment Law Mini-Conference*, September 27, 2023

"Hot Topics in Employment Law," *Association of Corporate Counsel Mountain West Chapter CLE*, June 15, 2022

"Employment Law for Business: Webinar," *Idaho Commerce*, 06/30/2021

"The Future of Downtown Boise," *Panelist, BoiseDev.com*, October 7, 2020

"Hot Topics in Employment Law," *Association of Corporate Counsel, Mountain West Chapter, CLE Webinar*, September 23, 2020

"The Legal 411: Operating a Company-Employment Law," *Zions Bank Business Resource Center Workshop*, 08/19/2020

"ADA and FMLA Updates and Interplay," *Sterling Education Service Fundamentals of Employment Law*, December 2011

"Navigating the Recent Amendments to the Americans With Disabilities Act: Guidance for Employers," Boise, ID, September 2011

"Advanced FMLA and ADA Issues: What does the law really say?," Boise, ID, February 2011

"FLSA/Wage & Hour Crackdown," *Beyond the Basics in Employment Law*, Boise, ID, September 2010

RECOGNITION

- *The Best Lawyers in America*® Lawyer of the Year, Litigation – Employment Law – Boise, 2024
- *The Best Lawyers in America*® Lawyer of the Year, Employment Law - Management – Boise, 2022
- *The Best Lawyers in America*®, Employment Law – Management, Litigation – Labor and Employment, 2019-2024; Commercial Litigation, 2023-2024
- *Benchmark Labor & Employment*, Labor and Employment Star West, 2021-2024
- *Chambers USA*, Labor & Employment, 2018-2024; Up and Coming, 2016-2017
- Mountain States Super Lawyers®, Employment Litigation: Defense, 2021-2023
- Mountain States Super Lawyers® Rising Stars, Employment Litigation: Defense, 2015-2019
- *Idaho Business Review*, Leaders in Law, 2016
- *Idaho Business Review*, Accomplished Under 40 Award, 2014

PROFESSIONAL AND CIVIC AFFILIATIONS

- Downtown Boise Association, Past Board Member; President, 2017
- Downtown Boise Foundation, Past Board Member
- Employment Law Alliance, Member, 2013-Present
- Idaho State Bar
 - Employment Law Section, Member, 2008-Present
 - Commercial Litigation Section, Member, 2008-Present
- Federal Bar Association, 2010-Present
- Editorial Advisory Board for The Advocate, the official publication of the Idaho State Bar, Former Board Member
- Boise Metro Chamber of Commerce Leadership Boise Program, Class of 2015
- Holland & Hart Foundation, 2013-2016
- First Tee - Idaho, Board Member