



Newal Squyres

Partner

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Newal Squyres has over 40 years of experience as a trial lawyer in commercial, employment, and tort litigation.

PRACTICES

Commercial Litigation
 Alternative Dispute Resolution
 Appellate
 Discrimination, Harassment, Retaliation, and Litigation
 Employment Litigation and Class Actions
 Legal Professional Liability
 Wage and Hour
 Labor and Employment
 Product Liability

EDUCATION

Texas Tech University School of Law, J.D., 1972
 With High Honors (1st in class)
 Order of the Coif
Law Review, Editor-in-Chief
 Texas Tech University, B.A., 1968

BAR ADMISSIONS

Idaho

COURT ADMISSIONS

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

A Fellow in the American College of Trial Lawyers, Newal has tried to verdict complex lawsuits in such matters as insurance bad faith; product liability; breach of fiduciary duty and professional negligence; breach of contract and shareholder/LLC agreements; lender liability; wrongful death; breach of government contracts; theft of trade secrets; and wrongful termination/whistleblower claims. He has handled countless other cases before judges and juries in Idaho state courts, and in federal courts in Idaho, Washington, California, Pennsylvania, and Delaware, including appeals before the Idaho Supreme Court and the U.S. Court of Appeals for the Ninth Circuit.

Newal's responsibility is to solve his client's problem. He is uniquely prepared to lead his clients to a successful resolution, before or at trial, in whatever type of dispute they might encounter. Some of Newal's most satisfying work has been helping his clients resolve a dispute early and without having to invest the time, sacrifice, and expense of prolonged litigation.

EXPERIENCE

Newal's approach to problem solving, persuasion, and working with diverse stakeholders to achieve his clients' goals was shaped by his tenure in the Office of Legal Counsel on the personal staff of U.S. Attorney General Griffin Bell from 1977-1979, where he focused on national security and counterintelligence issues, including passage and implementation of the Foreign Intelligence Surveillance Act (FISA). Newal was part of the small group of lawyers who met daily for breakfast with the Attorney General.

Newal has represented companies large and small—from Lockheed Martin, AT&T, UPS, Citigroup, and others—to local companies in virtually every industry and all segments of the economy.

Commercial Litigation

Newal's experience spans the spectrum of commercial disputes and includes:

- Breach of contract disputes
- False Claims Act and government contracting

- Insurance coverage and bad faith claims
- Lender liability
- Misappropriation of trade secrets
- Product liability and breach of warranty
- Real estate
- Toxic torts
- Appeals

Employment Litigation

Newal defends employers in a wide variety of employment disputes, including:

- Discrimination, Harassment, and Retaliation
- Employment Litigation and Class Actions
- FLSA
- Whistleblowing and Retaliation
- Wrongful Discharge
- Non-Compete and Trade Secrets

CLIENT RESULTS

Defeated motion for class certification by putative class of 850 former employees of call center terminated after close of ACA open enrollment period.

Obtained Motion to Dismiss Federal and State Securities Law and Consumer Protection Act claims brought by 26 investors alleging damages between \$5 and \$10 million against national real estate development company.

Defeated Motion for TRO/Preliminary Injunction involving misappropriation of trade secrets and breach of contract claims among members of an LLC involving a biodiesel plant and agri-business products; thereafter resolving cases in Idaho and California to achieve the client's business objectives after filing a dispositive motion before discovery.

Led the team and argued the motion for summary judgment resulting in dismissal of FCA claims exceeding \$8 billion on behalf of Fortune 100 defense contracting firm.

Co-lead counsel in three-month court trial in Idaho federal court (brought in to defend the case nine months before trial) involving government contract for nuclear waste cleanup.

Represented the Idaho Department of Insurance for over 10 years in the liquidation of a domestic insurer, involved gathering/selling assets, disposition of 200+ creditor claims, six-day court trial, contested evidentiary hearings; and a summary judgment victory defeating over \$12 million in claims.

Obtained jury verdict for the wrongful death claim for the parents of 18-

year-old son, obtaining \$1.85 million (including punitive damages), one of the largest damage awards in Idaho involving a recently-emancipated and non-wage earning child.

Settled False Claims Act, Qui Tam and unjust enrichment claims against major health care provider for mid-seven figures on the eve of trial.

Served as lead counsel in multi-state, multi-venue litigation and arbitration between owners over control of two operating companies, involving breach of contract, fiduciary duty, fraud, resolving dispute for walkaway at pre-litigation offer of contract-based price.

Obtained jury verdict in federal court on behalf of one of the nation's largest financial institutions involving breach of contract, lender liability, and punitive damage claims by largest distributor of manufactured housing in Idaho.

Obtained jury verdict in federal case brought by Canadian life insurance company against an agent for breach of fiduciary duty and professional negligence.

Defended telecommunications company against breach of contract, fraud, and RICO claims arising out of fiber optic construction project, resolving case for less than cost of defense after discovery and before dispositive motions.

Lead counsel in class action anti-trust case involving allegations of tying arrangements in real estate contracts, obtaining summary judgment before class certification.

Defended major oil and gas refiner in toxic tort litigation brought by seriously injured plaintiff; resolved after mediation and shortly before trial for a fraction of the \$15 to \$20 million exposure.

Resolved FLSA collective action on behalf of 235 class members against national drug chain for mid six figures (before moving exclusively to the defense of such claims).

RECOGNITION

- Fellow, American College of Trial Lawyers
 - 2015 Idaho State Bar Distinguished Lawyer
 - *Chambers USA: America's Leading Lawyers for Business*, Litigation: General Commercial, Band 1, 2005-2019
- Over the years, clients have (anonymously) reported the following about Newal in Chambers USA:

"Highly qualified, a great strategic planner with great jury appeal."

"A truly gifted litigator."

"Handles judges and juries with aplomb, both at first instance and at appeals."

"While so many lawyers are technically very good, Newal has

the advantage of great experience, which really helps when developing a great trial strategy.”

Does a “tremendously impressive job; he is a great strategist and great team manager, able to look at things from every angle and get the best from everyone.”

“He’s not just a fantastic litigator, he has a broad range of talents that help him manage complex cases.”

- *The Best Lawyers in America*® Lawyer of the Year, Litigation – Labor & Employment– Boise, 2012, 2016, 2018
- *The Best Lawyers in America*® Commercial Litigation, Litigation – Labor and Employment, 2005-2020
- *Benchmark Litigation*, Local Litigation Star, 2009-2018
- Mountain States Super Lawyers®, Business Litigation, 2007-2019
- Mountain States Super Lawyers®, Top 100 Lawyers, 2014-2019
- Martindale-Hubbell®, AV Preeminent® Rating
- ACLU of Idaho Liberty Award for “Statesmanlike Court Advocacy for Equity in Funding of Idaho Women’s Reproductive Health Needs,” 1996
- Department of Energy’s Blue Ribbon Panel on Waste Isolation Pilot Plant—1989-1992 (Idaho’s representative on 5-member panel, appointed by Gov. Cecil Andrus, represented Idaho in meetings with Secretary of Energy, testified before Congressional committees)
- Plaque of Appreciation from the Intelligence Division of the Federal Bureau of Investigation, October 1979 (presented on departure from the Department of Justice)

PROFESSIONAL AND CIVIC AFFILIATIONS

- Idaho State Bar, President, 2009; Commissioner, 2007-2010
- American Bar Association, Member
- University of Idaho School of Law, Trial Advocacy Clinic, Faculty
- Idaho Bar Foundation, Citizens Law Academy
- Idaho Pro Bono Commission (on behalf of Idaho Bar), Founder; Member, Executive Committee, 2008-present
- Executive Committee, Idaho Partners Against Domestic Violence, Member, 2008-2014
- John William Jackson Fund, Board Member, 2012-present
- Boise National Soccer Club, Board Member, 2006-2008
Coach, 1986-2008