



Dean Bennett

Partner

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Dean Bennett represents clients to resolve complex contract and business disputes.

PRACTICES

Alternative Dispute Resolution
 Construction
 Labor and Employment
 Discrimination, Harassment, Retaliation, and Litigation
 Employment Litigation and Class Actions
 IP Litigation
 Legal Professional Liability
 Accommodations, Disabilities, Leaves
 HR Counseling, Compliance, and Risk Management
 Wage and Hour
 Workplace Safety and Emergency Response
 Appellate
 Insurance Coverage and Risk Management

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. Court of Appeals for the Ninth

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 & Litigation: Dean represents clients in various labor and employment related disputes. He has represented employers in court and before state and federal agencies to resolve claims of discrimination, retaliation, and wrongful discharge. He regularly writes and speaks on management-side employment matters.

Dean currently serves as the Administrative Partner of the Boise office.

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

Defended Fortune 500 private mortgage insurance company in federal district court against claims valued by the plaintiff at 100 million dollars, 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.

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.

Appellate Representation

Presented oral argument to Idaho Supreme Court resulting in reversal of the district court with remand instructions to enter judgment in favor of our client.

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 Idaho Supreme Court successfully upholding district court decision dismissing significant tort claims.

PUBLICATIONS

"Idaho Legislature Repeals 2016 Changes to Non-Compete Law," *Employers' Lawyers Blog*, Co-Author, April 9, 2018

"Positive Drug Tests Among Employees Are Rising in Idaho," *Idaho Business Review*, September 2017

"New Concerns for Employers and HR Departments post-Equifax Cyber Breach," *Holland & Hart News Update*, Co-Author, 09/18/2017

"Idaho's Non-Compete Law Set to Enhance Employer Enforcement," *Holland & Hart News Update*, March 2016

"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, Co-Author, April 2011

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

February 2011

SPEAKING ENGAGEMENTS

"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 2020

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

"Employment Law Hot Topics," *Association of Corporate Counsel, Mountain West Chapter, In-House Review*, Boise, ID, Spring 2017

"Wage and Hour: Are Your Pay Practices Compliant?'," *Southern Idaho Compensation and Benefits Association*, March 2016

"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*®, Employment Law - Management, Litigation - Labor and Employment, 2019-2021
- *Chambers USA: America's Leading Lawyers for Business*, Labor & Employment, 2018-2020
- *Chambers USA: America's Leading Lawyers for Business*, Labor & Employment, Up and Coming, 2016-2017
- 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, Board Member; President, 2017
- Employment Law Alliance, Member, 2013-Present
- Idaho State Bar
Employment Law Section, Member, 2008-Present
Commercial Litigation Section, Member, 2008-Present
Exam Grader, 2010-Present

- Federal Bar Association, 2010-Present
- Idaho State Courts, Pro Bono Attorney, 2008-2015
- Editorial Advisory Board for The Advocate, the official publication of the Idaho State Bar, Board Member
- Boise Chamber of Commerce Leadership Boise Program, Graduate, 2013-2015
- Concordia University School of Law, Law Student Mentor
- Holland & Hart Foundation, 2013-2016
- Idaho Wine Commission, Volunteer, 2013-Present