

Practice Areas

Labor and Employment

Affirmative Action Plans and OFCCP Compliance
EEOC/Agency Class Investigation and Litigation Defense
Discrimination Defense Trials and Arbitrations
FLSA/Wage-and-Hour Defense
Corporate Immigration Law
California Employment Law
Executive Agreements and Severance
Labor Management Relations
Leave of Absence and Disability Advice/Defense
Non-Compete and Trade Secret Litigation
Pay Equity Advice and Defense
Pre-Hire Testing and Background Check Advice/Defense
Preventive Employment Counseling
Reductions in Force
Whistleblower/False Claims Act Defense
Workplace Investigations
Industry Focus: Health Care
Industry Focus: Restaurants
Industry Focus: Retail
Industry Focus: Tech
Startups

Nilan Johnson Lewis is a leader in counseling employers on state and federal whistleblower laws and the False Claims Act and successfully defending them in related litigation. We regularly assist our clients in drafting whistleblower policies, investigating complaints by purported whistleblowers, and navigating thorny issues implicating complex regulatory schemes. We have extensive experience litigating whistleblower claims before Minnesota trial and appellate courts and are recognized as experts on the intricacies of the state's complex whistleblower statutes. . Our attorneys have obtained summary judgment on whistleblower cases for national employers, successfully defended a billion-dollar *qui tam* action for a major defense contractor, and briefed the novel implied-certification doctrine before the U.S. Supreme Court.

Representative Matters

- *Cameron-Ehlen Group v. Fesenmaier* (Lead counsel in False Claims Act matter. This case is in active litigation)
- *Nelson v. Sanford Brown* (Successfully briefed False Claims Act case before the U.S. Supreme Court, obtained reversal of 7th Circuit Court of Appeals)
- *Erik Gundacker v. Lockheed Martin Corp. and Unisys Corp.* (Defended Unisys against a whistleblower claim by a former employee, prevailing on summary judgment. Defended Lockheed Martin and Unisys against a subsequent False Claims Act lawsuit. Convinced relator to dismiss his claims without a monetary payment)
- *Grimm v. Target Corporation* (Sarbanes Oxley and Dodd-Frank whistleblower claims; dismissal in client's favor)
- *Roeller v. UPS* (OSHA retaliation and whistleblower claims; summary judgment in client's favor granted)
- *Haddick v. McNeilus Truck & Manufacturing, Inc.* (Reached favorable settlement on claims of violations of various safety and transportation regulations)
- *Moudry v. Brock White* (Reached favorable settlement on claims of violations of federal commercial driver regulations)
- *Lynch v. Union Pacific Railroad Company* (Successfully resolved retaliation claims under the Federal Railroad Safety Act)
- *Berg v. Orthology, Inc.* (Successfully resolved retaliation claims under the Minnesota Whistleblower Act for nuisance value)
- *Wilkes v. Biffs, Inc.* (Obtained dismissal for client on MN state-law whistleblower claim)
- *Sellner v. MAT Industries* (Obtained trial defense verdict in whistleblower-retaliation case)
- *Theresa Graham v. Special School District No. 1* (Defense verdict in whistleblower case)
- *Chial v. Sprint/United Management Co.* (Defended Sprint against whistleblower claims. Obtained summary judgment on all claims. Judgment affirmed on appeal)