

Cases of Note

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The following cases represent some of our successes at the U.S. Supreme Court and the Tennessee Supreme Court:

Burlington Northern & Sante Fe Railway Co. v. White, 126 S. Ct. 2405 (2006).

In 1999, we filed suit on behalf of Sheila White for sexual harassment and retaliation that she sustained while working for BNSF. Seven years later, after a jury verdict in her favor, and multiple levels of appellate review, the United States Supreme Court unanimously found in favor of Ms. White. Ms. White's victory was precedent setting. First, the Supreme Court held that application of Title VII's anti-retaliation is not limited to workplace actions. Second, the Supreme Court held that any action taken by an employer that might well dissuade a reasonable person from making a charge of discrimination is actionable under Title VII's anti-retaliation provision. [Click here to read Burlington Northern decision PDF](#)

Crews v. Buckman Laboratories Intern. Co., Inc., 78 S.W.3d 852 (Tenn. 2002)

In a case of first impression, the Tennessee Supreme Court held that in-house attorneys have the right to bring a common law retaliatory discharge action in Tennessee. [Click here to read Crews decision PDF](#)

Guy v. Mutual of Omaha Ins. Co., 79 S.W.3d 528 (Tenn. 2002)

We filed suit on behalf of Mr. Guy alleging that his employer terminated his employment for reporting fraud committed by an unscrupulous insurance agent. After victory at the trial court and the Tennessee Court of Appeals, Mr. Guy again prevailed at the Tennessee Supreme Court, which held that Tennessee's whistleblower statute (TCA 50-1-304) is cumulative to, and does not preempt, the common law tort of retaliatory discharge where an employee is terminated for reporting illegal activities. [Click here to read Guy decision PDF](#)

Tidwell v. City of Memphis, 193 S.W3d 555 (Tenn. 2006)

In our capacity as counsel for the Memphis Fire Fighters Assoc., Local 1784 of the International Association of Fire Fighters, we represented numerous Memphis fire fighters in a successful effort to have proceedings before the City's OJI panel governed by the Tennessee Uniform Administrative Procedures Act, thus ensuring for our clients the right to counsel in OJI proceedings before neutral and impartial fact finders. [Click here to read Tidwell decision PDF](#)

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