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LIGHTFOOT SECURES 11TH CIRCUIT VICTORY AFFIRMING DEFENSE WINS FOR MORRIS-SHEA

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A Lightfoot, Franklin & White LLC team led by partner **Glenn Waldrop** secured an 11th U.S. Circuit Court of Appeals ruling affirming the firm's 2020 and 2021 **defense victories** for client Morris-Shea in racial and age discrimination cases. The decision upholds both a summary judgment decision and a verdict in favor of Morris-Shea.

"We're thrilled with the decision in favor of our client," Waldrop said. "This was a challenging, high-stakes case that required extraordinary patience, determination and hard work from our entire team. Their dedication in the defense of our client truly made the difference in producing this hard-earned victory on behalf of Morris-Shea."

In *Coleman v. Morris-Shea Bridge Company*, three plaintiffs brought 22 claims related to their employment and termination against Morris-Shea, a deep foundation contractor. The plaintiffs were terminated in early April 2017 after they took an unexcused extended lunch break. While the plaintiffs disputed the claims and alleged the firings were discriminatory, the Morris-Shea team successfully argued that the terminations stemmed from declining work ethic and repeated attendance issues.

In its opinion, the 11th Circuit determined that the case hinged on whether the plaintiffs presented similarly situated comparators. Although the plaintiffs identified nine white foremen who earned higher wages, they relied solely on titles and classifications for comparison, and they did not provide any evidence of licensure, skill level or work history.

Regarding the termination claim, the court agreed with the arguments and evidence presented by Waldrop and his team, finding that the terminations were for legitimate, non-discriminatory reasons.

"To defend the compensation claim, we were able to distinguish the plaintiffs from their comparators because they were different types of foremen and their wages reflected those differences," Waldrop said. "As for the termination claims, we had multiple supervisors testify to the fact that the plaintiffs' work ethic had been in decline and they were consistently showing up late or taking extended breaks."

In addition to Waldrop, the Lightfoot team also included partner **Amie Vague**, who gave the oral argument before the 11th Circuit, along with partners **Kevin Clark and Terry McCarthy**. Director of Legal Technology **Sam McAllister** also supported the case, as well as Keith Boyd and Kay Brinkley.