

NEWS & INSIGHTS

LIGHTFOOT WINS DEFENSE VERDICT IN CITY OF BIRMINGHAM LAWSUIT

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Lightfoot, Franklin & White LLC senior counsel **Elizabeth H. Huntley**, along with associate **Bridget E. Harris**, secured a defense verdict in a breach of contract and retaliation case for the City of Birmingham, Alabama.

The suit arose after the City of Birmingham transferred an employee to another department in a staffing adjustment and later made additional adjustments to the employee's work assignments. The employee claimed that the actions taken by the City were in violation of the terms of an existing contract with the City and sued claiming breach of contract and retaliation. He sought \$1.4 million in damages.

During the bench trial, Lightfoot argued that the plaintiff failed to present substantial evidence in support of the allegations of retaliation. The court agreed, noting "While the April 2017 agreement speaks of a permanent position in the Inspections Department, the court concludes that there was no meeting of the minds regarding this language because the City may not grant any employee a permanent position. The plaintiff's subsequent transfer out of the Inspections Department thus did not violate the agreement. Further, evidence shows that the plaintiff did not oppose the transfer."

The court also found that "the overwhelming bulk of the damages sought by the plaintiff are not recoverable on a breach-of-contract claim" and denied the plaintiff an award.

In addition to handling large corporate litigation matters at Lightfoot, Huntley is a committed child advocate and provides legal and consultation services to government and nonprofit agencies that serve children and families. She is frequently appointed by judges to represent the legal interests of children in civil cases, and she serves as president and co-founder of The Hope Institute, a nonprofit that works with schools to develop character education curricula/programs. She serves on several boards, including the Children's Village Board of Directors, the Alabama School Readiness Alliance, Auburn University Board of Trustees and the University of Alabama School of Law Board of Governors.

Harris practices in the areas of product liability, catastrophic injury, white-collar criminal defense & corporate investigations, medical malpractice and commercial litigation. She teaches civil pre-trial advocacy as an adjunct professor at the University of Alabama School of Law, serves on the firm's hiring committee and is a Girl's Inc. of Central Alabama committee member.

Huntley and Harris were assisted by partner **Terrence W. McCarthy**, director of litigation technology **Sam McAllister** and paralegal Keith Boyd.