

**BOSTON, MASSACHUSETTS**

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PRACTICE AREAS:

[Litigation](#)

[Appellate](#)

[Class Action Litigation](#)

[Financial Services Litigation](#)

[Technology & Licensing](#)

[Professional Liability](#)

[Real Estate](#)

[Construction](#)

[Regulated Substances](#)

[Commercial Litigation](#)

STATE ADMISSIONS:

Massachusetts

Connecticut

COURT ADMISSIONS:

U.S. District Court for the District of Massachusetts

U.S. District Court for the District of Connecticut

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Fourth Circuit

EDUCATION:

J.D., Boston University School of Law, 2006; Public Interest Law Journal

B.A., cum laude, Tufts University, 2001; Highest Thesis Honors

Gabriel T. Dym

VICE-MEMBER-IN-CHARGE

Gabe Dym has significant first chair experience in all phases of complex litigation. He represents corporate and individual clients in state and federal trial and appellate courts, administrative proceedings, and at arbitration and mediation. Gabe represents and counsels businesses in state and federal government investigations, including those conducted by the U.S. Occupational Safety and Health Administration (OSHA), U.S. Department of Transportation Federal Motor Carrier Safety Administration (FMCSA), U. S. Department of Labor, Wage and Hour Division (WHD), Massachusetts Attorney General's Office – Fair Labor Division, the Connecticut Department of Labor, and the Massachusetts Commission Against Discrimination (MCAD).

In addition to his litigation practice, Gabe represents business and individual clients on a broad array of transactional and operational issues, including those in connection with hiring, discipline, terminations and workforce reductions, compliance, the creation of workplace policies, procedures and manuals, and in various contractual and licensing matters. He also represents real estate clients in the acquisition, disposition, leasing, construction, financing, and permitting of commercial property.

Prior to joining private practice, Gabe served as an assistant district attorney in Middlesex County, Massachusetts, prosecuting criminal cases in courts throughout the county.

REPRESENTATIVE MATTERS

Labor and Employment Litigation

- Represented regional logistics, warehousing and delivery company in putative class action brought by group of independent contractors claiming misclassification.
- Represented national retailer against discrimination claims brought by former employer at the Massachusetts Commission Against Discrimination (MCAD).
- Represented large regional retailer in class action claim alleging misclassification of independent contractors brought pursuant to the Massachusetts Wage Act.
- Represented national food distributor in class action claim brought pursuant to the Massachusetts Wage Act.
- Represented regional distributor in plan withdrawal liability claim brought pursuant to the Employee Retirement Income Security Act (ERISA).

- Represented regional mortgage brokerage in arbitration brought by former manager for payment of commissions and minimum wage under the Fair Labor Standards Act (FLSA).
- Represented national facilities management company in investigation by the United States Department of Labor for alleged violations of the FLSA.
- Represented national staffing company in suit brought by competitor alleging interference with restrictive covenants competitor sought to enforce against its former employees.

Financial Services Litigation

- Represented broker-dealer in state superior court and before the Financial Industry Regulatory Authority (FINRA) in an employment and trade secret dispute with a former employee and rival broker-dealer.
- Represented financial services company in federal district court against claims of theft of trade secrets and breach of contract.
- Represented closely-held investment services firm in suit brought by former partner resulting from dissolution of company.

Real Estate Litigation

- Lead trial counsel for regional commercial property management company in property and construction dispute with state-funded construction company.
- Represented general partner in high-value litigation involving the development of a multi-unit condominium complex in downtown Boston.
- Represented developer in state court against claims from abutters for injunctive relief, adverse possession, and monetary damages.
- Represented commercial landlord in suit brought against tenant, the subsidiary of a national retailer, for breach of lease and lease guaranty.
- Represented developer in dispute regarding the issuance of permits and approvals for construction of multi-unit nursing home and residential complex.
- Represented beneficiaries of nominee trust in dispute involving development of real property owned by trust.
- Represented seller of multi-million dollar commercial property in suit against potential buyer.
- Represented trust beneficiary in probate distribution of complex real estate portfolio.

Other Commercial Litigation

- Represented software development company in intellectual property and licensing dispute brought against publicly-traded, multi-national corporation.
- Represented national health care services company in claims against a software vendor for breach of contract and misrepresentation.
- Represented national media company in federal class action suit

brought by former customers alleging unfair and deceptive trade practices and breach of contract.

- Represented international materials company against competitor's claims of theft of trade secrets and unfair competition.
- Represented law firm in state trial and appellate court in a legal malpractice action regarding spousal immunity under the federal tax code.
- Represented national moving and storage company in suit brought by third-party vendor against company's franchisee.
- Represented regional medical practice against breach of fiduciary duty claims brought by the estate of a deceased shareholder.

PROFESSIONAL AFFILIATIONS

- Boston Bar Association
- American Bar Association

COMMUNITY INVOLVEMENT

- Future Chefs, a nonprofit that helps young people reach their career goals in the culinary arts, Advisory Committee Member

AWARDS AND RECOGNITION

- Selected for inclusion in Massachusetts Super Lawyers
- Selected for inclusion as a Rising Star by Massachusetts Super Lawyers (2012 - 2016)

NEWS AND INSIGHTS

PUBLICATIONS

- "Federal Court Applies New Earned Sick Time Law to Massachusetts Employees Governed by CBAS," Eckert Seamans Labor & Employment Alert, July 2015.
- "New Domestic Violence Leave Law," Eckert Seamans Labor & Employment Alert, January 2015.

SPEAKING ENGAGEMENTS

- "Selecting, Protecting & Dethroning Experts," co-presenter, New England MCLE, October 2016.
- "Opening Statements & Closing Arguments," co-presenter, New England MCLE, March 2015; January 2016.