

**RICHMOND, VIRGINIA**

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**PRACTICE AREAS:**

[Financial Services Litigation](#)

[Labor & Employment](#)

[Litigation](#)

[Bankruptcy & Restructuring](#)

**STATE ADMISSIONS:**

Virginia

**COURT ADMISSIONS:**

U.S. Court of Appeals for the Fourth Circuit

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Western District of Virginia

U.S. Bankruptcy Court for the Eastern District of Virginia

U.S. Bankruptcy Court for the Western District of Virginia

**EDUCATION:**

J.D., Marshall-Wythe School of Law, College of William & Mary, 1988

B.A., College of William & Mary, 1985

# Annemarie DiNardo Cleary

**MEMBER**

Annemarie DiNardo Cleary is a successful litigator with more than 20 years of experience who focuses her practice on financial services litigation and labor and employment matters. She represents clients in state and federal courts and before administrative agencies on a wide range of commercial issues, including breach of contract claims, defense of employment discrimination claims, defense of business torts, commercial lease disputes, professional malpractice defense and complex, multi-party litigation. As part of her financial services practice, Annemarie works with lenders to maximize their recovery on failed commercial real estate development loans and other problem lending relationships. She also has extensive experience defending lender liability claims and wrongful foreclosure suits.

In her employment practice, Annemarie advises employers regarding compliance with state and federal employment statutes and defends them against claims in state and federal courts relating to Title VII, age discrimination, family and medical leave, fair labor standards, wrongful discharge, covenants not to compete and other employment-related claims. She also counsels and represents employers in defense of Equal Employment Opportunity Commission (EEOC) charges and Virginia Employment Commission (VEC) claims.

## REPRESENTATIVE MATTERS

- Obtained multimillion-dollar verdict for lender in deficiency action on commercial real estate development loans and successfully defended antitrust counterclaims asserted by borrower and guarantor.
- Represented bank in the complex restructuring of \$8 million in loans secured by hotel and other real estate.
- Obtained summary judgment for client defending against independent contractor's claims of a partnership and entitlement to share of profits.
- Advised railroad product company on compliance with Worker Adjustment Retraining and Notification Act in connection with reduction in force.
- Revised manufacturer's employee handbook to comply with Virginia law following client's purchase of Virginia facility.

## PROFESSIONAL AFFILIATIONS

- Bar Association of the City of Richmond, Board of Directors; Long-range Planning Committee; former Chair, Continuing Education Committee; former member, Finance Committee
- Virginia State Bar, Chair, Third District Disciplinary Committee, Section II
- Society of Human Resource Management, Member

## COMMUNITY INVOLVEMENT

- Hanover Habitat for Humanity, pro bono work
- Legal Information Network for Cancer (LINC), pro bono work (2014-present)
- Former President and Member, Admiral Akers School Site Council, NAS Lemoore, California (2006-2007)
- Former Member, Central Union School District GATE Advisory Committee, Lemoore, California (2005-2007)

## AWARDS AND RECOGNITION

- Attained an AV® Preeminent™ rating from Martindale-Hubbell

## NEWS AND INSIGHTS

### MEDIA COVERAGE

- “2018 Employment Laws You Should Know About,” The RPO Voice, February 2018.
- “Don’t Get Sued for Screening Candidates Online! Follow These Policy Tips,” The RPO Voice, June 2017.

### SPEAKING ENGAGEMENTS

- “Other Employment Laws You Should Know,” National Business Institute, October 2019.
- “Recent Developments in Employment Law,” presented to Richmond area HR Managers at the National Business Institute seminar, October 2017.
- “Wage and Benefits Issues,” National Business Institute, October 2015.
- “Five Hot Issues Facing Today’s Employers,” Richmond, Virginia, February 2014.
- “Classifying and Compensating Employees,” NBI, Richmond, Virginia, October 2013.
- “Demystifying the Illusion of Privacy in the Age of Social Media,” Richmond Bar Association, May 2013.
- “Website Accessibility under the ADA,” Virginia Business Leadership Network, February 2012.
- “Classifying and Compensating Employees (FLSA Pitfalls),” webinar, August 2011.
- “Employer Legal Obligations or 50 Ways to Get Sued by Your

Employees,” Richmond, Virginia, April 2011.

- “Don’t Get Caught in the Rising Tide of Wage and Hour Claims,” Richmond, Virginia, March 2011.