



## MELISSA MURO LAMERE

Partner

Chair of Maslon Diversity, Equity, and Inclusion Committee

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### OVERVIEW

Melissa Muro LaMere is an employment and business litigation attorney who enjoys working with clients to protect and grow their business in a competitive marketplace. She focuses her practice on the full spectrum of employment counseling and litigation matters in addition to business disputes involving non-competition and non-solicitation agreements, trade secrets, business contracts and torts, and unfair competition and trade practices. Melissa also maintains a robust pro bono practice, primarily serving as counsel to the American Civil Liberties Union of Minnesota in employment law matters and in litigation involving individual constitutional rights and government transparency. She serves on the board of the Minnesota Infinity Project, an organization focused on gender disparity on the bench throughout the Eighth Circuit, and she previously served on the board of the Minnesota Hispanic Bar Association, for which she also served as the co-chair of the Judicial Endorsements Committee. In 2019, Melissa was appointed by Governor Walz and Lieutenant Governor Flanagan to the Commission on Judicial Selection. Melissa chairs Maslon's Diversity, Equity, & Inclusion Committee as well as the firm's Diverse Attorneys Resource Group, and she was recognized as a 2019 "Top Lawyer Under 40" by the Hispanic National Bar Association.

Melissa is a *cum laude* graduate of the University of Minnesota Law School, where she was a managing editor of the *Minnesota Journal of International Law* and student director of the Human Rights Litigation & International Legal Advocacy Clinic. During law school Melissa was also active in the Minnesota Hispanic Bar Association Mentorship Program and Latino Law Student Alliance. She received her undergraduate degree in economics with quantitative emphasis from the University of Minnesota. Before becoming an attorney, Melissa held various positions in the Office of U.S. Senator Amy Klobuchar.

### SELECTED EXPERIENCE

- *Juhnke v. Sanford*. Negotiated and obtained favorable settlement on behalf of client in dispute with former employee alleging

### AREAS OF PRACTICE

Labor & Employment

- Counseling Employers
- Defending Employers

Litigation

- Business Litigation
- Competitive Practices & Antitrust
- Employment Litigation
- Tort & Product Liability

### BAR ADMISSIONS

Minnesota

U.S. District Court

- Minnesota

U.S. Court of Appeals

- First Circuit
- Eighth Circuit

### EDUCATION

University of Minnesota Law School  
J.D., *cum laude*, 2012

University of Minnesota, Twin Cities  
B.A., 2009

Economics with quantitative emphasis

- disability discrimination, retaliation, and failure to accommodate claims.
- EEOC and state agency charges of discrimination: On many occasions, successfully defended business clients in response to charges of discrimination from current and former employees.
  - *Seshadri Raju, M.D., P.A. v. Medtronic, Inc.*, Case No. 3:17-cv-357, 2021 WL 1232102 (S.D. Miss. March 31, 2021). Successfully obtained summary judgment dismissing Plaintiff's trade secrets misappropriation claims, and preventing Plaintiff from seeking statutory damages or attorney's fees on copyright infringement claims. Also obtained a ruling striking Plaintiff's expert witness reports, while denying Plaintiff's request to strike Defendant's expert report.
  - *Medtronic Sofamor Danek, Inc. v. Gannon*, 913 F.3d 704, 2019 WL 138707 (8th Cir. Jan. 9, 2019). Successfully argued and obtained affirmance of district court order remanding dispute based on forum selection clause. In a published opinion the Eighth Circuit held that contemporaneously executed offer letter, employee agreement, and repayment agreement comprised a single contract, such that forum selection clause in employee agreement governed disputes arising out of or related to any of the three documents.
  - *State v. Nichols*, No. A18-0479, 2018 WL 5117004 (Minn. Ct. App. Oct. 22, 2018), *rev. denied*, A18-0479 (Minn. Jan. 15, 2019). Obtained affirmance of trial court order suppressing all evidence against criminal defendant based on law enforcement officers' failure to provide him with a Miranda warning during custodial interrogation.
  - *Works Computing, Inc., v. Peterson, et al.*, No. 27-CV-18-2772, 2018 WL 2137637 (Minn. Dist. Ct., filed Feb. 28, 2018). Argued and obtained temporary restraining order barring former employee from further breaching restrictive covenants by soliciting client's customers and employees on behalf of new employer. Successfully argued motion to amend complaint to add similar claims against additional former employee. Negotiated and obtained favorable settlement on behalf of client.
  - *Works Computing, Inc. v. Peterson*, 2018 WL 1247391 (D. Minn. March 9, 2018). Successfully obtained remand of non-compete dispute case to state court.
  - *Werner v. Works Computing, Inc.*, (D. Neb. May 31, 2018). Obtained dismissal of non-compete dispute based on forum selection clause in employment agreement.
  - *Otto v. Wright County*, 2018 WL 1833098 (Minn. April 18, 2018). Represented 17 amici curiae in case involving application of the Single Subject and Title Clause of Minnesota Constitution.
  - *Valspar Corporation v. Sherman*, 2016 WL 5477076 (D. Minn. Sept. 28, 2016). Successfully obtained remand of non-compete dispute to state court, based on forum selection clause in Defendant's employment agreement, which constituted a "clear and unequivocal" waiver of his right to remove to federal court.
  - *Bison Advisors LLC v. Kessler*, 2016 WL 4415036 (D. Minn. Aug. 18, 2016). Successfully obtained partial summary judgment in trade secret/non-compete dispute involving stock trading.
  - On numerous occasions, assisted the Maslon team in resolving disputes related to noncompete agreements on behalf of major medical device manufacturer.
  - Obtained a favorable settlement for client after extensive discovery revealed that its former employees had misappropriated confidential information for the benefit of their new employer.

### ***Pro Bono & Legal Community***

- **ABA Pro Bono Death Penalty Representation:** *Ex parte Armstrong* (Tex. Crim. App. 2017). Member of team of Maslon lawyers serving as pro bono counsel for Douglas Tyrone Armstrong, a Texas death row inmate convicted of capital murder in 2006. The team successfully secured the vacation of Armstrong's death sentence by the Texas Court of Criminal Appeals.
- **ACLU-MN:** Melissa volunteers as a member of the team of Maslon attorneys serving as pro bono co-counsel with the American Civil Liberties Union of Minnesota in a lawsuit against Minnesota's Bureau of Criminal Apprehension and the Minnesota Department of Public Safety to force the release of all squad camera video(s) documenting the police killing of Philando Castile in July 2016. She has represented the ACLU of Minnesota in other pro-bono matters as well, including matters related to enforcing the civil rights of individuals and as amicus with respect to the interpretation of the Minnesota State Constitution.
- **Latino Legal Experience:** Melissa was appointed by The Honorable Michael J. Davis to a committee tasked with organizing an event to highlight the contributions of the Latino community to the legal landscape in Minnesota. The

remarkable event featured U.S. Supreme Court Justice Sonia Sotomayor in conversation with Latino middle and high school students at the Minnesota History Center in October 2016.

## LEADERSHIP & COMMUNITY

- Hispanic National Bar Association: Latina Commission 2019-2020
- Minnesota Hispanic Bar Association: Board Member 2013-2019, Treasurer 2015-2017, Secretary 2013-2014; Judicial Endorsements Committee, Co-Chair 2017-2019
- Minnesota Commission on Judicial Selection: Fourth Judicial District Member 2019-2023
- Minnesota Infinity Project: Board Member 2016-present
- Federal Bar Association – Minnesota Chapter
- ABA Death Penalty Representation Project: Pro Bono Attorney Volunteer
- American Civil Liberties Union of Minnesota: Pro Bono Attorney Volunteer
- Latino Legal Experience: Pro Bono Attorney Volunteer
- ABA Collaborative Bar Leadership Academy: Summer 2015

## SELECTED HONORS

- **POWER 30: Employment Law**, *Minnesota Lawyer*, 2021-2022 (*POWER 30 is a new regular feature that examines the power brokers who lead and influence various parts of the Minnesota legal community.*)
- **Fellow**, Leadership Council on Legal Diversity (LCLD), 2021 (*LCLD's landmark Fellows Program works by identifying high-potential attorneys from diverse backgrounds and setting them on the path to leadership of their organizations.*)
- **40 Under 40 Honoree**, *Minneapolis/St. Paul Business Journal*, 2020
- **Orgullo Award**, Minnesota Hispanic Bar Association, 2019
- **Diversity and Inclusion Award**, *Minnesota Lawyer*, 2019
- **Top Lawyers Under 40 Award**, Hispanic National Bar Association, 2019
- **Recognized on Minnesota Rising Stars list as part of the Super Lawyers® selection process**, 2019-2021 (*Minnesota Rising Stars is a designation given to only 2.5 percent of Minnesota attorneys each year, based on a selection process that includes the recommendation of peers in the legal profession.*)
- **Selected for inclusion in Best Lawyers: Ones to Watch**, 2021-2022 (*These awards recognize attorneys, who are earlier in their careers, for outstanding professional excellence in private practice in the United States.*)
- **Top Women Attorneys in Minnesota® list**, 2020-2022 (*The annual edition of the Top Women Attorneys in Minnesota list features attorneys selected for the previous year's Minnesota Super Lawyers® and Rising Stars lists.*)
- **Light of Justice Award**, Texas Defender Service, 2018
- **Up & Coming Attorney**, *Minnesota Lawyer*, 2017
- **Labor & Employment Star – Midwest**, *Benchmark Litigation*, 2017-2019
- **North Star Lawyer**, Minnesota State Bar Association, 2012-2013, 2016-2017 (*North Star Lawyer is a designation that recognizes members who provide 50 hours or more of pro bono legal services in a calendar year.*)

## SELECTED PRESENTATIONS

- "DEI Issues in a Hybrid Workplace—How to Create an Even Playing Field for Reward and Advancement Regardless of Variables," co-moderator, ACC-MN Annual Conference, 2022
- "Effective DEI Solutions in Remote and Hybrid Workplaces," moderator, National Hispanic Bar Association Corporate Counsel Conference, 2022
- "I So Appreciate You!" podcast guest, St. Paul & Minnesota Foundation, 2021
- "Strategies for Creating an Anti-Racist Workplace," panelist, 2021 Labor & Employment Law Institute, Minnesota CLE, Minnesota State Bar Association's Labor & Employment Law Section
- Maslon Partners Steve Schleicher, Stephanie Laws, and Melissa Muro LaMere to Present at the Trial Network's In-House and Outside Counsel: In Sync and In Person National Conference
- "Settling Disputes Through Early Mediation: A Framework for Success," co-presenter, Association of Corporate Counsel, 2021

- "Top 10 Practical Tips for Minimizing and Resolving Workplace Disputes," co-presenter, Problem Employees, Minnesota CLE, 2021
- "When Cultural Differences Are the 'Problem'" co-presenter, Problem Employees, Minnesota CLE, 2021
- Problem Employees Seminar, co-chair, Minnesota CLE, 2021
- "Putting the Pieces Together: How to Solve the Most Challenging Workplace Puzzles Facing Employers this Spring," Spring Employment Law Update, Advent Talent Group, 2021
- "Black Lives Matter: Examining and Challenging Anti-Blackness Among Latinos," moderator, Corporate Counsel Conference & Annual Convention, Hispanic National Bar Association, 2020
- "Reopening Businesses and Returning Employees to Work After COVID-19," COVID-19 webinar series, Sage Group, plc, 2020
- "Business Disputes: Noncompetition Agreements – The 'Reasonable' Restraint of Trade," webcast, Minnesota CLE, 2020
- "2018 Cybersecurity Year in Review: Technological and Legal Highlights," 2019
- "Professional Ethics & the Multi-Jurisdictional Client," 2018
- "The Interplay Between Noncompete Agreements and Trade Secrets Law: Protecting the Assets that Drive Your Business," Contracts in Context II, ACC Minnesota, 2017

### **SELECTED PUBLICATIONS**

- "5 Tips for Settling Disputes Through Early Mediation," *Bench & Bar*, 2021
- Chapter 5 "Noncompetition Agreements: The 'Reasonable' Restraint of Trade," co-author, *Business Disputes: Claims and Remedies Deskbook*, Minnesota CLE (2nd ed. 2015), updated 2019