

Lindsey A. Gil

Partner

T. 617.951.2004 Office: Boston

E. lgil@peabodyarnold.com



Practices

Employment Law and Litigation
General Litigation
Health Care Litigation and Risk Management
Insurance Coverage and Bad Faith Litigation
Nursing Home/Assisted Living Litigation
Professional Liability Litigation

Bar Admissions

Commonwealth of Massachusetts
State of Rhode Island
United States Court of Appeals for the First Circuit
United States District Court for the District of Massachusetts
United States District Court for the District of Rhode Island

Education

Boston University, J.D., 2010
Syracuse University, B.A.,
summa cum laude, 2007

Overview

Lindsey concentrates her practice on employment law and counseling, insurance coverage, and professional liability defense.

In her employment practice, Lindsey advises and represents employers in a wide range of employment litigation before federal and state courts and administrative agencies. She has expertise handling employment cases across many different industries involving wrongful termination; discrimination, harassment, and retaliation; employee leaves; disability accommodation; breach of contract; wage and hour disputes; employee classification; and whistleblowing.

Lindsey counsels employers on a variety of employment issues, including performance management, employee discipline and termination, leaves of absence, employee classification, wage and hour law compliance, and accommodating disabled employees. She often assists her clients in drafting personnel policies and developing risk management strategies tailored to their business needs. She also provides training on anti-discrimination and anti-harassment policies and procedures as well as effective management practices.

Lindsey works frequently with colleges, universities, and K-12 public-school systems across the Commonwealth providing advice and counsel and defending in employment and student-related matters.

As an insurance coverage attorney, Lindsey advises and represents insurers nationwide in complex insurance coverage and bad faith matters. Lindsey's experience spans across many different types of policies, including primary and excess professional liability, managed care, and commercial general liability.

Lindsey also defends a variety of individuals and businesses against claims of professional negligence. Her past clients include builders and contractors, skilled care facilities, medical professionals, accountants, and attorneys. Lindsey's professional liability practice includes representing physicians, psychologists, dentists, and other healthcare professionals in the defense of Board of Registration

investigations, complaints, and applications, and other regulatory compliance matters. She also advises professionals who are the subject of court orders and subpoenas.

Affiliations

- American Bar Association
- Boston Bar Association
- Massachusetts Bar Association
- Women's Bar Association of Massachusetts
- Rhode Island Bar Association
- Federal Bar Association; Board Member
- Massachusetts Defense Lawyers Association; Board Member

Articles & Seminars

- Attendee, International Association of Defense Counsel (IADC) Trial Academy in 2015.
- Presenter, Peabody & Arnold's Employment Law Practice Section's first and second annual Employment Symposium in 2015 and 2016. Both years, Lindsey's presentation focused on recent changes to state and national employment and labor laws.

Representative Cases

- Second chaired a 3-day public hearing at the Massachusetts Commission Against Discrimination on a retaliation claim, resulting in a finding in favor of the employer and no award to the employee.
- Obtained the summary judgment dismissal of legal malpractice claims brought against her attorney clients and won summary judgment on her clients' cross claim for unpaid fees.
- Obtained summary judgment dismissal of a nursing home Executive Director's disability discrimination claim.
- Secured dismissal of a terminated employee's unemployment benefit application appeal following a 3-day hearing before the Massachusetts Department of Unemployment Assistance.
- Successfully prosecuted a client's counterclaims for defamation, abuse of process, and malicious prosecution, resulting in an award of damages and costs.
- Successfully defended the summary judgment dismissal of an accounting malpractice claim before the Rhode Island Supreme Court, which led to the Court adopting the Restatement Rule to define the third-party standard of care applicable to accountants in Rhode Island.
- Obtained declaratory judgment that an excess carrier was not obligated to reimburse an insured for defense fees and costs incurred on behalf of the Mississippi Department of Corrections in connection with a prisoner class action on grounds including, but not limited to, the insured's failure to allege a covered Claim or Loss; failure to comply with the Policy's notice provision; and other applicable exclusions.

- Obtained affirmance of lower court decisions by the First Circuit Court of Appeals on behalf of employer clients.
- Routinely obtains dismissal of administrative charges pending before the MCAD, EEOC, and RICHR for lack of probable cause.
- Routinely successfully represents medical professionals before applicable licensing bodies.

Awards

- Appointed, American Bar Association's Tort Trial & Insurance Practice Section's (TIPS) Leadership Academy (2016-2017)
- "Rising Star," *Super Lawyers* (2015-2023)
- Community Service Award Recipient, Boston University School of Law (2010)



Interests

Lindsey enjoys trying new restaurants, traveling, and rooting on her Syracuse Orange.