Morris James is long established as the predominant Delaware law firm in the practice of education law. The firm represents 17 of 19 Delaware school districts, a college, and several private schools.

Our partners’ work in education law, as related to Chambers USA by clients, has been described as “phenomenal,” and their experience in the educational sector was highlighted as among our firm’s “primary assets.”

For more than three decades, we have represented Delaware’s public school districts, private school entities, and institutions of higher learning in a wide range of matters. Our comprehensive counsel to the education community includes matters of benefits, employment, governance, student/parent issues, and all aspects of State and federally-mandated regulations, rules, and guidelines.

Our attorneys handle issues related to employee discharge, discrimination claims, student expulsion, student rights, special education matters, Freedom of Information Act compliance, freedom of speech, due process, establishment clause, construction bidding law compliance and litigation of bid disputes, construction contracts and construction litigation, and collective bargaining agreements.

**Representative Matters**

**Garnett v. Bank of America**
Successfully obtained summary judgment with co-counsel in favor of Bank of America in a case alleging discrimination, retaliation and a hostile workplace.

**Lowe v. Laurel Volunteer Fire Department**
Secured summary judgment in a claim involving allegations of discrimination, retaliation and whistleblowing.

**Williams v. Christina School District**
Secured a motion to dismiss in a case defining a public school employee’s rights to pre-termination due process.

**P.K. v. Caesar Rodney School District**
Successfully dismissed Title IX claim asserted against school district alleging disparate treatment of female student in response to alleged bullying.

**Martin Meltzer v. City of Wilmington**
Successfully dismissed many employment discrimination claims asserted against the City and numerous management employees.
Diamond State Financial Services v. Newton One Advisors
Successfully argued in a Court of Chancery injunctive relief case that a former employee and his new employer did not violate post-employment restrictions in a matter brought by the former employer.

City of Rehoboth Beach v. Glenn McCandless
Successfully obtained and collected a judgment against a former employee for embezzlement of the employer's resources for an amount in the six figures.

Tropical Nursing, Inc. v. Ingleside Homes, Inc.
Represented the defendant by successfully arguing a motion for summary judgment on behalf of client Ingleside Homes which defeated the plaintiff's claim to liquidated damages for a purported breach of contract to provide nursing services.

NuFern Inc. v. Michael O'Connor
Working closely with out-of-state counsel in an injunctive action in the Court of Chancery, successfully proved that the plaintiff's former employee did not breach the terms of his post-employment restrictions by working for another company in the high-tech defense laser industry.

P.J. Fitzpatrick, Inc. v. Joseph Bailey
Represented the employer by successfully arguing a Motion for a Temporary Restraining Order to enforce post-employment restrictions against a former employee in an injunctive action in the Court of Chancery.

Marguerite Johnson v. Delaware Technical and Community College
Successfully received an order granting case-dispositive summary judgment on behalf of client Delaware Tech in a case alleging First Amendment retaliation and Due Process Clause violations. The case was affirmed by the Court of Appeals for the Third Circuit. Plaintiff appealed to the U.S. Supreme Court. We successfully opposed certiorari.

Kenneth Cole and Brigitte Brown v. Delaware Technical and Community College
Successfully received an order granting summary judgment on behalf of client Delaware Tech which defeated plaintiffs' claims alleging a hostile work environment and retaliation.

In Education Due Process hearings, successfully defended claims by parents of students identified as eligible to receive special education services alleging that the students were denied a free and appropriate public education.

L&W Insurance, Inc. v. Harrington
Represented Harrington in an action seeking to enforce a covenant not to compete. The Court denied the application for an injunction because Harrington established L&W Insurance, Inc. breached the agreement creating the covenant not to compete.

Kenneth Mitchell v. Wachovia, Inc.
Working closely with out-of-state counsel, successfully received an order granting case-dispositive summary judgment on behalf of client Wachovia in a case alleging racial and gender discrimination and retaliation.

Thompson v. Christiana Care Health System
Allyson presented oral argument in the Delaware Supreme Court. In a case of first impression, the Court upheld the claimant's denial of unemployment benefits holding that she did not leave her employment for good cause when she
resigned because she did not obtain a desired transfer and failed to exhaust her administrative remedies.

In Education Due Process hearings successfully defended claims by parents of students identified as eligible to receive special education services alleging that the students were denied a free and appropriate public education.

**Defense of Employers In Sexual Abuse Claims**
Represented employers in 6 law suits involving sexual abuse claims alleging negligent selection and supervision of employees, including a pending claim. Partial summary judgment was secured in several of the cases, and, with the exception of the pending case, all of the claims were resolved.

**O’Bier, et al. v. City of Rehoboth Beach.** Secured partial summary judgment in a police promotion case in which the plaintiffs asserted constitutional claims, and subsequently resolved the case.

**Labor Arbitrations and Collective Bargaining**
Numerous favorable outcomes in arbitrations involving the interpretation and application of collective bargaining agreements, and negotiation of dozens of collective bargaining agreements on behalf of employers.