Reinhart

David J. Sisson

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David J. Sisson is a shareholder in the firm's Litigation and Labor and Employment practices. David has more than 30 years experience in managing complex civil litigation, focusing on issues that involve all aspects of employment and fiduciary relationships. When key employment issues pose serious threats to companies, David offers solutions.

David solves problems that arise when critical personal business relationships end. These include disputes involving departing key employees and shareholders in closely held corporations and others who owe fiduciary duties. Controversies often develop at the conclusion of these relationships regarding what may be owned by, or owed to, the respective parties. A departing employee may try to establish a competing business capitalizing on relationships with customers, vendors and co-workers, as well as valuable intellectual property.

Special issues arise when separations involve business partners, particularly when the business is family-owned and supports multiple generations of interested and involved family members. That expertise in sensitive and complex family issues extends to representing fiduciaries and beneficiaries in contested fiduciary litigation. Whenever possible, David helps clients develop creative theories to avoid litigation and achieve amicable separations even after threats and provocative actions have occurred, including all forms of alternative dispute resolution.

David also counsels employers on how to deal with the challenges of complying with ever changing legal obligations associated with managing a workforce. This includes helping employers comply with federal and state equal rights, workplace safety/OSHA, privacy and data security, wage and hour, disability, workers compensation and other legal requirements. It also includes developing strategies to help companies get through any employee related crisis that arise.

David is an experienced trial lawyer who has successfully prosecuted and defended clients in numerous trials before juries in federal and state courts, and before state agencies and arbitrators. David has also acted as Special Public Service Prosecutor for the Milwaukee County District Attorney's Office. David regularly lectures

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employers, trade associations and attorneys on employment and litigation matters.

David primarily serves clients in the following areas:

- Disputes Between Employers and Former Employees
- Employment Counseling, Compliance and Advice
- Audits and Training
- Fiduciary Litigation
- Tax-Exempt Organizations

Education

- J.D., University of Michigan Law School
- B.A., with honors, University of Wisconsin-Madison

Bar Admissions

Wisconsin, Illinois

Court Admissions

- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Northern District of Illinois

Practices

- Litigation
- Labor and Employment

Services

- Employment Counseling, Advice and Compliance
- Employment Litigation
- Family-Owned Business
- Trust, Estate and Fiduciary Litigation
- Tax-Exempt Organizations

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Matters

- Successfully prosecuted claims involving millions of dollars in key assets of a family-owned multi-state trucking business on behalf of two younger brothers in dispute with older brother and former company president
- Successfully defended major equipment franchisee, its founder and one of his sons against comprehensive "family partnership" claims by several sons/brothers involving several jointly-owned operating and real estate companies
- Secured favorable separation from family-owned group of several automobile dealerships by minority shareholder in litigation with majority shareholder brother
- Representation of family member trustees in complex litigation involving adverse claims by five other siblings
- Counsels companies on protecting itself against controversies with key employees and shareholder with a comprehensive series of protections including effective employment agreements, shareholder agreements and restrictive covenants (non-compete and confidentiality agreements)
- Develops plans to minimize risks of employee litigation involving claims of discrimination and alleged rights to employee compensation and benefits
- Numerous published opinions from appellate courts at all levels including the influential decision in Burbank Grease Services, LLC v. Sokolowski, et. al., 2006 WI 103, in which the Wisconsin Supreme Court supported the argument (previously rejected by all but a handful of courts around the country) that employers are entitled to protect confidential information from theft by disloyal former employees under various tort theories even if the material does not qualify as a trade secret
- Frequent contributor to State Bar of Wisconsin sponsored litigation seminars to fellow attorneys including recent programs "Trending Topics in Litigation" and "Identifying and Protecting Intellectual Property"
- Frequent lecturer regarding family business governance and related litigation

Honors & Affiliations

Honors

- *Best Lawyers in America* (Employment Law – Individuals; Employment Law – Management; Labor Law – Management; Litigation – Labor and Employment; Nonprofit / Charities Law)
- Benchmark Litigation: Wisconsin Litigation Star
- Wisconsin Top Rated Lawyer Martindale-Hubbell AV® Preeminent™ Peer Review Rated

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Affiliations

- State Bar of Wisconsin
- State Bar of Illinois
- Milwaukee Bar Association

Presentations

- Annual Fiduciary Litigation Update 2022

Publications

- "The Secret to Mixing Family with Business," *Milwaukee Business Journal* special supplement

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