

# SHEEHAN PHINNEY

## Brian J. Bouchard

Shareholder | Portsmouth, NH

Brian is a seasoned litigator and counselor with a proven track record of success in labor and employment, real estate, and construction law. His deep understanding of business operations and client-focused approach allow him to provide practical, results-oriented solutions to complex legal challenges. In the labor & employment field particularly, Brian counsels and represents companies through all manner of complexities, from claims involving discrimination, retaliation, and wage and hour violations to questions involving employee management, executive contracts, employee mobility, and legal compliance.

Brian has been a leader in New Hampshire on Artificial Intelligence. Brian guides businesses in harnessing this transformative technology to optimize HR operations, employee management, and talent acquisition.

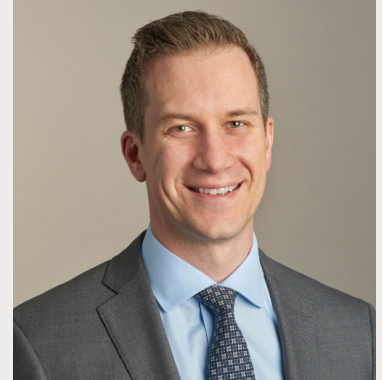
Brian also maintains an active litigation docket in the real estate and construction fields where he adeptly represents developers and individuals through all levels of the land use process, including the Zoning Board of Adjustment, the Housing Appeals Board, and the New Hampshire Supreme Court. His deep understanding of commercial leases has also enabled him to navigate complex negotiations and disputes of commercial property, protecting the interests of both landlords and tenants.

Brian has written and lectured on legal topics throughout the Granite State and New England, and he is never unimpressed by the complex issues facing employers, businesses, and individuals on a daily basis.

### Key Cases

- Substantial experience in litigating employment discrimination, retaliation, and wage and hour cases at the agency and court levels
- Regularly advises companies on employee mobility and executive employment
- Prevailed on Summary Judgment for a Fortune 500 company in a case involving the Americans with Disabilities Act
- Successfully represented an energy company in a mineral and property rights dispute
- Worked with an outdoor guiding company to save it hundreds of thousands of dollars in back wages by renegotiating its government contracts
- Extricated a client from a failed business acquisition and resulting litigation
- As a pro bono attorney, obtained a favorable judgment for indigent clients in a bench trial
- Frequent lecturer on discrimination, wage and hour, and government contractor issues

### Practice Areas



#### Contact Information

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# SHEEHAN PHINNEY

- Labor & Employment
- Business Litigation
- Construction Litigation

## Admissions

- State of New Hampshire
- State of Massachusetts
- State of Maine
- New Hampshire Bar Association

## Education

- J.D., University of New Hampshire School of Law, *magna cum laude*
- B.A., Stonehill College, *magna cum laude*

## Civic Involvement

- Board Member, Brew NH
- Chair, Leadership Seacoast Board of Directors

## Awards

- Best Lawyers in America® Ones to Watch, Commercial Litigation, Labor and Employment Law - Management, Litigation - Construction, Litigation - Labor and Employment
- Rising Star by New England Super Lawyers®, Business Litigation
- Daniel Webster Scholar Honors Program
- Managing Editor of IDEA: The Intellectual Property Law Review, University of New Hampshire School of Law

# SHEEHAN PHINNEY

- Bankruptcy Institute Medal of Excellence

## **Publications**

- Choosing the right talent: A guide to hiring contractors or part-time employees
- Paid Family Medical Leave in New Hampshire
- Playing information roulette: Using AI for legal compliance
- Voluntary Paid Leave: A Different Way
- Call the Doctor: 9 Tips for Conducting Wage and Hour Checkups
- Hiring Is Tough but Don't Waive Restrictive Covenants
- Mask Free in the 603: New CDC Guidance for Fully Vaccinated Employees
- COVID-19 vaccine: Can businesses and employers mandate it?
- Reopening the Workforce: Unemployment Issues Abound
- COVID-19 Preparedness: Basic Employment Law Questions Answered
- Insider Threats – The Risk You May Never See Coming
- How Diversity Strengthens Workplaces
- Take this off of your Fall “To Do” List: EEO-1 Delayed in Part and Suspended in Part
- NH Legal Perspective: Dialogue, good faith to guide restroom transgender issues
- NH Legal Perspectives: When does the work day end? It depends
- NH Legal Perspective: Cloudy with a chance of trade secret forfeiture
- EPA v. EME Home City Generation: How EPA Is Fighting Immigration . . .of Air Pollution
- NH Legal Perspective: To Contract Or Not To Contract? Pros, Cons Of Written Employment Contracts