

CLEAR DIRECTION IN  
COMPLEX CASES

### Attorneys

Seth Barnett  
John J. Cloherty III  
John J. Davis  
Christine M. Dowling  
Gerald Fabiano  
John Wilusz

### Practice Areas

Overview  
Business Litigation  
Civil Rights  
Elevator Liability  
Employment Law  
General Litigation  
Governmental, Municipal &  
School Liability  
Higher Education Litigation  
Insurance Coverage  
Mediation  
Product Liability  
Toxic Torts  
Workplace Investigations

## Civil Rights

Pierce Davis & Perritano has a wealth of experience litigating civil rights claims, including unconstitutional takings of property, equal protection violations, the use of excessive force by police officers, unreasonable searches and seizures, violations of freedom of speech and the free exercise of religion, and unlawful discrimination based upon gender, race, disability, religion, age, or other protected classes.

Our familiarity with the civil rights law, and the distinct scope of protections afforded under both federal and state law, enables our firm to navigate this complex legal field to bring claims and litigation to a successful conclusion. With a busy practice in both federal and state court, we are well-versed in the peculiarities of each forum, allowing us to advise our clients concerning the most favorable venue for litigation.

Our depth of experience in this field permits us to guide our clients through the litigation process. From the outset of any civil rights claim, we immediately marshal the resources necessary to prevail, preserve evidence, and minimize exposure. Our expertise in the substantive law governing civil rights claims is applied in motion practice that often disposes of claims prior to trial. Where trial is required based upon issues of fact or law, our seasoned litigators use their command of the governing law and their tactical trial skills to secure favorable jury verdicts.

The types of civil rights claims we regularly defend include:

- ▶ Due process claims alleging a person's life, liberty or property has been deprived by governmental actions without due process of law
- ▶ Equal protection claims alleging a citizen has been treated differently than others similarly situated by a random or unauthorized governmental action
- ▶ Police misconduct claims alleging excessive force, wrongful arrest, unreasonable search and seizure, or wrongful conviction
- ▶ Free speech claims alleging government infringement or retaliation against citizens or public employees based on the content of their speech
- ▶ Free exercise of religion claims alleging government infringement or retaliation based on religious practices or the free exercise of religion
- ▶ Taking of property claims brought by landowners alleging that governmental regulations or enforcement activities deprived them of the use of their property without just compensation
- ▶ Second Amendment claims brought by gun owners or applicants for gun licenses
- ▶ Statutory claims brought under federal or state laws guarding civil rights, such as the Americans with Disabilities Act (ADA); the Individuals with Disabilities Education Act (IDEA); the Public Accommodations law; and the Massachusetts Civil Rights Act (MCRA)