

Matthew P. Horvitz

Counsel

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Matt Horvitz is a pragmatic, versatile trial lawyer and counselor focused on workplace dynamics, complex employment disputes, and commercial litigation.

Matt represents employers and executives in state and federal courts and before administrative agencies for the full range of employment disputes, including requests for injunctive relief and defending against class and collective actions. Matt also helps employers with internal policies, procedures, and compliance with state and federal regulations.

Matt works with his clients to establish creative and aggressive strategies that prevent and resolve disputes arising from:

- Employee hiring, discipline, termination, and severance;
- Harassment and hostile work environment allegations;
- Workplace policies and procedures;
- Defamation and privacy claims;
- Executive employment agreements;
- Misappropriation of trade secrets and confidential information;
- Non-competition, non-solicitation, and confidentiality agreements;
- State and federal wage-and-hour laws and regulations; and
- Architectural and communication barriers under the Americans with Disabilities Act

Matt also investigates and litigates internet reputation attacks, cyberbullying, and cyberimpersonation claims. He has successfully represented and counselled clients facing challenging online defamation issues and other types of cyberattacks, which often requires the identification of anonymous threats and removal efforts.

Matt's perspective is informed by his broad experience as a business litigator serving clients in the real estate, life sciences, technology, consumer, retail, and hospitality industries. He has represented businesses, emerging companies, developers, investors, property owners, landlords,

tenants, and shareholders in a variety of difficult contract, shareholder, intellectual property, real estate, negligence, and construction disputes.

Accolades

- *Boston Magazine*, Top Lawyers, Labor and Employment, 2022
- Massachusetts Super Lawyers, 2016-2019
- Massachusetts Super Lawyers Rising Stars, 2013 - 2015

Affiliations

- Greater Boston Chamber of Commerce Public Policy and Government Relations Leadership Council
- Political Asylum/Immigration Representation (PAIR) Project
- International Refugee Assistance Project (IRAP)
- Boston Bar Association
- Rhode Island Bar Association
- Northeast Human Resources Association

Admissions

- Massachusetts
- Rhode Island
- New York

Education

- Boston College Law School (J.D., 2005)
- Tufts University (B.A., 2001)

Representative Matters

Defense of Automobile Dealerships in Wage and Hour Class Action

Representation of automobile dealerships in defense of multiple class actions alleging widespread violations of wage and hour laws, which involve novel claims under Massachusetts law.

Software Company Trade Secrets and Misappropriation

Obtained a rare jury verdict for a software consulting company and key employee, which exonerated those clients from claims of misappropriation of confidential information and trade secrets.

Invalidation of Non-Competition and Non-Solicitation Provisions of an Employment Agreement

Obtained summary judgment in state court litigation, which invalidated the non-competition and non-solicitation provisions of an employment agreement under the “material change doctrine” and common-law contract principles.

Class Action Alleging Violations of State Wage and Overtime Laws

Secured summary judgment for a national real estate investment and management company, which resulted in the dismissal of all claims in a class action alleging violations of state wage and overtime laws.

Misclassification of Independent Contractors

Defended national franchising company against class action alleging misclassification of independent contractors under state law.

Fair Labor Standards Act, Title VII, the Family Medical Leave Act, the Age Discrimination in Employment Act and Parallel State Law Claims

Successful defense of numerous lawsuits brought in federal court, state court, and before state administrative bodies concerning claims under the Fair Labor Standards Act, Title VII, the Family Medical Leave Act, the Age Discrimination in Employment Act and parallel state law claims.

Ongoing Employment Advice

Provides ongoing advice and strategy related to the classification, hiring, discipline and firing of employees, employee rights and responsibilities, employee medical leave, employee handbooks, internal investigations, and daily operational issues.

Blog Posts: Retail Law Advisor

This blog keeps you connected to timely developments and emerging issues in retail law and covers a wide range of topics related to the retail, restaurant and consumer industry. We invite you to learn more about Goulston & Storrs and our Retail, Restaurant & Consumer Group.

July 29, 2020

Avoiding Coronavirus Discrimination Claims in Retail and Hospitality

On the 30 th anniversary of its passage, the Americans with Disabilities Act (ADA) deserves recognition for its continued viability and adaptability in response to contemporary problems and technological change. As the retail and hospitality industries reopen and expand...

November 13, 2019

The Nightmare Before Christmas?

Gift Card Litigation Arrives for the Holidays

It is a little-known fact that, in 1994, Blockbuster video was the first store to display pre-paid gift cards for sale. Unlike VHS rentals, the gift card industry has only grown in popularity. Gift cards from major retailers are...

March 21, 2018

No Relief in Sight from Website Accessibility Lawsuits

In February 2017, we reported on a surge in website accessibility lawsuits brought under the Americans with Disabilities Act ("ADA"). This litigation trend has accelerated over the past year and shows no signs of slowing down . Title III...

January 10, 2018

Rise of the Drones: Flying Over Newton and Registration Requirements Reinstated

The skies are a little friendlier for drones now that the Dutch police have suspended their squad of drone-hunting eagles . This is also great news for retailers, as drone popularity continues to soar with overall electronics sales...

February 22, 2017

The Ascendancy of Accessibility: Surge in Website Lawsuits Continues

The proliferation of accessibility lawsuits under Title III of the Americans with Disabilities Act (ADA) has not abated. It is well-documented that ADA-related litigation increased by 37% from 2015 to 2016, which is symptomatic of long-term trends. Growth is...

February 10, 2016

The Skies Are Alive With the Sound Of Drones: The FAA Implements Drone Registration Requirements

It happened again—another incident involving an errant drone and a resident from the Garden State. As reported by various news sources, a New Jersey man attempted to photograph the Empire State Building with his drone. He was arrested on reckless...

July 8, 2015

Are You Ready for the Attack? Online Brand and Reputation Protection

It starts with an inaccurate, possibly fake, online review. Then a post appears on a consumer complaint forum. Suddenly, there is a surge of false postings about your company on social media sites. Invariably, these anonymous postings appear prominently...

March 4, 2015

Lift Off for Commercial Drone Regulations

Drones are everywhere. Technological innovations have created countless commercial opportunities for drones, also known as unmanned aerial vehicles (UAVs). Until recently, however, the Federal Aviation Administration's (FAA) prohibitions on drone commercialization have contrasted starkly with the soaring growth of...

Publications

April 21, 2022

Massachusetts Imposes Additional Potential Liability on Employers for Wage-and-Hour Compliance

June 1, 2020

Employer Beware: Avoiding Fraudulent Unemployment Claims

April 6, 2020

Protecting Multi-Tenant Residential Maintenance Employees from COVID-19

March 20, 2020

Federal Law Provides Paid Leave for COVID-19

March 16, 2020

Managing your Workforce in Unprecedented Times

March 13, 2020

Coronavirus and Employee Travel

August 15, 2019

Spacey Case Points To Cos.' Need To Preserve Devices, Data

Law360

January 22, 2019

"Regarded as Disabled" Employment Discrimination Claims Under the ADA

Strafford

December 20, 2018

Mass. Cos. With Tipped Employees Face New Wage Laws

Law360

November 20, 2018

How the Grinch Saved the Holiday Party (and the Company)!

LinkedIn

September 2015

Safeguarding enduring assets: Online brand and reputation protection

Inside Counsel

June 2014

"Breakfast Battles Cook Up Copyright, Trademark Questions," Law 360

Law 360

March 2014

Consumer Data Privacy Class Actions, Coming to a Jurisdiction Near You