

Aviva Grumet-Morris

Partner

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Aviva focuses her practice on labor and employment matters, including litigation in state and federal trial and appellate courts. She represents clients in complex employment disputes, with an emphasis on employment and employee benefits litigation. Aviva strives to provide clients with practical, timely advice in connection with their employment law needs.

Aviva has successfully litigated and arbitrated matters involving discrimination, retaliation, sexual harassment, restrictive covenants, ERISA benefits and duties, False Claims Act, and a broad array of employment torts. In representing clients in these cases, Aviva has gained federal jury trial experience, successfully argued before the United States Court of Appeals for the Seventh Circuit and New York Supreme Court Appellate Division, and prevailed in high-stakes proceedings involving temporary restraining orders, preliminary injunctions, and other critical motion practice.

In addition to representing clients in federal and state trial and appellate courts and arbitral forums, Aviva has helped many clients solve substantial legal issues by conducting internal investigations to address serious complaints involving sexual harassment, discrimination, retaliation, and bullying. Resolution of these complicated, serious, and emotional matters, often short of litigation, are among the most challenging legal issues that Aviva handles in her practice.

Beyond litigation and investigations, Aviva drafts and negotiates employment and separation agreements related to senior executives and is often asked to provide advice on novel issues and strategic questions relating to employment policies, benefit plans, compliance, and best practices. As a resource and partner for clients, Aviva brings broad experience on large matters to the variety of employment challenges faced by corporations managing their workforces.

Key Matters

- Represented a multinational company in an action brought by its former employee alleging breach of contract relating to unpaid bonus compensation.
- Represented medical device company in a trade secret misappropriation case against a former high level of employee, obtaining a temporary restraining order for our client on the same day that the action was filed.
- Represented a medical device company in obtaining emergency injunctive relief in state court following the departure of senior employee suspected of misappropriating trade secrets.
- Represented a former fiduciary in federal lawsuit alleging violations of ERISA in connection with a 401(k) plan.
- Represented a company in successful state court appeal of denial of motion to compel arbitration.
- Represented a medical device manufacturer in a case brought in federal court by a former employee alleging retaliation under the federal and a state False Claims Act. The court granted our motion for summary judgment, resulting in complete dismissal of all claims.
- Represented a company in a federal action against a former employee for trade secret misappropriation and violations of state law. After the court issued a temporary restraining order, we ultimately obtained a judgment against the defendant and later prevailed in the appeal to the Seventh Circuit.
- Represented a company in a complaint filed in by a former employee asserting claims for discrimination under Title VII and common law conversion stemming from the employee's termination of employment. We succeeded in obtaining dismissal of the complaint against our client.
- Represented a company in a federal putative class action brought by retirees alleging the termination of retiree health benefits violated ERISA. After significant discovery, we briefed the motion for class certification and ultimately the Court denied certification.
- Represented a company in a lawsuit brought by third party provider asserting claims under ERISA for denial of benefits and various state law theories. The court granted our motion to dismiss the ERISA claim on the basis of standing and the state law claims were dismissed for lack of federal jurisdiction.

Recent Experience

R1's Acquisition of VisitPay

Recognitions

Aviva was recognized by *Benchmark Litigation US* as a "Labor and Employment Star" (2022–2024).

Credentials

EDUCATION

Aviva received a B.A. in history from Princeton University in 2002. While at Princeton, she was a four-year member of the Princeton Women's Ice Hockey team, which she captained her senior year. She received a J.D., *summa cum laude*, in 2006 from DePaul University College of Law, where she was a member of the Order of the Coif and executive editor of the *DePaul Law Review*.

ADMISSIONS

- Illinois

LANGUAGES

- Hebrew

Related Insights & News

CLIENT ALERT

New Ordinance Requires Employers To Provide Up To 10 Days of Paid Time Off To All Chicago Employees

NOVEMBER 28, 2023

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

CLIENT ALERT

National Labor Relations Board: Offering Employees Severance Agreements With Broad Confidentiality and Non-Disparagement Language Violates the National Labor Relations Act

MARCH 9, 2023

CLIENT ALERT

New Laws and Trends Affecting the Workplace in 2023

JANUARY 23, 2023

CLIENT ALERT

California Joins National Trend in Enacting Pay Transparency Laws

OCTOBER 5, 2022

CLIENT ALERT

Chicago Strengthens Its Anti-Sexual Harassment Laws

JUNE 30, 2022

CLIENT ALERT

Congress Passes Bipartisan Legislation Banning Forced Arbitration of Sexual Harassment and Assault Claims

MARCH 1, 2022

CLIENT ALERT

OSHA Releases Emergency Temporary Standard for Private Employers

NOVEMBER 5, 2021

CLIENT ALERT

Illinois Passes Landmark Restrictive Covenant Legislation

AUGUST 31, 2021

CLIENT ALERT

California Supreme Court Complicates Break Premium Calculations – Base Rate of Pay Not Enough

JULY 19, 2021

CLIENT ALERT

Occupational Safety and Health Administration Issues New Guidance for Employers Responding to the COVID-19 Pandemic

JUNE 16, 2021

CLIENT ALERT

May Employers Require COVID Vaccinations? The EEOC Speaks

DECEMBER 18, 2020

Capabilities

Labor & Employment

ERISA Litigation

Trade Secrets, Non Competes & Restrictive Covenants

Public Companies

Financial Services

Health Care