

SHEEHAN PHINNEY

David W. McGrath

Shareholder | Manchester, NH

Dave serves as President and Managing Director of the firm. He also maintains an active practice. Dave represents firm clients in state and federal courts, arbitration and administrative proceedings. He routinely handles trade secret, non-competition, predatory hiring, discrimination, retaliation and whistleblower, wrongful termination, and healthcare related matters. He also frequently helps businesses and executives navigate employment separations.

Dave served as President of the New Hampshire Bar Association and is a recent member of the Professional Conduct Committee.

Dave is a certified mediator who serves in that role often for the state and federal courts, the New Hampshire Commission for Human Rights, and for private parties.



Contact Information

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Key Cases

- Successfully defended national insurance company in non-compete battle, leading to summary judgment.
- Successfully defended local municipality in a wrongful discharge lawsuit, leading to a jury verdict for the town.
- Successfully defended area hospital in an Americans with Disabilities lawsuit and preserved the win at the Court of Appeals for the First Circuit.
- Successfully defended an international corporate client in a wrongful discharge lawsuit, leading to summary judgment.
- Successfully defended national corporate client in defense of substantial wage claims.

Practice Areas

- Business Litigation
- Labor & Employment
- Mediation & Arbitration

Admissions

- State of New Hampshire
- United States District Court
- District of New Hampshire

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- First Circuit Court of Appeals

Education

- J.D., Cornell University Law School
- B.A., Framingham State College

Civic Involvement

- New Hampshire Bar Association, Immediate Past President
- New Hampshire Professional Conduct Committee
- Leadership New Hampshire, Class of 2013
- Board Member, Inti Soccer Academy
- Active in various roles at his local church

Awards

- Business NH Magazine as the best employment lawyer in the state, as recognized by his peers, 2015
- Chambers USA, Labor & Employment
- Best Lawyers in America® 2019 Manchester Lawyer of the Year, Labor Law - Management
- Best Lawyers in America®, Commercial Litigation, Employment Law - Management, Labor Law - Management
- New England Super Lawyer®, Employment Litigation: Defense
- Martindale Hubbell, Rated “AV”

Publications

- NH Legal Perspective: New law prohibits noncompete agreements for low-wage employees
- Assessing NH’s New Noncompete Law
- Mediation Proceedings: Cloaked in Confidence?
- NH Legal Perspective: Are Employee Noncompete Agreements Worth the Paper they are Written On?
- Federal Rules of Civil Procedure: A Rule 68 Cautionary Tale
- Lessons from the Trenches: What Makes a Good Mediator?
- CEO on the Go: David McGrath
- NH Legal Perspective: Mediating business disputes
- Out of the Courtroom and Back to the Boardroom
- Fixing Your Non-Compete Agreements Before You’re in a Fix: Ten Common Employer Mistakes That Threaten Your Non-Compete
- Noncompetes Can Protect Your Company’s “Goodwill”