



Melissa Vest

Associate

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Melissa Vest concentrates her practice in labor and employment matters and commercial disputes.

As a member of the Labor and Employment Group, Melissa Vest focuses her practice on the representation of employers in all aspects of employment issues. Melissa's experience in labor and employment law includes defending clients against allegations of discrimination and providing position statements to EEOC charges. She also counsels clients on employee handbooks and policies and employment agreements, including the enforcement and compliance of restrictive covenants.

In addition, Melissa represents clients in a wide variety of commercial litigation matters with an emphasis on breach of contract claims, insurance coverage disputes, and premises liability matters.

Melissa also assists clients in financial services litigation. She has defended multiple banks, mortgage companies, and mortgage servicers against allegations of wire fraud, breach of contract, and breach of fiduciary duty claims, as well as legal representation regarding foreclosure issues and quiet title claims.

Representative Matters

Labor & Employment

- Defended our client, a nationally recognized provider of behavioral health care services, against allegations of Title VII discrimination.
- Drafted employment agreements for a cardiology group that serves clients across the United States and internationally.
- Drafted an employee handbook for a Tennessee-based non-profit organization that serves the autistic community.
- Represented our client, an insurance and financial services firm, in the enforcement and compliance of restrictive covenants.
- Provided position statements for our client, a \$2.7 billion global engineering consulting firm, in response to an Equal Employment Opportunity Commission (EEOC) charge of discrimination.
- Provided advice to a homecare provider in response to the U.S. Department of Labor's allegation of misclassification of employees.

Business Litigation

- Defended our client, a Pennsylvania-based group insurance company, in multiple matters, including a \$1.5 million claim involving insurance coverage for storm damage.
- Represented our client, a family-owned agriculture equipment dealership, in an arbitration prosecuting a breach of contract claim.
- Defended our client, a North American chain of truck stops, against negligence, gross negligence, and breach of contract claims related to the failure to procure insurance on behalf of an independent contractor.
- Defended a land developer against allegations of negligence, gross negligence, and violation of the Texas Water Code in a multi-million dollar lawsuit.
- Represented one of the Southeast's largest full-service banks in multiple breach of contract lawsuits.

- Defended a diversified consumer finance company against allegations of Texas Debt Collection Act violations, Telephone Consumer Protection Act violations, harassment, invasion of privacy, and trespass to chattel.
- Represented an American multinational supermarket chain against negligence and premises liability claims.
- Provided advice to a global lumber supply company on mechanics and materialman liens; prosecuted claims of breach of contract, suit on sworn account, and the foreclosure of property related to materials provided in construction projects.



Publications

- "Employers: Do Not Wait to Demand Arbitration," republished July 8, 2022, in *Houston Business Journal* (June 2022)
- "Federal Agencies Announce Enforcement of Vaccine Rules as Supreme Court Prepares to Hear Arguments in Legal Challenges" (December 2021)
- "Fifth Circuit Reversal of Nationwide Stay Leaves Enforcement Status of CMS Vaccine Mandate Uncertain," republished January 7, 2022, in *Westlaw* (December 2021)
- "Updated OSHA Return-to-Work Guidance" (March 2021)
- "Texas Lifts Statewide Mask Order and Reduced Capacity Restrictions" (March 2021)



Speaking Engagements

- "Most Recent COVID-19 Updates Affecting the Workplace," Texas Bay Area SHRM Annual Conference (April 2021)
- Co-presenter – "The Updated Employer's Guide to the COVID-19 Vaccine," Pine Belt Human Resource Association (March 2021)



Webinars

- Stayed? Enforceable? Catching Up on the Status of the Federal Vaccine Mandates (January 2022)
- The (Updated) Employer's Guide to the COVID-19 Vaccine (January 2021)



Education

- South Texas College of Law – Houston, J.D., 2017, cum laude
- Liberty University, B.S., 2015, summa cum laude



Admissions

- Texas, 2018