

## NEWS & INSIGHTS

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### LIGHTFOOT SECURES VICTORY FOR CLIENT IN U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA

March 16, 2020

Lightfoot, Franklin & White partner **Brandon K. Essig** and associate **Logan T. Matthews** secured the dismissal, with prejudice, of a case filed in the U.S. District Court for the Middle District of Alabama. The firm's client was a former chair of the board of an Alabama state regulatory agency.

The plaintiff in the case sued for wrongful dismissal, alleging violations of both constitutional and state law. He sought \$10 million in damages. Lightfoot responded with a motion to dismiss. The motion argued the plaintiff's case was a shotgun pleading — a complaint that sets forth an excessive number of facts with no clear organization and uses them to assert a cause of action — which is prohibited under federal pleading standards.

The court accepted Lightfoot's argument, noting even the plaintiff's attempts to amend the original complaint "utterly fails to cure the pleading deficiencies...and actually makes them worse." The court went on to note that it "cannot make heads or tails of plaintiff's prolix and confusing second amended complaint," and was therefore dismissing the case, with prejudice, as a shotgun pleading.

Essig focuses his practice on white-collar criminal defense, corporate investigations, NCAA compliance and investigations, and general litigation. He joined Lightfoot after nearly eight years as a federal prosecutor for the Department of Justice in the Middle District of Alabama where he tried multiple felony jury trials each year. Prior to his time at the DOJ, Essig was a Captain in the U.S. Marine Corps where he worked as a prosecutor and deployed with an infantry unit to Fallujah, Iraq.

Matthews handles cases ranging from product liability and employment litigation, to government corruption. While generally serving clients across a broad range of matters, he enjoys getting to know each of his clients and developing strategies that serve their long-term needs.