

Attorney Accused Of 'Quiet Quitting' In Lawsuit Files Countersuit Alleging Discrimination

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February 27, 2023

Courts

The gloves come off in this complaint.

By Kathryn Rubino

on February 27, 2023 at 5:17 PM February 27, 2023 at 4:35 PM



When paragraph one of the complaint opens up with the line, “Defendants’ conduct is best described as “Brazen Bullying” — despite being lawyers bound to act with ethics and integrity, they are nothing more than boorish bullies who will stop at nothing and break the law to intimidate people stand up to them,” you know it’s going to be a wild ride.

The line comes from the complaint, filed today in the Southern District of New York by attorney Heather Palmore against her employer, the law firm of Napoli Shkolnik. Last week, it was Napoli Shkolnik doing the filing, when *they* sued Palmore alleging she was “quiet quitting” her job and surreptitiously working two jobs remotely (at Napoli Shkolnik and her own firm). The firm’s complaint also alleged Palmore attempted “to extort money from the firm by making false and defamatory claims of discrimination directed to ‘others’ without any factual basis.” But Palmore’s complaint fleshes out those allegations.

According to the complaint:



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Since joining the Firm, Ms. Palmore has been subjected to and witnessed egregious race and disability discrimination by senior management as part of their standard operating procedures. Ms. Palmore has had the courage to speak out against discrimination at the Firm and has made been made to suffer for it, with the Napoli Preemptive Lawsuit filed against her just the latest in an ongoing string of retaliatory acts.

One of the discriminatory acts Palmore alleges in the complaint is a stuffed animal hung from a noose, mounted in view of her office.



via Palmore Complaint

The complaint also alleges the firm acquiesced to a client's demand to remove a female associate from a case because the client believes men are "more aggressive" and "know how to get things done." Further, according to the complaint, a firmwide survey revealed employees felt there was discriminatory conduct at the firm, including mocking employees' accents and pronunciations.

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The complaint continues to describe a work environment where minority employees were treated as “second-class citizens,” and alleges Palmore was subjected to retaliatory treatment for bringing the issue to management:

Ms. Palmore has been and remains disgusted that a Firm which outwardly prides itself as being zealous advocates, treats its minority employees like a second-class citizens and even staffs its cases based on gender preferences and bias. Ms. Palmore had the courage to speak up and complain about the Firm’s discriminatory conduct and complete lack of commitment to diversity, equity and inclusion, and she has been treated like a complete pariah and “enemy” of the Firm ever since, including “being harshly yelled at several times by Paul Napoli, horrifically harassed by senior leadership, threatened for salary reductions and directly told she should “know better” than to file a complaint. Moreover, Paul Napoli confirmed to Ms. Palmore, in writing, and even before she had an opportunity to describe the basis for her claims of discrimination, that he had already “disposed” of her claims and that he had already concluded that her claims were “spurious.” Clearly, the Firm made a conscious decision that after she filed her complaints, Ms. Palmore would be mistreated and harassed until she was forced out of the Firm.

Since raising these concerns in 2022, Palmore alleges the firm engaged in mediation of her claims and even wanted to schedule a second mediation — an alleged “ruse” by the firm to buy time to file their own lawsuit against Palmore first, to “punish her for speaking out about discrimination.”

Palmore’s attorney, David Gottlieb, partner at Wigdor LLP, had some choice words about the opposing party:

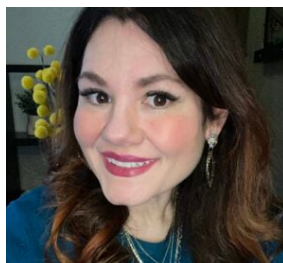
“Napoli Shkolnik embodies the lowest level of the legal profession—run by partners who lack any level of integrity and will stop at nothing to use the courts to exact revenge, engage in intimidation and bully those who stand up to them. The firm’s treatment of Ms. Palmore and others is completely deplorable, and the firm must be held fully accountable in all regards.”

Lucas Markowitz, attorney for Napoli Shkolnik, offered the following statement on the latest filing:

Today’s filing continues Ms. Palmore’s pattern of false statements in her efforts to shakedown the firm for money. It is precisely these types of outlandish falsehoods that undermine real claims of discrimination and hurt the true victims of unlawful employer conduct. Ms. Palmore is happy to sacrifice these victims to pad her own pockets. For instance, Ms. Palmore suggests that the firm hung a bear by a noose in the office. But she knows that this is “Anda the Panda,” the mascot of Anda Pharmaceuticals (screenshot below) against whom the firm was trying a case from June through December of 2021, which began even before Ms. Palmore joined the firm. Of course, since Ms. Palmore knew what Anda the Panda was, she never complained until recently when it became clear she was about to be terminated for poor performance, nearly 13 months after the pharmaceutical mascot decorated the office. The firm looks forward to proving its affirmative claims, defending against this case, and exposing Ms. Palmore’s lies in Court.

You can read the full complaint below.

[Heather M. Palmore, Esq COMPLAINT to attach](#)



Kathryn Rubino is a Senior Editor at Above the Law, host of [The Jabot podcast](#), and co-host of [Thinking Like A Lawyer](#). AtL tipsters are the best, so please connect with her. Feel free to email [her](#) with any tips, questions, or comments and follow her on Twitter [@Kathryn1](#) or Mastodon [@Kathryn1@mastodon.social](#).

Topics
