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Thorpe Shwer Prevails on Motion to Dismiss in Franchisor-Liability Action

Thorpe Shwer attorneys Brad Shwer and Kristin Paiva successfully defended one of the nation's largest and fastest-growing franchisors with over 1,000 franchisee-owned locations in a matter in Nevada state court. Among other things, the complaint alleged claims for breach of contract, tortious and contractual breach of the implied covenant of good faith and fair dealing, negligent hiring/training/supervision/retention, infliction of emotional distress, vicarious liability, negligent business operations, and punitive damages. Following briefing and oral arguments, and within two months of the filing of the complaint, the court granted the motion to dismiss, thereby dismissing all claims against the client.