

Michael Stefanilo Jr.

Special Counsel

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Focus Areas

Discrimination and Harassment
Leaves of Absence and Disability Accommodation
Litigation and Trials
Inclusion, Equity and Diversity
Investigations
Wage and Hour

Overview

Michael Stefanilo Jr. routinely handles employment law matters on behalf of both private and public employers in the litigation and counseling spheres. He also regularly litigates claims in the area of employment practices liability insurance (EPLI). Michael practices in both federal and state court, and frequently before the Massachusetts Commission Against Discrimination and other state and federal agencies. He also conducts internal investigations.

As a litigator, Michael has handled hundreds of cases on behalf of his clients with a distinguished record of success. He has extensive experience defending against workplace and public accommodation discrimination, harassment, retaliation, hostile work environment, and sexual assault claims, including those based on sex, gender, race, color, religion, national origin, disability, sexual orientation, and gender identity. On top of his litigation skills, Michael acts as an investigator for employers in instances of alleged discrimination or harassment.

Michael is also a highly knowledgeable wage and hour litigator. He further handles complex employment litigation claims alleging wrongful termination, whistleblower, and breach of contract. He has defended against class actions and has negotiated several settlements arising out of class action litigation.

Finally, Michael zealously represents public and private employers and educational institutions in claims brought pursuant to the Massachusetts Tort Claims Act, the Massachusetts and United States Civil Rights Acts, Title IX, and the Massachusetts and United States Anti-Discrimination Statutes.

Not only a litigator, Michael is also a recognized legal scholar and has been published in the *Northeastern University Law Review*, the *Sports Lawyers Journal*, the *Tulane Journal of Law & Sexuality*, various American Bar Association and Federal Bar Association publications, and is a long-standing contributing author to Massachusetts Continuing Legal Education (MCLE). Presently, Michael is serving a multi-year term as a hearing officer for the Massachusetts Board of Bar Overseers of the Supreme Judicial Court. He was also appointed by the President of the Massachusetts Bar Association to serve on its Labor and Employment Section Council. In 2022, Michael was awarded the prestigious honor of being named one of the Best LGBTQ+ Attorneys in the United States by the National LGBTQ+ Bar Association.

Prior to joining Littler, Michael was a partner with a full-service Boston area litigation firm. Previously, Michael worked as a law clerk for GLAD Law, where he assisted in analyzing various legal issues facing the LGBTQ+ community, including participation in GLAD's successful and nationally recognized challenge to the Defense of Marriage Act. He also spent a summer clerking for the United States Attorney's Office for the District of Massachusetts in its civil litigation division.

While in law school, Michael served as the managing editor of the *Northeastern University Law Review* and was a teaching assistant for the Legal Research and Writing Program.

Selected Matters

- *Terrasol v. City of Brockton, et al.*, D. Mass., C.A. No. 1:21-cv-11317-AK (February 6, 2024) (judgment entered in favor of municipal employer and officials against claims of discrimination and bias in marijuana licensing).
- *Diaz v. City of Somerville*, D. Mass., C.A. No. 1:19-cv-11361-JCB (February 3, 2022), aff'd on appeal, C.A. 22-1137 (1st Cir. 2023) (judgment entered in favor of municipal employer against claims of race discrimination arising from plaintiff's termination).
- *Jacquet v. City of Somerville*, D. Mass., C.A. No. 1:18-cv-10167-GAO (July 1, 2020), aff'd on appeal, C.A. 20-1756 (1st Cir. 2021) (judgment entered in favor of municipal employer against claims of race discrimination arising from plaintiff's termination).
- *Maglione v. Nashoba School District, et al.*, C.A. No. 17-1516 (Middlesex Superior Court) (April 2020), aff'd on appeal, C.A. 2020-P-1083 (Mass. App. Ct. 2021) (judgment entered in favor of educational institution in age discrimination and breach of contract matter).
- *McSweeney v. City of Brockton, et al.*, D. Mass., C.A. No. 1:18-cv-10968-DJC (April 16, 2021) (defense verdict in favor of municipal employer and its law enforcement personnel against federal constitutional claims).

Professional and Community Affiliations

- Hearing Officer, Massachusetts Board of Bar Overseers of the Supreme Judicial Court
- Member & Employment Section Council, Massachusetts Bar Association

- Member, Federal Bar Association
- Member, Massachusetts LGBTQ Bar Association
- Member, National LGBTQ Bar Association
- Member, American Bar Association
- Member, Maine Bar Association

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2024-2025
- Named, Top Lawyer, Employment & Labor, *Boston Magazine*, 2023, 2024
- Named, Super Lawyer, *Super Lawyers*, 2024
- Named, Rising Star, *Super Lawyers*, 2014-2023
- Named, Best LGBTQ+ Lawyers Under 40, *National LGBTQ+ Bar Association*, 2022
- Member, Leadership Academy, *Massachusetts Bar Association*, 2022
- Editor, Litigation News, *American Bar Association, Section of Litigation*, 2020-2023
- Member, Diverse Leaders Academy, *American Bar Association, Section of Litigation*, 2020-2022
- Named, One of 25 “Up & Coming” Attorneys in the Commonwealth, *Massachusetts Lawyers Weekly, Excellence in the Law*, 2018
- Named, Top 40 Attorney Under 40 in Boston, *National Law Journal*, 2015
- Recipient, First Place, Annual Michael Greenberg National Writing Competition, *National LGBT Bar Association*, 2012

Education

J.D., Northeastern University School of Law, 2012, *with Distinction*

B.A., Boston College, 2006

Phillips Exeter Academy, 2002

Bar Admissions

Massachusetts

Maine

Courts

U.S. Supreme Court

U.S. Court of Appeals, 1st Circuit

U.S. District Court, District of Massachusetts