

BRANDON GASKINS

Member, Litigation

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Brandon Gaskins maintains a broad practice that draws upon wide-ranging experience in litigation, land use, governmental, and employment matters. Realizing that no case or legal issue is exactly the same, Brandon applies his skills flexibly to offer clients strategic and innovative solutions.

Brandon is an accomplished litigator with experience in complex business and contract disputes, land use and zoning disputes, and cases involving violations of non-competition, confidentiality, and other restrictive covenants. In the land use arena, he has successfully challenged governmental entities who have denied clients' development and property rights.

In addition, Brandon maintains a wide-ranging employment law practice, providing advice and litigating matters involving Title VII, Americans with Disabilities Act, Age Discrimination in Employment Act, Fair Labor Standards Act, and the Family and Medical Leave Act. As part of this practice, Brandon regularly counsels employers, executives, and physicians regarding employment contracts, employee termination, wage and hour compliance, restrictive covenants, and other employment-related matters.

Prior to joining the firm, Brandon served as Deputy Chief Counsel to South Carolina Governor Mark Sanford. In this role, Brandon served as a key member of the team representing the governor's office during the high-profile ethics investigation and impeachment proceedings, working with the state legislature, criminal prosecutors, and the media. Since leaving the governor's office, Brandon has continued to represent clients in regulatory and internal investigations.

Capabilities

Civil Litigation
Data Security & Privacy
Employment & Labor
Employment Agreements
ERISA & ESOP
Wage & Hour Compliance

Education

B.A., University of South Carolina, 2001, cum laude & with honors from South Carolina Honors College
J.D., Georgetown University Law Center, 2004

Admissions

South Carolina, 2004
U.S. District Court for the District of South Carolina, 2004
U.S. Court of Appeals, Fourth Circuit, 2004

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Notable

- *Best Lawyers in America*, Commercial Litigation, 2021
- Member, Moore & Van Allen's Attorney Development Committee
- Leadership Charleston, Charleston Metro Chamber of Commerce, 2014-2015
- Member, Federalist Society

Representative Experience

- Secured a \$2.6 million award for client in a bench trial on a breach of contract claim against a municipality for failing to honor a parking license agreement that supported the development of a parking garage
- Obtained a settlement in litigation against a municipality for denial of controversial apartment development. Asserted claims for denial of due process, equal protection rights, and declaratory judgment. Settlement included approval of project and \$375 thousand reduction in development impact fees
- Achieved favorable settlement for a major governmental contractor in False Claims Act investigation into executive compensation by the U.S. Department of Justice (DOJ). DOJ sought more than \$10 million in damages and penalties. Through settlement, the client resolved the dispute as a contractual matter for substantially less than the claimed amount instead of as a FCA violation
- Serving as liaison counsel to defendants in approximately 20 federal court cases involving allegations of trade secret misappropriation that have been consolidated into multidistrict litigation (MDL). Argued before the Judicial Panel on Multidistrict Litigation in support of consolidation
- Represented the South Carolina Office of the Governor in the only impeachment proceeding against a governor in South Carolina history. The South Carolina General Assembly commenced a proceeding to consider a resolution to impeach the governor, but it failed by overwhelming vote of the South Carolina House Judiciary Committee. Served on a team of lawyers that presented standard for impeachment and argued against impeachment
- Serving as co-general counsel for the fourth largest school district in South Carolina, primarily providing employment law advice and counsel on issues arising from workforce of over 4,000 employees
- Successfully defended a developer in an appeal of the city's approval of single-family development of more than 200 homes. A neighboring homeowners' association had appealed the approval on numerous grounds, including alleged adverse traffic and flooding impacts