



Barret V. Van Sicklen Attorney

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608-252-9386

Madison

Barret is a litigation partner located in DeWitt's Madison office. He has a diverse practice, focusing primarily on complex business disputes and labor and employment litigation. Barret provides skilled representation to his clients in state and federal courts, as well as before various administrative agencies.

He has handled a wide array of general commercial litigation matters. He assists companies with the diverse and evolving legal problems they may face, including shareholder/partnership disputes, contract issues, indemnification, collecting on unpaid accounts, landlord/tenant, theft of company information, and insurance coverage issues, to name a few.

His labor and employment practice consists primarily of representing employers in hiring, firing, wage and hour, and discrimination litigation. Barret also works with employers to develop best practices in order to avoid such disputes. He has significant experience litigating the enforceability of non-compete, non-solicitation and confidentiality agreements.

Barret takes pride in providing effective, timely and efficient representation to his clients. Clients have described him as approachable, relatable and able to convey complex legal issues in a manner that can be easily understood. When not in the office, Barret spends his free time with his wife, chasing after their two children and dog.

Clients

Barret provides skilled representation throughout the court system of Wisconsin. He also routinely practices in the Western and Eastern Districts of Wisconsin and the United States Court of Appeals for the 7th Circuit. Additionally, he routinely helps shareholders advise and represent construction

companies in a variety of areas, including: contract disputes, indemnification issues, bid process, lien rights, and collecting on unpaid accounts. His labor and employment practice focuses on protecting companies' confidential information, non-compete disputes, and wage and hour issues. His practice also includes guiding landlords through the eviction process and helping businesses collect on outstanding accounts.

Client Recommendations

“Barret has helped me on more than one occasion resolve some landlord/tenant and collection issues. He has resolved these with positive results in an effective, timely and professional manner. I highly recommend Barret and his law firm, and I will use him again in the future if need be.” – *John McGrady, Vice President (Dean Realty Group, Inc.)*

Notable Representations

- Successfully argued in front of the Wisconsin Supreme Court to end giving deference to agency's conclusions of the law in *Tetra Tech EC, Inc. v. DOR*. The court agreed with his arguments and its decision received national attention in reversing its nearly half-century practice of deferring to state administrative agencies' interpretations of the laws the agencies are responsible for enforcing.
- Successfully represented a construction company as a plaintiff in a lawsuit against another construction company alleging, among other claims, breach of contract, unjust enrichment and misrepresentation.
- Represented a Wisconsin electronics company that skillfully obtained an injunction against a former employee from using its confidential information. The suit involved allegations of unfair competition, tortious interference with business expectancy and theft.
- Represented a construction company as a plaintiff against a sub-contractor involving indemnification and insurance coverage issues.
- Aided several nursing homes to obtain and collect on judgments throughout Wisconsin.
- Successfully defended a dairy company from a wrongful refusal to rehire claim.
- Regularly assists contractors and design professionals with respect to lien rights.
- Successfully defended real estate developer on breach of contract and foreclosure on bond claims.
- Assisted a construction company in an arbitration proceeding related to alleged design defects.
- Successfully represented engineering company on breach of fiduciary duty, breach of contract, and related claims.
- Routinely assists construction and design professional companies with respect to collection matters.

Articles and Presentations

- “Down Goes Deference,” DeWitt Employment Law Blog, January 23, 2019
- “END OF AN AGE: Courts halt deference to agencies’ conclusions of law,” Wisconsin Law Journal, October 9, 2018
- Presenter: “The Lifecycle of an Employment Relationship in Six Acts,” DeWitt Fall Employment Law Seminar, October 2018
- “EEOC’s Strategic Enforcement Plan Adds Priority Regarding Independent Contractor Relationships ,” DeWitt Employment Law Blog, December 15, 2016
- “DOL’s Proposed Changes to FLSA Overtime Rules Expected to Be Published in July 2016 and Become Effective in September 2016,” DeWitt Employment Law Blog, March 10, 2016
- “Department of Labor Proposes Changes to FLSA Overtime Rules,” DeWitt Employment Law Blog, July 29, 2015
- “Update to previous article – Wisconsin Supreme Court Set to Tackle Non-Compete Case,” DeWitt Employment Law Blog, May 7, 2015
- “Wisconsin Supreme Court Set To Tackle Non-Compete Case,” DeWitt Employment Law Blog, August 18, 2014
- “Proposed Bill Would Eliminate Flu Shot Requirement for Healthcare Workers in Wisconsin,” DeWitt Employment Law Blog, February 6, 2014
- “US Senate Passes Employee Non-Discrimination Act to Prohibit LGBT Workplace Discrimination,” DeWitt Employment Law Blog, November 11, 2013
- “AMA Designates Obesity as a Disease,” DeWitt Employment Law Blog, August 12, 2013
- “New Twist in the ‘Irresistible Employee’ Case,” DeWitt Employment Law Blog, July 26, 2013
- “Buying a Company? Be Wary of FLSA-Based Liabilities,” DeWitt Employment Law Blog, May 31, 2013
- “Janie’s Got a Gun...Unless She Sees a Sign or Her Employer Prohibits It,” DeWitt Client Alert, July 14, 2011
- Presenter, “FMLA Update: What Employers Need to Know from an Employment & Employee Benefits Perspective,” DeWitt *HR Roundtable*, September 21-22, 2011
- Presenter at a Lorman Seminar regarding Lien Law

Expertise

- Construction Industry
- Labor & Employment Relations
- Litigation
- Real Estate, Land Use & Construction
- Construction

Education

- J.D., University of Wisconsin Law School
- B.A., University of Chicago

Admissions

- State Bar of Wisconsin
- Supreme Court of Wisconsin
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Courts for the Eastern and Western Districts of Wisconsin

Affiliations

- Dane County Bar Association
- New Lawyers Section Board Member
- Middleton United Board of Directors

Honors

- University of Chicago Athletics Hall of Fame, Men's Soccer
- Wisconsin Rising Stars® (Employment and Labor Law) – Since 2011