



Heather M. Gwinn

PARTNER

Nashville

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RELATED SERVICES

- Employment
- Healthcare
- Cannabis, Hemp & CBD
- Construction Professionals
- Professional Liability Defense
- Entertainment & Recreation
- Construction
- Long-Term Care

OFFICES

- Nashville
- Denver
- Tampa
- Knoxville
- Miami
- Louisville

OVERVIEW

Heather Gwinn is a seasoned litigator, starting her legal career at a well-known Florida full-service law firm and quickly expanding her practice into Colorado, Tennessee, and Kentucky. She has 20 years of experience handling a broad spectrum of commercial litigation claims on behalf of small and medium-sized businesses, public and private entities, and Fortune 500 companies against single plaintiff and class and collective actions.

She has significant experience defending organizations and companies against whom claims of highly sensitive wrongdoing are alleged, including physical and sexual

assaults. She routinely defends malpractice and professional liability claims against individuals in a wide range of industries, including insurance agents and brokers, accountants, attorneys, and directors/officers, and various general and commercial litigation claims, including product liability claims and alleged violations of Sections 1981 and 1983.

She has particular expertise in the healthcare, hospitality, technology, construction, and cannabis industries. Heather is the Managing Partner of the firm's Tennessee offices, including Nashville and Knoxville office.

Healthcare

Heather has defended healthcare providers, including physician practices, medical spas and aestheticians, pediatric and adult home health providers, mental health professionals, skilled nursing and long-term care facilities, and long-term acute care and assisted living facilities against alleged violations of employment practices, claims of violations of professional standards of care, including negligence, wrongful death, physical and sexual abuse, and violations of consumer protection act claims. In addition, she has handled premises liability claims on behalf of these providers.

Construction

Heather represents national residential and commercial builders, real estate agents and brokers, insurance agents and brokers, property managers/developers, architects, engineers, and contractors, defending them against claims of construction defect and toxic tort, violations of the standard of care, non-compliance with ADA public accommodation regulations, and lien enforcement. In addition, she has defended construction industry employers in collective actions, alleging violations of the Fair Labor Standards Act, and claims alleging violations of non-solicitation and non-competition agreements.

Hospitality

Heather advises and represents hotel and restaurant employers, defending against claims of wage and hour violations and alleged violations of employment practices.

Technology

Heather regularly represents software developers and IT consulting companies in theft of trade secrets claims, alleged violations of the standard of care, and various breach of contract claims, including alleged violations of non-solicitation and non-competition agreements.

Cannabis

Heather advises and represents employers in the cannabis industry regarding employer-employee relations and alleged violations of employment practices.

PRESENTATIONS

Heather frequently speaks on employment and healthcare related topics to trade groups, insurers, and her clients. Recent presentations include:

- Loose Lips Still Sink Ship: Avoiding Professional Liability Pitfalls in a Hybrid World, GRSM Legal Education Conference, New York, NY, May 2024
- Loose Lips Still Sink Ship: Avoiding Professional Liability Pitfalls in a Hybrid World, GRSM Legal Education Conference, Hartford, CT, April 2024
- Legalized Marijuana and Its Effect on Long-Term Care (2018)
- Hot Topics Affecting Healthcare Employers (2018)
- Mid-Year Check In: Impact of the New Administration on Your Employee Practices (2017)
- Managing Your Most Valuable Assets – Your Employees (2017)
- The Colorado Elder Abuse Reporting Law: How It Is Being Interpreted and Applied by Law Enforcement Agencies and State Health Regulators a Year Later (2015)
- Don't Leave Me Now: Managing Employee Leave and Understanding the Interplay between Federal Statutory and Regulatory Leave Requirements (2015)
- It's All in a Day's Work: The HR Generalist's Bootcamp (2016)
- Whistleblowers and the False Claims Act (2016)

CREDENTIALS

Admissions

- Colorado
- Florida
- Kentucky
- Tennessee
- U.S. District Court, District of Colorado
- U.S. District Court, Middle, Eastern, and Western Districts of Tennessee
- U.S. District Court, Middle District of Florida
- U.S. District Court, Western District of Kentucky
- U.S. Court of Appeals, Sixth Circuit

Memberships

- American Bar Association, Law Practice Management Section Board Member (2008-2009)
- Tennessee Bar Association

- Nashville Bar Association
- Kentucky Bar Association
- Colorado Bar Association
- Denver Bar Association
- Florida Bar Association

Community Involvement

Heather is a member of the Williamson County Court-Appointed Special Advocates (CASA) Board of Directors, and she and her family support Cheekwood Estate & Gardens, the Nashville Zoo, the Denver Zoo, and various other arts and conservation organizations. She has served as a Guardian ad Litem for more than 400 at-risk children in the states of Colorado and Florida. She also previously served as a member of the Board of Directors for Ronald McDonald House Charities of Colorado.

Education

- J.D., University of Denver Sturm College of Law, 2005
 - *Denver University Law Review* — Symposium Editor
 - Student Bar Association — President
 - Moot Court Board
 - Scholastic Excellence Award — Contracts I and II
 - 2005 Most Innovative Programming Implemented within the Law School Award
 - Outstanding Student Leadership Award (2004 and 2005)
- B.A., Psychology, Wittenberg University, 2000

Internships

- United Kingdom Barristers Legal Intern, Barristers Chambers Nov. 5, London, England (Fall 2005)

Honors

- *Best Lawyers in America*® distinction in Litigation – Healthcare (2023-2025), Litigation – Labor and Employment (2025)
- *Super Lawyers*® Rising Stars distinction in Healthcare and Employment Litigation: Defense (2011-2018)
- *Super Lawyers*® Rising Stars distinction in Employment and Labor (2010)
- LTC Power Lawyers graduate of Class of 2017