

Gottschall in Legal Dive: GCs Urged To Act Before Employees Become Whistleblowers

February 26, 2024 Kurt Gottschall

Haynes Boone Partner [Kurt Gottschall](#) was quoted in *Legal Dive* article with advice for general counsel if an employee comes forward with a misconduct allegation following the U.S. Supreme Court's *Murray v. UBS Securities* ruling earlier this month.

"It's a game changer for whistleblowers," Gottschall told *Legal Dive*.

While whistleblowers must prove their protected reporting activity was a contributing factor in an employer's personnel action against them – firing them or going after their severance pay, for example – the Supreme Court found the burden then shifts to employers to show they would have taken the same action in the absence of whistleblowing activity.

"In any litigation, shifting the burden of proof is a huge deal," said Gottschall, a former chief of the Securities and Exchange Commission's Denver office. "Murray is a shot across the bow. This will tilt the playing field in favor of employees."

To read the full article in *Legal Dive*, click [here](#).