

M. Scott Fisher, Jr.

Partner | Richmond

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Scott Fisher was born and raised in Richmond, Virginia. He focuses his practice on defending public entities, constitutional officers, and their employees who are involved in litigation. Scott has successfully represented his clients in state and federal courts in cases involving constitutional violations and claims under federal law. He also handles cases involving claims of discrimination under Title IX, Title VII, the Americans with Disabilities Act, and the Age Discrimination in Employment Act. Scott's diverse practice also includes the areas of defamation, intentional torts, transportation, premises, products, commercial, and construction. Scott prides himself in identifying his clients' true litigation interests and finding creative and cost effective solutions. Scott's practice includes handling matters in Virginia and the District of Columbia.



Assistant: Renee Hausenflock
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Paralegal: Chandra Wagner
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Professional Activities & Honors

- Federal Bar Association, Richmond Chapter
 - Board (2016 – 2018)
 - Government Relations Liaison to FBA National
- Henrico County Bar Association
- Richmond Bar Association
- Virginia Bar Association
- Virginia Association of Defense Attorneys
- Defense Research Institute
- Local Government Attorneys Association
- Virginia State Bar
 - Young Lawyers Conference
 - Chair, Committee on Admission and Orientation (2012 – 2013)
 - Sponsor Coordinator & Ad Hoc Admissions (2011 – 2012)
- Virginia Super Lawyers – Rising Stars (2013 – 2022)
 - Civil Litigation: Defense
 - Civil Rights
- Colorado Super Lawyers – Rising Stars (2019)
 - Civil Litigation: Defense
- Virginia Business Legal Elite (2019 – 2023)
 - Civil Litigation
 - Young Lawyer

Publications

- Presenter, "Defending Police Liability Claims," NBI CLE, 2017
- Co-Author, "The Juvenile Justice System," *NASW Law Note Series*, 2010
- Author, "Psychiatric Advance Directives and the Right to be Presumed Competent," *Journal of Contemporary Health Law & Policy*, Vol. 25 Issue 2, 2009
- Co-Author, "Social Workers and the Legal Rights of Students: Part II," *NASW Law Notes of the General Counsel*, 2008

Reported Cases

- *Bethea v. Howser*, 447 F. Supp. 3d 497 (E.D. Va. 2020)
- *Evans v. ForKids, Inc.*, 306 F. Supp. 3d 827 (E.D. Va. 2018)
- *Jaramillo v. Crain*, No. 1:18-CV-0499-RM-KMT, 2019 WL 1417198, at *1 (D. Colo. Mar. 29, 2019)
- *Adams v. Ferguson*, 884 F.3d 219 (4th Cir. 2018)
- *Altamira-Rojas v. City of Richmond*, 184 F.Supp. 3d 290 (E.D. Va. 2016)
- *Pleasants v. Town of Louisa*, No. 3:11-CV-00032, 2014 WL 1050430 (W.D. Va. Mar. 18, aff'd sub nom. *Pleasants v. Rigsby*, 603 F. App'x 126 (4th Cir. 2015))
- *Woodson v. City of Richmond, Va.*, 2 F.Supp.3d 804, 807 (E.D.Va. 2014)
- *Pleasants v. Town of Louisa*, 847 F. Supp. 2d 864 (W.D. Va. 2012), aff'd in part, rev'd in part, 524 F. App'x 891 (4th Cir. 2013)
- *Prescott v. Wade*, 4:12CV126, 2013 WL 1352168 (E.D. Va. Apr. 2, 2013)
- *Henderson v. Labor Finders of Virginia, Inc.*, 3:12CV600, 2013 WL 1352158 (E.D. Va. Apr. 2, 2013)
- *Lee v. Marks*, 3:11CV815-JAG, 2013 WL 775379 (E.D. Va. Feb. 28, 2013)
- *Piland v. White*, 85 VA. Cir. 45 (Chesapeake 2012)
- *Lawson v. Miles*, 1:11CV949 AJT/IDD, 2012 WL 3242349 (E.D. Va. Aug. 6, 2012)

Representative Experience

- Obtained favorable jury verdict in a premises liability case for a national grocery chain despite spoliation of video evidence of the incident.
- Successfully obtained summary judgment on behalf of a police officer in a \$10 million Section 1983 use force case asserting claims for wrongful death and permanent injuries.
- Assisted in the defense of a school board in a nationally recognized case involving alleged violations of Title IX and the Equal Protection Clause.
- Successfully defended a school board against age discrimination claims.
- Obtained summary judgment on behalf of a police officer in a \$10 million wrongful death excessive force lawsuit.
- Obtained defense verdict after jury trial on behalf of three police officers in a \$5.3 million lawsuit where plaintiff alleged unlawful entry, assault, battery, false arrest, and illegal search.
- In a case of first impression in the Fourth Circuit, obtained qualified immunity on behalf of code enforcement inspectors for discrimination claims under the Fair Housing Act.
- Obtained dismissal at the pleading stage of a Section 1983 unlawful entry claim and summary judgment of a Section 1983 false arrest claim on behalf of a police officer who conducted welfare checks on a minor living with her mother during a heated custody battle.
- Obtained a defense verdict after jury trial on behalf of a Virginia city in a \$10 million inverse condemnation case.
- Obtained summary judgment on behalf of two social workers in a \$3.7 million lawsuit where plaintiffs sued for violation of their Constitutional due process rights and malicious prosecution.
- Obtained summary judgment on behalf of a police officer in a \$10 million lawsuit where plaintiff asserted violations of constitutional rights against excessive force, assault, battery, gross negligence, and wrongful death.
- Obtained summary judgment on behalf of a police officer in a lawsuit where plaintiff asserted violations of Constitutional rights against unlawful entry.
- Obtained summary judgment on behalf of a national retailer in a \$500,000 premises liability case.
- Obtained dismissal with prejudice at the pleading stage on behalf of an employer who was sued for claims for employment discrimination, defamation, and assault and battery.
- Obtained dismissal with prejudice at the pleading stage on behalf of two jail officers where plaintiff sued for violations of Constitutional rights against excessive force.
- Obtained a defense verdict after jury trial on behalf of four school administrators in a \$10 million school bullying case in which a student committed suicide allegedly as the result of the administrators' failure to adequately stop the student from being bullied.

The cases referenced above do not represent the lawyer's entire record. Each case must be evaluated on its own facts. The outcome of a particular case cannot be based on past results.

Education

- University of Virginia, B.A. (2005)
- The Catholic University of America, Columbus School of Law, J.D. (2009)

Bar & Court Admissions

- Virginia State Bar
- District of Columbia Bar
- Colorado State Bar
- United States District Courts for the Eastern and Western Districts of Virginia
- United States District Court for the District of Columbia
- United States District Court for the District of Colorado
- United States Court of Appeals for the Fourth Circuit