

## JOHN P. GONZALES

CO-CHAIR, PUBLIC ENTITY & CIVIL RIGHTS LITIGATION PRACTICE GROUP  
SHAREHOLDER

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### AREAS OF PRACTICE

Employment Law  
Public Entity & Civil Rights  
Litigation  
School Leaders' Liability

### CONTACT INFO

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Philadelphia, PA 19103

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### ADMISSIONS

Pennsylvania  
1994

U.S. District Court Eastern  
District of Pennsylvania  
1994

U.S. District Court Middle  
District of Pennsylvania  
2000

U.S. Court of Appeals 3rd  
Circuit  
2006

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## EDUCATION

Temple University  
Beasley School of Law  
(J.D., 1993)

University of Scranton  
(B.A., 1989; M.A. 1989)

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## HONORS & AWARDS

AV® Preeminent™ by  
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The Best Lawyers in  
America©, Employment  
Law - Management  
2024-2026

Pennsylvania Super  
Lawyers  
2019-2020, 2023-2025

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## ASSOCIATIONS & MEMBERSHIPS

Montgomery County Bar  
Association

Pennsylvania Bar  
Association

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## YEAR JOINED

1994

## OVERVIEW

John is a shareholder in the Philadelphia office of Marshall Dennehey and serves as Co-Chair of the Public Entity & Civil Rights Litigation Practice Group. He practices in the areas of civil rights, municipal liability, school claims and employment law.

John has represented police officers and public officials in state and federal court in all aspects of civil rights litigation including claims involving use of force, wrongful arrest and land use. In addition, John has represented public and private employers in wrongful discharge, employment discrimination and defamation claims from administrative proceedings through trial. John has tried dozens of cases in state and federal courts and argued cases before the Third Circuit Court of Appeals.

In addition to his trial work, John has presented numerous seminars to police departments, law firms and government agencies in the areas of police practices, civil rights issues and municipal liability. He has consulted with police departments concerning the development of policies and procedures and provided advice and guidance to employers concerning employment-related matters.

John received his *juris doctor* from Temple University School of Law, where he was a member of the Moot Court Honor Society, and graduated from the University of Scranton with a Bachelor of Arts in history and philosophy and a Master of Arts in history. He is admitted to practice in Pennsylvania and the U.S. District Courts for the Eastern and Middle Districts of Pennsylvania and the Third Circuit Court of Appeals.

### **98 Marshall Dennehey Attorneys Recognized in the 2026 Editions of The Best Lawyers in America® and the Best Lawyers: Ones to Watch® in America**

August 20, 2025

Marshall Dennehey is proud to highlight the firm's 98 attorneys who have been recognized in the 2026 editions of The Best Lawyers in America® and the Best Lawyers: Ones to Watch® in America. Less than 6% of all practicing lawyers in the U.S.

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### **Marshall Dennehey Announces 2025 Pennsylvania Super Lawyers and Rising Stars**

May 22, 2025

Thirty-three attorneys across Marshall Dennehey's five Pennsylvania offices have been selected to the 2025 edition of Pennsylvania Super Lawyers magazine.

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### **Marshall Dennehey Announces 2024 Pennsylvania Super Lawyers and Rising Stars**

May 17, 2024

Twenty-eight attorneys across Marshall Dennehey's six Pennsylvania offices have been selected to the 2024 edition of Pennsylvania Super Lawyers magazine.

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## **CLASSES/SEMINARS TAUGHT**

*Workers' Compensation Winter Roundup*, Graham Company webinar, December 15, 2020

*Understanding the Debate with the ADA, FMLA and Workers' Compensation*, Marshall Dennehey webinar, October 27, 2020

*Mitigating the Risk of Workplace Bullying*, Marshall Dennehey Workers' Compensation Seminar, October 24, 2019

Local Government Immunity in Pennsylvania, Client Seminar, October 2018

*Deal or No Deal - Improving Your Negotiating Strategy*, Philadelphia Law Department, August 2018

*Legal Updates for Law Enforcement*, Pennsylvania Chiefs of Police Association's Centennial Training Education Conference, July 14, 2014

*Managing a Maturing Workforce: The Legal Perspective*, Delaware Valley Trust, June 2014

*Social Media & Cyber Breaches: the Internet's Impact on Your Business*, The Graham Company, co-presenter, May 2014

*Navigating The Bermuda Triangle: The Intersection of Workers' Compensation, FMLA and ADA*, Roadmap to Success - Understanding Workers' Compensation, Marshall Dennehey seminar, October 24, 2013

*Hot Topics in Employment*, Marshall Dennehey / AIG Seminar, Philadelphia, PA, October 10, 2013

*Land Use Litigation and Liability Issues for Local Government*, Delaware Founders Insurance Trust, September 2011

*Land Use Civil Rights and Avoiding Liability* video and webinar, Delaware Valley Insurance Trust, 2009

*Police Liability Seminar*, Delaware Valley Insurance Trust, November 2007

*Law Enforcement Seminar - Use of Force Issues*, Dauphin County, 2006

*Train the Trainers Program*, Municipal Police Officer Education and Training Commission, November 2005

*Use of Force in Pennsylvania*, Lorman Education Services, CLE, February 4, 2005

*Use of Force in Pennsylvania*, Lorman Education Services, CLE, February 6, 2004

*Tort Claims Act*, Delaware Valley Insurance Trust, March 2004

*Civil Rights Liability*, Delaware Valley Insurance Trust, March 2004

## **PUBLISHED WORKS**

"Pennsylvania's Emergence Code: An Additional Level of Protection for Municipalities and Their Employees Performing Emergency Services," *Defense Digest*, Vol. 6, No. 2, April 2000

Co-author, "Sex-Based Shift Assignments: Employers May Use Common Sense," *Defense Digest*, Vol. 2, No. 7, 1996

Co-author, "Employment Discrimination Claims: Arbitration Under Collective Bargaining Clauses," *Defense Digest*, Vol. 2, No. 6, 1996

Co-author, "Third Circuit Takes Pennsylvania Beyond 402(A)," *Defense Digest*, Winter, 1994

## RESULTS

### Dismissal of Police Officers Secured Via Sanctions Imposed

#### **Public Entity & Civil Rights Litigation**

**August 22, 2025**

We had our clients dismissed via sanctions imposed. On Jan. 6, 2011, Charles Sample was arrested by officers of the Philadelphia Police Department's Narcotics Field Unit. The plaintiff alleged the officers seized \$40,000 in cash from his vehicle, falsified a search warrant affidavit, disregarded proper procedures and withheld exculpatory evidence, leading to drug charges. The plaintiff entered a guilty plea for probation to avoid a lengthy prison sentence. On Jan.

### Summary Judgment Granted in First Amendment Retaliation Claim Case

#### **Public Entity & Civil Rights Litigation**

**May 16, 2025**

We were granted summary judgment in the dismissal of a First Amendment retaliation claim. The case was brought against our client, the borough manager, as well as the borough and several other of its employees. The plaintiff worked as a trash man in the Streets Department. With regard to the borough manager, the plaintiff alleged First Amendment retaliation under 42 U.S.C. § 1983, claiming a hostile work environment due to racial slurs and discriminatory behavior by coworkers and supervisors.

### Summary Judgment Obtained in a Section 1983 Malicious Prosecution Case

#### **Public Entity & Civil Rights Litigation**

**February 12, 2025**

We obtained summary judgment on behalf of several Philadelphia narcotics police officers in a Section 1983 malicious prosecution and fabrication of evidence lawsuit. The U.S. District Court for the Eastern District of Pennsylvania dismissed the case, with prejudice, finding the

record was barren of any fabricated evidence by any of the defendant officers that was ever used in or influenced any criminal proceeding against the plaintiff, the officers possessed probable cause to charge the plaintiff, and the plaintiff tendered no evidence of an underlying constitutional violation.

## Summary Judgment Secured in a Section 1983 Substantive Due Process Case

### **Public Entity & Civil Rights Litigation**

**December 23, 2024**

We obtained summary judgment in a Section 1983 substantive due process claim involving a Philadelphia police officer. The officer had taken a photo of the plaintiff's son after he attempted suicide by jumping off a bridge, and the photo was later circulated on social media. The plaintiff alleged that circulation of the photo violated her substantive due process privacy rights, and she also asserted a claim for intentional infliction of emotional distress. One week before trial began, the Honorable Mark Kearney, U.S.

## Defense Verdict Received in Title VII/Section 1983 Sexual Harassment Case

### **Public Entity & Civil Rights Litigation**

**May 9, 2024**

We obtained a defense verdict in a Title VII/Section 1983 sexual harassment case. This claim was filed against a City in Pennsylvania and was heard in the U.S. District Court for the Eastern District of Pennsylvania. The plaintiff alleged that she was subjected to a hostile work environment by a City official, and that the City failed to take appropriate remedial measures. The jury concluded that the plaintiff failed to prove that she was sexually harassed after deliberating for just over an hour.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Defense verdict for local police department in case involving false arrest and malicious prosecution arising out of the misidentification of a suspect in a police lineup.

Defense verdict for county employer in case involving Title VII Sex Discrimination in the termination of a county court reporter.

Defense verdict for county employer in case involving allegations of sexual harassment and hostile work environment at a county prison.

Defense verdict for local police department in case involving allegations of false arrest and excessive force arising out of the arrest of a suspect who allegedly assaulted a police officer during a traffic incident.

Successful defense of a local police department in the district court and then on appeal to the Third Circuit in case involving allegations of excessive force in the death of a suspect who was alleged to have died while in custody from compression asphyxia.

Successful defense of a local municipality in the district court and then on appeal to the Third Circuit in case involving a land use civil rights claim that a developer's substantive due process rights were violated in the context of zoning and land use decisions by a Board of Supervisors.

Defense verdict for county employer in case involving claims of first amendment retaliation by a former deputy chief probation officer.

Defense verdict for local police officers accused of wrongfully arresting a husband in a domestic dispute.

Defense verdict for township detective accused of racial discrimination and conspiracy by an African American police officer in a failure to hire case.