



# Patricia M. Marvez-Valiente

## Special Counsel

Direct Dial: (787) 773-1431 | Fax: (787) 766-7001

[pmarvez@ferraiuoli.com](mailto:pmarvez@ferraiuoli.com)

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### Practice Areas

**Corporate**

Mergers & Acquisitions

**Labor & Employment Law**

Employment Litigation & Dispute Resolution

### Education

Interamerican University of Puerto Rico  
School of Law, 2002

University of Miami, B.A. General Honors,  
1999, Major: Political Science J.D. Cum  
Laude

### Bar Admissions

Commonwealth of Puerto Rico

U.S. District Court, District of Puerto Rico

U.S. Court of Appeals, First Circuit

Patricia M. Marvez-Valiente is Special Counsel in our Labor & Employment practice. In her 16 years of experience as a litigator defending and counseling employers and management in industries like hospitality, service, healthcare, pharmaceutical and manufacturing, Ms. Marvez has effectively partnered with her clients to satisfy their business needs and achieve their legal goals. Ms. Marvez' practice includes labor and employment law litigation in local and federal courts, administrative agencies and arbitration forums covering claims of discrimination, retaliation, wrongful discharge, sexual harassment, defamation, employment torts, employment contracts, workers' compensation, and welfare benefits, to name a few. She has extensive experience in federal litigation supported by a successful motion practice in employment cases at the U.S. District Court and U.S. Court of Appeals levels.

Another one of her hallmarks is a strong consulting practice. She assists employers in the creation and revision of their employment policies and employee training and, advises them on disciplinary and internal investigative processes, complex issues involving highly compensated individuals, employee classification, administration of leaves of absence, requests for reasonable accommodation, employee terminations, planning and execution of reductions in force, among other matters.

Ms. Marvez also covers the welfare benefits arena and provides legal counsel and representation in litigation to plan sponsors and administrators on issues affecting the administration of group health plans and compliance with applicable laws and regulations, such as ERISA, HIPAA, and COBRA.

Based on her years of exposure to litigation, labor compliance and preventive consulting, Ms. Marvez' approaches mergers and acquisitions from the

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employment law perspective with the necessary know-how. Thus, she efficiently helps clients in their due diligence when commencing, merging or closing operations in Puerto Rico and guides them through the labor and employment-related statutory and regulatory requirements.

Prior to joining Ferraiuoli, Ms. Marvez worked at another top Puerto Rico law firm as a labor and employment law attorney on behalf of employers.

### Representative Cases or Transactions

- Wilfredo Gaudinó v. Destilería Serrallés, JPE2016-0154 (May 2018, Summary Judgment in favor of employer dismissing all claims of religious and racial discrimination.)
- Felipe Durán-Seijó v. Autopistas de Puerto Rico, Civil No. 17-1159 (ADC) (2018) Successful removal of civil claim to federal court. Motion to dismiss for lack of subject matter jurisdiction filed on behalf of defendant resulted in plaintiffs' withdrawal of claim.
- Gloria Ortiz-Martínez v. Fresenius Health Partners PR, LLC et.al., 261 F.Supp.3d 276 (District Puerto Rico 2016) affirmed by 853 F.3d 599 (1st Circuit 2017) (Court of Appeals affirmed District Court's summary judgment on behalf of employer because employee's claims that employer failed to provide reasonable accommodation were unsuccessful due to employee's refusal to engage in interactive process. Thus, no employer liability ensued.)
- Edgardo González v. The Ritz-Carlton, San Juan Hotel, Spa & Casino, Case No. 01-14-0000-3479. Arbitration Award in employer's favor issued on February 16, 2016, by the American Arbitration Association upon granting its motion for summary judgment concluding that Claimant, a long-time employee, had been dismissed with just cause due to a grave offense.
- Yamil Valentín v. Johnson & Johnson Services, Inc., 2015 WL 3422660. District Court granted defendant-employer's motion for summary judgment and dismissed all religious and disability discrimination claims against it.
- Lourdes Galarza Peña v. Marriott Puerto Rico Management Corp., 2014 WL 3840778 (June 12, 2014) Puerto Rico Appeals Court reversed Court of First Instance's decision to issue a permanent injunction against Defendant which ordered the employee's reinstatement after she was suspended for her refusal to comply with essential job requirements. The Appeals Court went on to determine that Galarza's lack of compliance with the essential job requirements constituted just cause for termination of employment under Puerto Rico Law 80.
- Diana Soto Fonalledas v. The Ritz-Carlton, San Juan Hotel, Spa & Casino, 640 F.3d 471 (1st Circuit 2011) Decision upholding validity of employment arbitration agreement.
- Francisco J. Vázquez Cabello et. al. v. Wyeth Ayerst Lederle, Inc., Civil No. 06-1045 (JAG). Opinion and Order issued on March 24, 2008, in employer's favor granting its motion for summary judgment and dismissed with

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- prejudice all federal and state claims under the ADEA and the Puerto Rico anti-discrimination statute, Law 100.
- Judy Colón et.al. v. San Juan Marriott and Stellaris Casino, 600 F.Supp.2d 295 (D. Puerto Rico 2008) (Summary judgment on behalf of the Company dismissing all but one claim due to issues of fact).

Successful representation of the Ritz-Carlton Hotel in multiple federal and local judicial claims repeatedly upholding the validity of the Company's employment arbitration agreement and removal of said claims to arbitration; e.g. Edgardo González v. Luxury Hotels International of P.R., Civil No. KPE 2013-1564; Diana Soto Fonalledas v. Ritz-Carlton San Juan Spa & Casino, Civil No. KPE 2012-2269; Wilfredo Barbosa González v. The Ritz-Carlton Hotel Company, Inc., Civil No. FPE2011-0818.

Assisted various employers in the retail industry with the establishment of Puerto Rico operations and store openings.

### Publications

Co-Editor of the Puerto Rico Chapter in the Littler Mendelson Guide to International Employment Labor Law for 2010 and 2012. Co-Editor of the Puerto Rico Section of the "Getting the Deal Through: Labour and Employment" publication in 2009 and 2010.