

Ben Roach

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DES MOINES OFFICE

Ben Roach is a litigator whose practice focuses on [labor and employment](#) and commercial disputes. He draws on his problem-solving skills to serve his clients. While he has taken over 25 cases to trial or arbitration hearing, going all the way to that final step may not be the best result in many situations.

His interest in employment law was apparent early on. "I think from a human element that these stories are probably more interesting and the facts more varied," Ben says. "Everyone has been an employee at some point, so there is a common experience among all participants in these types of cases."

In his employment law cases, Ben represents employers—litigating, defending, and advising on employee terminations, discrimination, and retaliation issues. Ben has been involved in several employment and business disputes involving executives, professionals, and owner employees. Ben also focuses on the legal aspects of non-compete agreements, non-disclosure agreements, and drug testing, subjects on which he's written articles and delivered speeches. Ben represents employers in most industries, and has extensive experience with health care, financial and insurance clients.

In his commercial dispute work, Ben aims to find the most efficient solutions to problems, rather than the most obvious ones. Ben helps companies navigate contract disputes, shareholder disputes and almost any other situation that results in businesses or people being in conflict. Ben also represents lenders in cases involving collections, fraud allegations, and vendor issues. In all cases, he tries to take a rational and reasonable look at the facts—an approach in which he takes pride. "While I will always be an advocate for my client, sometimes part of that process is taking a step back and seeing how a judge or jury might view the situation." It also doesn't hurt that he's surrounded by a wealth of intelligent colleagues at Nyemaster. "I work with a lot of great people who have great experience," Ben says. "We can bounce ideas off each other."

In all his cases, finding the right solution for his clients takes precedence. "There's some type of problem, issue or dispute, and the goal is to find the best solution to it," Ben says. "And it's different in every situation. Sometimes it may be presenting the best case at trial, other times it may be finding the best settlement, or finding the best solution that avoids the need for any type of litigation."

When Ben handles complicated cases, he likes to involve the client as much as possible. "I try to provide the best advice to the client so they're part of the decision-making process and are fully aware of what's at stake," he says.

RECOGNITION

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PRACTICE AREAS

- Labor & Employment
- Employment Counseling & Risk Avoidance
- Employment Litigation
- OSHA Compliance & Enforcement
- Trade Secret & Noncompete Litigation
- Litigation
- Banks & Financial Institution Litigation
- Business & Commercial Litigation
- Construction & Real Estate Litigation
- Cybersecurity & Privacy
- Employment, Labor & Discrimination
- Health Care Litigation

EDUCATION

- University of Northern Iowa (B.A.)
- University of Iowa (J.D., with high distinction)

BAR ADMISSIONS

- Iowa
- Admitted to practice in all state and federal courts in Iowa
- Eighth Circuit Court of Appeals

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Benchmark Litigation

- Local Litigation Star, 2020
- Future Star, 2019
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PROFESSIONAL & COMMUNITY AFFILIATIONS

American Bar Association

Iowa State Bar Association

- Labor and Employment Law Section
- Construction Law Section

Polk County Bar Association

Junior Achievement

Board Member

SIGNIFICANT CASES

Winters v. Deere & Co., 63 F.4th 685 (8th Cir. 2023). Granted Summary Judgment dismissing claim of failure to accommodate and disability discrimination. Affirmed on appeal.

Schmitz v. Nevada Community School District et al., No. 22-0801 (Iowa Ct. App., Feb. 22, 2023). Affirming summary judgment enforcing severance and release agreement and dismissing claim of wrongful discharge.

PSFS 3 Corporation v. Seidman, 962 N.W.2d 810 (Iowa 2021). Affirmed trial judgment in favor of creditor concerning hundreds of finance contracts despite multiple theories challenging enforceability of contracts and procedural aspects of case.

Bradshaw v. Cedar Rapids Airport Commission, Case No. 16-1639, N.W. 2d (Iowa Ct. App. Sept. 13, 2017). Successfully defended employer against claim for breach of contract related to severance pay. Obtained summary judgment in favor of employer that was upheld on appeal. Successful Cross-Appeal resulted in no recovery for the former employee Plaintiff.

Hasenwinkel v. Mosaic et al., 809 F.3d 427 (8th Cir. 2015). Affirmed grant of summary judgment dismissing plaintiff's entire case, which included claims of interference and retaliation under the FMLA and wrongful discharge in violation of the public policy of Iowa.

ARAG N. America, Inc. v. Turjanica, Case No. LACL133599 (Iowa Dist. Ct. 2015). Granted motion for temporary injunction enforcing noncompetition agreement and prohibiting former employee from working for competitor or misappropriating trade secrets.

Wellmark, Inc. v. Little, Case No. LACL132406 (Iowa Dist. Ct. 2015). Granted motion for temporary injunction prohibiting former employee from using or disclosing confidential information.

Bossart v. Cent. Freight Lines, Inc., Case No. 2-470/11-1843 (Iowa Ct. App. 2012). Granted verdict in favor of landlord client for breach of a lease after trial. Affirmed, in part, on appeal.

NCMIC Fin. Corp. v. Parrott, Case No. LACL112339 (Iowa Dist. Ct. 2012). Granted judgment in finance company's favor after trial. The ruling enforced an equipment finance agreement despite defendant's claims of fraud and other improper actions by equipment supplier.

NCMIC Fin. Corp. v. Ward, Case No. LACL115764 (Iowa Dist. Ct. 2012). Granted judgment in finance company's favor after trial. The ruling enforced equipment finance agreement despite defendant's claims of fraud and other improper actions by equipment supplier.

Fish v. The Iowa Clinic, P.C., Case No. CL117803 (Iowa Dist. Ct. 2011). Granted defense verdict in favor of medical practice after trial on plaintiff's claim for wages under Iowa Wage Payment Collection Act. Also granted verdict in client's favor on counterclaim.