MISSION STATEMENT

With increasing litigation and governmental involvement, the rapidly evolving workplace requires a pragmatic approach, innovative solutions, and thoughtful attention to prevent issues from arising and solve them when they do. The USLAW NETWORK Employment & Labor Law Group provides top-quality, effective, and cost-efficient legal services to private and public sector employers facing a broad spectrum of labor and employment issues.

Members of the USLAW Employment & Labor Practice Group focus on supplying real-world tailored solutions to labor and employment issues. They work collaboratively with our clients’ in-house legal and human resources professionals to ward off potential challenges with carefully planned policy formation, implementation and training.

WHY CHOOSE USLAW EMPLOYMENT & LABOR LAW FIRMS?

With highly qualified and experienced employment & labor attorneys located throughout the country, group members are uniquely positioned to offer cutting edge legal services in a cost-effective manner. The Group’s nationwide presence and expertise permits us to respond expeditiously to clients wherever and whenever our members are needed. Through the group’s extensive collective experience representing both private and public sector clients, member attorneys have gained a deep understanding of our clients’ needs and goals in dealing with employees and labor unions.

While our members must conform to the highest standards of excellence and integrity, it is our personalized attention to our clients that sets USLAW apart. The group’s wealth of experience in a wide variety of industries and with employers ranging from small “mom and pops” to Fortune 100 companies allows them to better counsel clients on the day-to-day problems they encounter.

By working together, USLAW firms’ employment & labor law practice groups offer our clients all of the benefits of national representation without compromising our commitment to providing outstanding and timely service. Through our outreach efforts, including national seminars and local training opportunities, the members aim not only to offer premiere, cost-effective, legal representation, but also to continue to develop and strengthen relationships with our industry partners, allowing our members to better serve the business community.

Group members believe their clients are best served through preventive measures such as careful policy drafting and effective training. To that end, we are often on-site with employers, identifying ways to strengthen personnel policies and providing innovative solutions to workplace challenges. In addition, we provide training to supervisors and managers on a wide array of topics, including sexual harassment, unlawful discrimination, workplace investigations, and violence in the workplace.

Even with the most careful planning, employers cannot entirely avoid litigation. Group members have extensive experience in all phases of litigation – from administrative agency proceedings to litigation in state and federal courts throughout the country. Member attorneys are keenly aware of the potential pitfalls in administrative investigations and regularly assist employers in responding to Department of Labor, EEOC, NLRB, OFCCP and OSHA audits and investigations at the federal, state and local levels. Should litigation arise, USLAW clients are well-positioned by having all of the benefits of a large national practice with attorneys familiar with the local rules, judges and trends for nearly every jurisdiction.

AREAS OF PRACTICE

Our group members handle the full spectrum of employment and labor issues, including:

- Administrative law agency/tribunal matters
- Affirmative Action – Executive Order 11246
- Age Discrimination in Employment Act
- Alternative Dispute Resolution
- Americans with Disabilities Act
- Civil Rights §1983 Claims
- Class Action Defense
- COBRA
- Collective Bargaining
- Discrimination Claims – Title VII
- Drug and Alcohol Testing
- Employee Benefits
- Employment Contracts
- Employment Practices Liability Insurance
- Equal Pay Act
- ERISA
- Fair Labor Standards Act
- Family and Medical Leave Act
- Handbooks and Personnel Policies
- Immigration
- National Labor Relations Act
- Non-Competition Agreements
- Occupational Safety and Health Act
- Older Workers Benefits Protection Act
- Retaliation Claims
- Unemployment
- WARN Act
- Workers’ Compensation
- Workplace Violence
- Wrongful Discharge
IT’S NEVER BEEN EASIER TO STAY ON TOP OF TODAY’S MOST IMPORTANT EMPLOYMENT AND LABOR LAW ISSUES

Just tell us when, and our team of experienced attorneys will arrive at your door.

INTRODUCING a completely customizable one-stop educational program that delivers information on today’s trending topics directly to your office or a pre-selected local venue.

We focus on the specific markets where you do business and utilize a team of experienced attorneys who can share relevant jurisdictional knowledge important to your business’ needs.

Whether it is a one-hour “lunch and learn”, half-day intensive program or simply an informal meeting discussing a specific legal matter, USLAW will structure the opportunity to your requirements – all at no cost to your company.

To get started, email roger@uslaw.org or fax request to 800-231-9110...and we’ll take it from there.

LAWMOBILE
Your Terms. Our Know-How...Information That Delivers.
Mega-firms...big, impersonal bastions of legal tradition, encumbered by bureaucracy and often slow to react. The need for an alternative was obvious. A vision of a network of smaller, regionally based, independent firms with the capability to respond quickly, efficiently and economically to client needs from Atlantic City to Pacific Grove was born. In its infancy, it was little more than a possibility, discussed around a small table and dreamed about by a handful of visionaries. But the idea proved too good to leave on the drawing board. Instead, with the support of some of the country’s brightest legal minds, USLAW NETWORK became a reality.

Fast-forward to today.
The commitment remains the same as originally envisioned. To provide the highest quality legal representation and seamless cross-jurisdictional service to major corporations, insurance carriers, and to both large and small businesses alike, through a network of professional, innovative law firms dedicated to their client’s legal success. Now as a diverse network with more than 6,000 attorneys from more than 60 independent, full practice firms with roots in civil litigation across the U.S., Canada, Latin America and Asia, and with affiliations with TELFA in Europe, USLAW NETWORK remains a responsive, agile legal alternative to the mega-firms.

Home Field Advantage.
USLAW NETWORK offers what it calls The Home Field Advantage which comes from knowing and understanding the venue in a way that allows a competitive advantage – a truism in both sports and business. Jurisdictional awareness is a key ingredient to successfully operating throughout the United States and abroad. Knowing the local rules, the judge, and the local business and legal environment provides our firms’ clients this advantage. The strength and power of an international presence combined with the understanding of a respected local firm makes for a winning line-up.

A Legal Network for Purchasers of Legal Services.
USLAW NETWORK firms go way beyond providing quality legal services to their clients. Unlike other legal networks, USLAW is organized around client expectations, not around the member law firms. Clients receive ongoing educational opportunities, online resources including webinars, jurisdictional updates, and resource libraries. We also provide a semi-annual USLAW Magazine, USLAW DigiKnow, which features insights into today’s trending legal topics, compendiums of law, as well as annual membership and practice group directories. To ensure our goals are the same as the clients our member firms serve, our Client Leadership Council and Practice Group Client Advisors are directly involved in the development of our programs and services. This communication pipeline is vital to our success and allows us to better monitor and meet client needs and expectations.

USLAW Abroad.
Just as legal issues seldom follow state borders, they often extend beyond U.S. boundaries as well. In 2007, USLAW established a relationship with the Trans-European Law Firms Alliance (TELFA), a network of more than 20 independent law firms representing more than 1000 lawyers through Europe to further our service and reach.

How USLAW NETWORK Membership is Determined.
Firms are admitted to the NETWORK by invitation only and only after they are fully vetted through a rigorous review process. Many firms have been reviewed over the years, but only a small percentage were eventually invited to join. The search for quality member firms is a continuous and ongoing effort. Firms admitted must possess broad commercial legal capabilities and have substantial litigation and trial experience. In addition, USLAW NETWORK members must subscribe to a high level of service standards and are continuously evaluated to ensure these standards of quality and expertise are met.

USLAW in Review.
• All vetted firms with demonstrated, robust practices and specialties
• Efficient use of legal budgets, providing maximum return on legal services investments
• Seamless, cross-jurisdictional service
• Responsive and flexible
• Multitude of educational opportunities and online resources
• Team approach to legal services

The USLAW Success Story.
The reality of our success is simple: we succeed because our member firms’ clients succeed. Our member firms provide high-quality legal results through the efficient use of legal budgets. We provide cross-jurisdictional services eliminating the time and expense of securing adequate representation in different regions. We provide trusted and experienced specialists quickly.

When a difficult legal matter emerges – whether it’s in a single jurisdiction, nationwide or internationally – USLAW is there. Success.

For more information, please contact Roger M. Yaffe, USLAW CEO, at (800) 231-9110 or roger@uslaw.org
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Brett Adair is a shareholder in Carr Allison's Birmingham office and chairs the firm's Employment Law section. He represents employers throughout the United States in matters such as: discrimination and sexual harassment allegations, whistle-blower claims, employee benefit issues, employment tort and contract claims, wage and hour issues, OSHA investigations and contests, workers' compensation retaliation claims, non-compete agreement disputes, misappropriation of trade secrets claims and unfair competition claims.

Brett counsels clients on numerous federal employment matters, including issues that arise under Title VII, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Family and Medical Leave Act, as well as other employment issues that may arise from business mergers and acquisitions. Brett also counsels clients regarding executive employment contracts, drafting and enforceability of non-compete and confidentiality agreements, preparing and reviewing employee handbooks and corporate employee discipline, drug and alcohol testing and wage and hour matters.

Brett conducts training sessions for managers and supervisors to improve employee morale and productivity, accomplish management objectives and ensure legal compliance. He has also served as a neutral third-party investigator following harassment and discrimination claims.

Areas of Experience

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<tr>
<th>ADA Matters</th>
<th>Employment Risk Realities</th>
<th>Religious Discrimination</th>
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<td>Wrongful Termination</td>
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<td>Reductions in Force</td>
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Honors and Awards

- AV-rated by Martindale-Hubbell peer review
- Recognized by *Birmingham Magazine* as one of Birmingham’s Top Attorneys in Employment Litigation
- Selected to the Mid-South Super Lawyers list from 2014-2016

Education

- 1995, J.D., University of Alabama School of Law, *magna cum laude*, Order of the Coif
- 1992, B.S., Auburn University (AL)
Biography and Experience

Thomas L. Oliver, II is a founding member and director of Carr Allison and bases his trial practice out of its home office in Birmingham, Alabama. Tom serves as the firm’s chair of its Employment Litigation Practice Group. His practice includes providing advice to employers on potential employment issues, including the drafting of employment policies. Tom has served as regional counsel to employment clients addressing issues in several southeastern states. He has handled numerous employment litigation cases ranging from workers’ compensation to retaliatory discharge to federal discrimination claims under Title VII. He has tried cases in both federal and state courts of Alabama for such clients as Wal-Mart, VF Corporation, AFC Enterprises, Beverly Enterprises, Roral, Inc., American Cast Iron Pipe Company, Automation Temporary Services, Kelly Services, the Alabama Retail Association and through insurers such as Chubb, Travelers, St. Paul, and Fireman’s Fund. Tom is a member of the American Bar Association (Labor & Employment committee), the DRI Employment Committee, the USLAW NETWORK’s Employment committee and has served as past chair of the workers’ compensation section of the Alabama State Bar. He is an adjunct professor of trial advocacy at the Cumberland School of Law in Birmingham, Alabama. He serves as trustee of the Alabama Law Foundation and is active in the Alabama State Bar and American Bar Associations.

Representative Trials

Pregnancy and race discrimination – tried multi-count matter to a defense verdict before jury in Federal District Court for the Northern District of Alabama. Plaintiff alleged both sex and race discrimination. Defendant asserted that the plaintiff was terminated for poor work performance and not a discriminatory reason. After a week long trial, the jury returned a defense verdict.

Wrongful termination – successfully defended a wrongful termination matter in the Circuit Court of Cullman County, Alabama. Plaintiff alleged that he was terminated for asserting a workers compensation claim in violation of Alabama statutory law. Employer defended on grounds that the employee was terminated for poor work performance. After a week and half trial, the jury returned a defense verdict.

Race discrimination – successfully defended large employer in South Alabama in racially hostile environment claims. Three plaintiffs claimed that employer had a practice of discriminating against blacks and supervisors frequently used demeaning terms against blacks. Employer denied charges and specifically denied use of demeaning language.

Areas of Experience

| ADA Matters | Employment Risk Realities | Religious Discrimination |
| Age Discrimination | Seminar | Retaliation |
| Civil Rights Matters | Hostile Work Environment | Sex/Gender Discrimination |
| Consultations/Risk Analysis | Investigation of Employee | Sexual Harassment |
| EEOC and DFEH Mediations | Complaints Seminar | Sexual Harassment Training |
| Employment Policy and Procedure Manuals | National Origin Discrimination | Wage & Hour Claims |
| | Race Discrimination | Wrongful Termination |

Honors and Awards

- Corporate Counsel
- Top Lawyers in America (Labor and Employment)
- Best Lawyers in America
- SuperLawyers

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Employment Law Update
- Emerging Technology in the Workplace
- Best Employment Practices and Policies
- Emerging Liabilities for the Employer
- Supervisor and Co-Employee Liability
- Bermuda Triangle - Interaction of the FMLA, ADA and Worker’s Compensation Statutes Preventing Violence in the Workplace, Human Resources Conference Preventing Sexual Harrassment in the Workplace

Education

- B.S., Auburn University
- J.D., Cumberland School of Law
Biography and Experience

Our lawyers have tried a number of cases throughout the State of Alaska, and appeared for clients before both Federal and State agencies dealing with employment issues.

Representative Trials

Among the cases our firm has tried have been a number for Chugach Electric, the locally owned electric utility. The issues in the cases involved age discrimination and sexual discrimination, and the client was successful getting a defense verdict in each case.

Areas of Experience

<table>
<thead>
<tr>
<th>Age Discrimination</th>
<th>Employment Policy and Procedure Manuals</th>
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Representative Seminars

Served as Speaker/Panelist or Articles Written

- Our firm is heavily involved in the representation of air carriers in the State of Alaska, and we put on an annual seminar for the Alaska Air Carriers association. Bob Richmond, Will Earnhart and Marc Wilhelm have all spoken at these annual seminars.

- Will Earnhart has spoken at Lorman seminars here in Alaska to representatives of the construction and transportation industries the subject being: Employment Law A to Z.

Education

- Robert L. Richmond, principal contact graduated from Georgetown University in 1965, and from the University of Oregon Law School in 1970
Biography and Experience

An experienced trial attorney, Michele focuses her practice in the areas of employment law and governmental liability defense. For more than 18 years, Michele has prevailed on summary judgment in cases involving Title VII, FMLA, and discrimination allegations arising under 42 U.S.C.A. Section 1981. She has successfully prosecuted and defended EEOC investigations, wage disputes, FMLA, Title VII, ADA, ADEA, wrongful termination cases, personal injury cases, wrongful death actions, negligent hiring, and training and supervision cases. She also represents employers and employees before Merit System Boards, AZ POST, fingerprint boards and other licensing boards in cases involving due process and disciplinary matters.

Representative Trials

Prevailed by Summary Judgment in an employment discrimination case against a local County and various County employees. Case involved the lawful and non-discriminatory termination of Plaintiff, a former road maintenance worker, for a violation of the County Merit Rules pertaining to safety sensitive positions.

Prevailed in a Merit Board Termination Hearing, representing the County government employer who terminated a Sheriff’s Deputy accused of misconduct. The Merit Board upheld the termination.

Prevailed in a Merit Board Termination Hearing, representing a local County governmental employer who terminated a Detention Officer for misconduct. The Merit Board upheld the termination.

Prevailed by Summary Judgment in a wage loss claim for treble damages against a private prison.

Prevailed by Summary Judgment in an age discrimination claim against a local municipality. Summary Judgment was upheld on appeal by the Ninth Circuit Court of Appeals.

Areas of Experience

- Civil Rights Matters
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Race Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Representative Seminars

Served as Speaker/Panlist or Articles Written

- “Take Two Aspirin and Call Your HR Director in the Morning! Managing FMLA Leave,” Co-Presenter, Arizona Counties Insurance Pool Webinar
- “Anatomy of a Lawsuit” Co-Presenter, PRIMA Summer Education Series
- “You’re Fired!” or ‘Staying Hired?’: The New Peace Officers Bill of Rights,” Presenter, Arizona Counties Insurance Pool 19th Annual Public Practice Legal Seminar
- “Workers’ Compensation and General Liability Claims Issues,” Co-Presenter, PRIMA Summer Education Series
- “Background Checks: Helping Employers Navigate the Battle Between Negligent Hiring and Discriminatory Hiring Practices,” Presenter, PRIMA Summer Education Series

Education

- 2011, Arizona College of Trial Advocacy
- 2000, J.D., Arizona State University, Sandra Day O’Connor College of Law, Honors with Distinction for Legal Research and Writing
- 1996, B.S., Arizona State University, University Honors College

Mr. Chiles regularly defends businesses against a variety of employment claims, including claims of wrongful termination; allegations of age, race, gender, and disability discrimination; claims of retaliation; hostile workplace allegations; the validity of covenants not to compete; contract disputes; and wage-and-hour claims. His work in this area includes defending against employment-related class-action claims and litigating complex business claims that arise in the employment context. Mr. Chiles has represented clients in connection with claims against former employees related to restrictive covenants, non-solicitation and non-competition agreements, and misappropriation of trade secrets and other proprietary information. He regularly represents major ERISA plan administrators in cases brought by claimants to recover benefits under ERISA. He frequently advises businesses faced with employment issues, including drafting and editing handbooks, policies, and job descriptions; conducting internal investigations and reviews; and offering training and compliance advice to management.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultation/Risk Analysis
- EEOC and DEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Race Discrimination
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Recognized in Labor & Employment in Chambers USA’s Guide to America’s Leading Lawyers for Business (2012-present)
- Recognized in The Best Lawyers in America® in Litigation – Labor & Employment (2011-present), and Employee Benefits (ERISA) Law (2016-present)

Education

- 1996, J.D., Harvard Law School, cum laude
- 1993, B.A., English, Hendrix College, summa cum laude and with distinction
Biography and Experience

Dorothy has nearly 20 years of experience representing employers in the private and public sectors. She co-chairs Hanson Bridgett’s Employment Class Action practice and regularly defends complex class actions for clients. An integral part of her practice involves working with clients to develop practices and policies aimed at averting class, collective, and PAGA actions, and to advise clients effectively on risk management and class action avoidance strategies. In her employment practice, Dorothy represents clients across a wide variety of industries, such as the concrete, aggregates and cement industries, transportation industry, federal defense contractors, educational institutions, healthcare and assisted living industries. Dorothy has extensive experience leading class action defense litigation in state and federal courts on issues ranging from meal and rest break claims and Fair Credit Reporting Act disclosure claims to off-the-clock, overtime, and wage-and-hour issues under California’s Labor Code, as well as representative and collective actions brought under California’s Private Attorneys General Act and the federal Fair Labor Standards Act. She also regularly defends employers against claims of employment discrimination, sexual harassment, disability discrimination, retaliation (including whistleblower retaliation), and wrongful termination in single-plaintiff and multiple-plaintiff lawsuits.

Representative Trials

Discriminatory Retaliation: Obtained complete defense verdict in discriminatory retaliation jury trial, brought under Title VII and CA Fair Employment and Housing Act (FEHA). (U.S. District Court, Northern District of California)

Hostile Work Environment/Harassment: Obtained complete defense verdict in multi-plaintiff jury trial for claims of hostile work environment harassment, discrimination and retaliation under FEHA. (Alameda County Superior Court)

Wage/Hour: Obtained complete defense verdict in bench trial for wage and hour claims alleged under CA Labor Code and claims of breach of contract and wrongful termination. (U.S. District Court, Northern District of California)

Areas of Experience

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Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Proactive Strategies for Coping with Workplace Class Action Claims Before Litigation,” co-speaker, Hanson Bridgett Labor & Employment Seminar, January 2018
- “How to Minimize Retaliation Claims during the Termination Process,” speaker, USLAW Client Conference, September 2016
- “Court Affirms That Healthcare Employees Working 12+ Hour Shifts Can Waive One of Their Two Meal Periods,” co-author, Labor & Employment Law Alert, March 2017
- “Your Background Check Documents May Be At Risk Under A New Ninth Circuit Ruling,” co-author, Employee Benefits Law Alert, January 2017

Education

- 1997, J.D., University of Washington School of Law
- 1992, B.A., Stanford University
Biography and Experience

Sandy has been litigating on behalf of employers for more than two decades, in federal and state court cases involving wage and hour, discrimination and harassment, unfair competition and trade secrets, whistleblowing claims, and more. She frequently also represents employers in labor arbitrations and in proceedings before agencies including the EEOC, NLRB, DOL, California DFEH, and California DLSE. She has extensive complex litigation experience, successfully defending federal and state class actions involving overtime, on-call time, meal/rest breaks, and business expenses, to name a few. Sandy also provides effective and trusted counsel to employers, helping to navigate the myriad California and federal laws governing employees in the state. Issues on which she regularly consults include wage law compliance, managing leaves, union relations, protection of trade secrets, and compliance with disability laws. She leads employment compliance audits, negotiates various agreements between employees and employers, and works with her clients to develop workable personnel practices and procedures.

Representative Trials

Gallardo v. UPS: Defeated class certification in a case alleging unreimbursed business expenses on behalf of a class of more than 10,000 employees, effectively ending the litigation.


Police officer v. City Police Department: Represented a police department in three separate arbitration proceedings involving discipline of a police officer. Discipline was upheld by each arbitrator.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities
- Hostile Work Environment
- Investigation of Employee
- Complaints’ Seminar
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- WCAB-132a Matters
- Wrongful Termination

Representative Seminars

Served as Speaker/Panlist or Articles Written

- "Pregnancy-Based Leave, Accommodation, And Other State And Federal Compliance Obligations Explained," co-presenter, CALPELRA 2017 Conference, December 2017
- "Navigating Employee Leaves," USLAW Fall Client Conference, September 2017
- "State and Local Employment Laws Continue to Pick up Steam," press mention, HR Dive, January 2018
- "What Are Your Rights and Responsibilities if Your Business Gets Raided by ICE?," press mention, San Francisco Business Times, January 2018
- "Comp Risks Follow Workers Home," press mention, Business Insurance, January 2018
- "California Cases To Watch In 2018," press mention, Law360, January 2018

Education

- 1994, J.D., University of California, Hastings College of the Law, cum laude
- 1990, B.A., Brandeis University, cum laude
Biography and Experience

With a focus on employment litigation, counseling, and general business litigation, Nadia P. Bermudez has significant litigation and trial experience in employment matters such as sexual harassment, discrimination, wage and hour, wrongful termination, defamation, trade secrets, and a wide range of other matters. In addition, Ms. Bermudez regularly advises public and private employers on all aspects the employment relationship, from the pre-employment process to the final separation of employment. While counseling employers on best practices, policies and human resources issues, Ms. Bermudez keeps clients informed on developments in state and federal employment law. Ms. Bermudez is an experienced trainer in areas such as sexual harassment prevention and other employment topics. Ms. Bermudez is bilingual in Spanish.

Representative Trials and Dispositions

Ms. Bermudez represented a school district in a Labor Commissioner Appeal to the San Diego County Superior Court. A former assistant superintendent of the district filed a claim for unpaid wages with the Labor Commissioner and then appealed the adverse decision to the Superior Court. She handled the defense at all stages. The plaintiffs received zero on her claim and was forced to reimburse the district for its attorney’s fees.

Ms. Bermudez represented a company in litigation involving a commercial transaction for the sale of scrap metal to be shipped from Mexico to Korea. As first chair of the trial, her client prevailed in a bench trial in Los Angeles Superior Court against all defendants and also defeated a cross-complaint for breach of contract.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigation of Employee
- Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- WCAB-132a Matters
- Wrongful Termination

Honors and Awards

- San Diego Super Lawyers® (2015-2016)
- Top Attorney Under 40 (1 of 5 lawyers nationally) – Hispanic National Bar Association (2011)

Representative Seminars

- Co-Author, “Discrimination in the Information Age: Genetic Information Nondiscrimination Act’ s Regulations Published by EEOC,” American Bar Association, TortSource, Spring, 2011

Education

- 2001, J.D., Stanford University School of Law
- 1998, B.A., University of California, Irvine
Susan K. Chelsea is a Shareholder with Klinedinst PC, and has over two decades of experience in employment and labor law including counseling and litigation. She has successfully tried and arbitrated cases involving employment claims. In addition, she has successfully defended wage claims before the California Labor Commissioner. She also handles and counsels employers on labor and employment issues affecting government contractors at the state and federal level including prevailing wage regulations under the Davis-Bacon and Related Acts. Ms. Chelsea provides counseling and risk management services, and conducts employment investigations. Ms. Chelsea currently Co-Chairs the firm’s Employment and Labor department, and maintains a complex general business practice.

## Representative Trials and Dispositions


## Areas of Experience

- ADA Matters
- Hostile Work Environment
- Sexual Harassment
- Age Discrimination
- National Origin Discrimination
- Sexual Harassment Training
- Consultations/Risk Analysis
- Race Discrimination
- Wage & Hour Claims
- Employment Policy and
- Retaliation
- Wrongful Termination
- Procedure Manuals
- Sex/Gender Discrimination

## Representative Seminars

- Editor and Contributor for Klinedinst PC’s Monthly Employment Newsletter

## Education

- 1988, J.D., University of San Diego School of Law
- 1985, B.A., University of San Diego
Greg A. Garbacz
Klinedinst PC
501 W. Broadway, Suite 600
San Diego, CA 92101
Phone: (619) 239-8131
Fax: (619) 238-8707
Cell: (213) 215-1348
Email: ggarbacz@klinedinstlaw.com
www.klinedinstlaw.com

An experienced litigator and trial attorney, Greg A. Garbacz provides unique business solutions and advice to clients with regard to a broad range of employment/labor law matters, contractual issues, and business disputes, including misappropriation claims, employment torts, unfair business practices, confidentiality agreements, and trade secrets. He counsels clients with regard to state and federal laws affecting employers, including legislation regarding hiring practices, benefits, and age, gender, sex, and race discrimination.

Mr. Garbacz regularly speaks at a variety of programs, seminars, and events on employment and labor law, legal malpractice, and professional liability issues. He has been a shareholder with the firm since 1997, and serves as Chief Strategy Officer, responsible for growth and development of Klinedinst’s five offices across the West Coast. He is also an active member of Vistage, a CEO membership organization. Mr. Garbacz has achieved Martindale-Hubbell’s AV – Preeminent 5.0 ranking, and has been featured repeatedly in Southern California Super Lawyers®.

**Representative Trials and Dispositions**

While a vast majority of employment cases are resolved prior to trial, Mr. Garbacz has extensive experience in the courtroom. Several successful results include:

- Trial involving disability discrimination filed by senior engineer.
- Multi-week trial involving special/dual employment issues and sexual orientation “hate crime” allegations against employee.
- Trial involving same-sex harassment claim by supervisor against subordinate and company.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities
- Hostile Work Environment
- Investigation of Employee
- Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- WCAB-132a matters
- Wrongful Termination

**Honors and Awards**

- Recognized by Southern California Super Lawyers (2009-2010, 2012-2016)
- Recognized as a Rising Star by Southern California Super Lawyers (2004)
- Martindale-Hubbell AV – Preeminent 5.0 Rating

**Representative Seminars**

- Vista Medical Group’s Annual Employer Appreciation Luncheon, “‘You’re Fired!’ How to Proactively Handle Terminations, Minimize Risks and Have HR Add Strategic Value” (September, 2012)
- 24th Annual PIHRA Legal Update, “‘You’re Fired!’ How to Handle a Termination and Minimize the Risk of a Lawsuit” (January 24-27, 2011)
- 10th Annual Klinedinst Employment Symposium, “Sexual Harassment, Retaliation, and Discrimination 2007 Legal Updates” (November, 2007)

**Education**

- 1993, J.D., Washington & Lee University School of Law, Law Review, Burks Scholar
- 1989, B.A., Government and Law, Lafayette College
Biography and Experience

Pamela Marantz, an Associate Partner at Murchison & Cumming, LLP, is a member of the firm’s Employment Law and General Liability & Casualty practice groups. In addition to handling litigation, Ms. Marantz provides advice to employers. She has represented non-profit, public and private employers in employment discrimination, harassment, equal protection claims and administrative proceedings before the Equal Employment Opportunity Commission, Department of Fair Employment & Housing and other local administrative agencies. She also counsels employers in a myriad of sensitive personnel decisions, such as hiring, promotion, performance evaluation, discipline, compensation and discharge issues, reductions in force, exit incentive programs, releases, and leaves of absence. She conducts California state mandated sexual harassment trainings. Ms. Marantz drafts employee handbooks for employers outlining personnel policies such as harassment, FMLA and mandatory arbitration policies. Ms. Marantz is a speaker and author on a wide variety of employment issues.

Areas of Experience

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Representative Seminars

- California mandated sexual harassment seminars/trainings. Qualified trainer.
- “Who's Afraid of the Big Bad Wolf?” Murchison & Cumming, LLP, Employment Brief, Summer 2011
- “Case Watch: Age Discrimination Claim Against Google,” Murchison & Cumming, LLP, Employment Brief, Spring 2010

Education

- J.D., Southwestern University School of Law, Los Angeles, California
- B.A., San Diego State University, San Diego, California
William D. Naeve is a Senior Partner in the Orange County office of Murchison & Cumming, LLP, and serves as Co-Chair of the Employment Law practice group. He focuses much of his practice on the defense of management in single plaintiff and class-action employment and wage and hour claims venued in both California and Nevada state and federal courts. Mr. Naeve is “AV” rated by Martindale-Hubbell, has served as Judge Pro Tem in the Orange County Superior Court, and has been a frequent speaker on various employment and wage and hour related topics.

**Representative Trials**

Singh v. Lancaster Community Hospital, 140 Cal.App.4th 387 (May 2006). Singh involved a wage & hour class action in which the court affirmed Mr. Naeve’s client’s manner of paying overtime wages to its employees.

[Confidential] v. Hospital Management Company. Hospital emergency physician sued for wrongful termination seeking an award in excess of six million dollars. Case settled after the defense closing argument to the jury when plaintiff’s settlement demand collapsed.

[Confidential] v. UHS. Prevailed on a violation of public policy and harassment claim made by a hospital employee. After losing the case, plaintiff was ordered by the court to pay the hospital’s attorneys fees and costs.

**Areas of Experience**

- Age Discrimination
- EEOC and DFEH Mediations
- Hostile Work Environment
- National Origin Discrimination
- Reductions in Force
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Wage & Hour Claims
- WCAB-132a Matters
- Wrongful Termination

**Honors and Awards**

- AV-rated by Martindale Hubbell.

**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- “Arbitration Agreements in Employment Contracts…Are Employee Class Actions a Thing of the Past?,” USLAW NETWORK/Murchison & Cumming, LLP, 2013 CLE Program & Summer Beach Bash, Santa Monica, CA, June 25, 2013
- “Plaintiffs’ Use of Stray Remarks as Proof of Management Discrimination, Harassment or Retaliation,” ACCA So Cal Employment CLE, Costa Mesa, CA, May 25, 2011; Los Angeles, CA, May 26, 2011
- “Buying a Business? Don’t Get Bitten by the Hidden Risk of Successor Liability,” German American Chamber of Commerce Legal & Tax Newsletter, Vol. 3 2011
- “The Supreme Court Administers Another Body-Blow to Employers: Sullivan vs. Oracle,” Murchison & Cumming, LLP, Employment Brief, Summer 2011

**Education**

- 1979, J.D., Western State University College of Law, Fullerton, California, with scholastic merit
- 1976, B.A., University of California, Los Angeles, California
Biography and Experience

Ellen M. Tipping is a Partner in the Irvine office of Murchison & Cumming, LLP. She has specialized in representing employers for more than 20 years. Ms. Tipping provides advice and counsel and defends employers in class actions, discrimination, harassment, wrongful termination and retaliation lawsuits in both state and federal court, charges by state and federal enforcement agencies, and in arbitration. She has particular expertise in wage and hour matters, including prevailing wage claims in the public works sector. Her extensive experience results in practical advice and guidance to employers on such issues as medical and family leave laws, employee disciplinary matters, disability and accommodation, wage and hour laws, reductions in force, development of handbooks and policies, and investigations following employee claims and complaints. Ms. Tipping provides in-service and training to Human Resource directors and supervisory employees on various topics. She writes regularly on developments in the area of employment law.

Representative Trials

Ms. Tipping has extensive experience with contested matters before the California Labor Commissioner. Successful results include defense of claims for unpaid commissions by outside sales representatives, defense of claims by multiple retail store managers claiming misclassification as exempt employees, and defense of claims by multiple delivery drivers claiming misclassification as independent contractors.

She has also arbitrated cases resulting in defense verdicts for the employer in claims for failure to provide reasonable accommodation to an employee with diabetes, and for alleged discrimination against an employee based on national origin (Philippines).

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- AV-rated by Martindale Hubbell

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “California Wage & Hour Compliance Issues,” Sterling Education Services, 2008
- “Coping With California's Leave Laws,” Sterling Education Services, 2008
- “Employers with BYOD Policies Must Kick In for Employee’s Cell Phone Tab,” Murchison & Cumming Employment Brief, Fall 2014
- “Internship Programs Safe for Savvy Companies – “No making copies or fetching coffee. We do that for ourselves,” DRI Employment Law Newsletter, Summer 2014
- “Tweeting for Customers: Battle on Ownership of Social Media,” Employment Brief, Summer 2012

Education

- 1991, J.D., Loyola Law School
- 1981, B.A., California State University, Northridge
**Biography and Experience**

Ashley Dorris’s employment law experience ranges from actively advising her clients on their employment policy and practices, handling DFEH and EDD investigations, appearing with her employer clients at unemployment hearings and defending her clients on breach of contract and wrongful termination claims. She has a unique cross-over of transportation clients who regularly face employment related issues in the State of California and she is experienced in all aspects of handling these types of matters. Ashley is licensed to practice in the State of California and before the United States District Court for the Central, Northern and Eastern Districts of California.

**Areas of Experience**

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<tr>
<th>ADA Matters</th>
<th>Race Discrimination</th>
<th>Sexual Harassment Training</th>
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</tbody>
</table>

**Education**

- 2003, J.D., Santa Clara University
- 2000, B.S., Business Administration – Marketing, University of Arizona
Biography and Experience

Barry Snyder has practiced employment law, primarily in the litigation arena, for over one-third of a century. His practice focuses on pre-litigation planning, for both employers and employees and effective defense of employers in litigated matters.

Representative Trials

*Deconde v. County of Santa Barbara.* Sexual, age and national origin claim by a school district employee, successfully defended in a jury trial. Plaintiff resigned the day after the verdict.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Sex/Gender Discrimination
- Sexual Harassment
- WCAB-132a Matters
- Wrongful Termination

Honors and Awards

- Participated in EEOC Law School Clinic at Loyola University School of Law.

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Conducted various seminars/presentations to Santa Barbara, Ventura and San Luis Obispo County Dental and Medical Societies.

Education

- B.S., Bacteriology, University of California at Los Angeles, 1970
- J.D., Loyola University School of Law, Los Angeles, 1974
Susan Strebel Sperber
Lewis Roca Rothgerber
Christie LLP
1200 17th Street, Suite 3000
Denver, CO 80202
Phone: (303) 628-9563
Fax: (303) 623-9222
Email: SSperber@lrrc.com
www.lrrc.com


Ms. Sperber has successfully litigated numerous cases in federal court addressing all types of employment claims including violation of Title VII, ADEA and ADA.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee Complaints
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Representative Seminars

- Presenter of "How the ADA Amendments ACT Affects You" at the 2009 Colorado Employment Law Conference
- Author, "The Internet Age: Technology and the Workplace," RJ&L Employment Law Update, Fall 2008

Education

- Juris Doctor, 1992, George Washington University National Law Center, cum laude
- Bachelor of Arts, 1989, Duke University
Lisa Zaccardelli practices in all areas of civil litigation with a concentration on employment law litigation and commercial matters. A substantial part of her practice includes non-compete, business tort, and trade secret litigation cases. Lisa also regularly handles eminent domain and tax abatement matters and cases.

Lisa routinely represents employers on matters related to disputes with their employees including employment discrimination matters, ADA and FMLA claims, wrongful discharge, breach of employment contracts, unfair labor practices, wage and hour disputes, and retaliation claims in state and federal court and administrative agencies. She regularly counsels employers in these matters and in matters related to employment practices including employee discipline, internal investigations and compliance with wage and hour laws. She has single-handedly handled the trial of cases to verdict, appeals, arbitrations, jury selections, and mediations. Lisa regularly conducts seminars and training on sexual harassment, diversity and ADA public accommodations for management of client companies.

**Representative Trials**

Won a temporary injunction in favor of three Plaintiff gasoline franchisees concerning the right of first refusal to purchase their individual stations. The Court agreed with Hinckley Allen's argument that PMG's offer was not valid because it had no reasonable relationship to the fair market value of the real estate.

**SS&C v. Maher** (Superior Court HHD-CV-15-606190-S) (October 2015) Secured permanent injunctive relief against former employee of plaintiff who violated non-solicitation restrictions. Award included attorney's fees and costs.


**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee
- Complaints Seminar
- National Origin Discrimination
- Occupational Safety & Health Administration
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Representative Seminars**

- Frequent lecturer to various business organizations on the subject of sexual harassment and diversity training.
- “Marijuana Laws and What these Mean for the Workplace,” USLAW Labor and Employment Conference, May 1, 2017
- “ADA and Reasonable Accommodations – Practical Answers to Frequent Questions and Problems,” USLAW Labor and Employment Conference, May 2016
- “Employment Law: Beyond the Basics,” Providence, RI, June 4, 2014
- “Affordable Care Act Workshops – An Overview of the Affordable Care Act Developments,” Connecticut Health Council, Cromwell, CT, January 31, 2013

**Education**

- 1990, J.D., St. John's University School of Law
- 1987, B.A., Boston College, magna cum laude
**Biography and Experience**

Chris Barkas and his team handle a wide variety of EPL matters for employers in both State and Federal Courts in Florida. Often called in early in regard to employment issues, the team has experience investigating claims and regularly dealing with the Florida Commission on Human Relations and EEOC, including mediations before their findings are rendered. The focus is to assess the issues as soon as possible to allow the client to make a decision on how best to address the situation. Sometimes it means positioning the matter for early resolution, while other times it means proceeding through the discovery process and to trial. In the event a claim proceeds past the early stages, Chris and his team have experience in the discovery phase, motion practice and trial of claims.

**Representative Trials**

Mr. Barkas and his team successfully defended a quasi-governmental agency in an ADA discrimination claim. The Plaintiff claimed he was terminated due to his diagnosis of leukemia. The Court found Defendant presented a legitimate non-discriminatory reason for Plaintiff’s termination, and Plaintiff failed to present evidence the reason given for his termination was pretextual. Accordingly, Defendant was granted summary judgment and costs.

Mr. Barkas and his team defended a large non-profit national organization in a claim based on racial discrimination resulting in constructive termination. After discovery, the Judge in the Northern District of Florida granted Summary Judgment in favor of the Defendant and awarded costs.

Mr. Barkas successfully defended the State of Florida in a whistleblower claim. The Plaintiff claimed he was terminated due to his reporting of inappropriate acts. At trial, the Court awarded a Directed Verdict in favor of the State of Florida.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Wage & Hour Claims
- Wrongful Termination

**Representative Seminars**

Served as Speaker/Panelist or Articles Written


**Education**

- 1984, J.D., Cumberland School of Law at Samford University
- 1980, B.S., Hotel & Restaurant Management, Florida State University
Bio: Elizabeth “Betsy” Burgess has represented clients in employment matters in State and Federal Courts and the EEOC for 15 years, including title VII, ADA, ADEA, FMLA, and FLSA claims. She has also represented clients in litigation involving non-compete, non-disclosure, and trade secret contract cases.

Areas of Experience

| ADA Matters | Investigation of Employee Complaints Seminar |
| Age Discrimination | National Origin Discrimination |
| Civil Rights Matters | Race Discrimination |
| Consultations/Risk Analysis | Reductions in Force |
| Hostile Work Environment | Religious Discrimination |
| | Retaliation |
| | Sex/Gender Discrimination |
| | Sexual Harassment |
| | Sexual Harassment Training |
| | Wrongful Termination |

Representative Seminars

- “Post-Termination Misconduct of Claimant: Powerful Evidence for Employer to Limit Damages,” *USLAW Magazine*, Fall/Winter 2012

Education

- 2005, J.D., Florida State College of Law
- 2002, B.S., Accounting, Auburn University
Biography and Experience

Julie A. Campbell is a partner in the Naples office of Wicker Smith. She is admitted to practice in the State of Florida, as well as the District of Columbia. Ms. Campbell currently focuses her practice in the areas of commercial civil litigation, employment & labor law, medical malpractice, premises liability, construction litigation and class actions.

Her career in employment and labor law has included hundreds of cases in Federal and state courts as well as administratively before the EEOC with the majority of those cases resulting in dismissal or summary judgment. Ms. Campbell’s interest in employment law began when she was a student at Georgetown University Law Center where she assisted her mentor in preparing arguments for the Supreme Court on a labor-related issue. She went on to represent national labor unions and private corporations in defending against a wide variety of employment related claims, including ADA noncompliance, hostile work environment, retaliation, sexual harassment, wage and hour disputes, FLSA and wrongful termination claims.

Admitted to the Florida Bar in 2008, she is a member of The Florida Bar, D.C. Bar and the Collier County Bar Association.

Areas of Experience

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</table>

Education

- 1998, J.D., Georgetown University
- 1995, B.A., Ohio State University
Deborah E. Frimmel  
Wicker Smith O’Hara McCoy & Ford P.A.  
390 North Orange Avenue  
Suite 1000  
Orlando, FL 32801  
Phone: (407) 317-2126  
Fax: (407) 649-8118  
Cell: (407) 252-0913  
Email: dfrimmel@wickersmith.com  
www.wickersmith.com

**Biography and Experience**

Ms. Frimmel joined Wicker, Smith, O’Hara, McCoy & Ford, P.A. in October 2010 to lead the firm’s employment law practice group. Ms. Frimmel has practiced exclusively employment litigation for over nineteen (19) years. Her employment litigation career has included the defense of hundreds of federal court employment lawsuits as well as state court employment cases in Florida and the U.S. Virgin Islands. Ms. Frimmel has obtained dismissal or summary judgment in the majority of those cases. In the event dismissal or summary judgment was not obtained, she has accomplished favorable results for her clients at trial. Ms. Frimmel also frequently provides advice, counsel and training to both private and public employers in the employment law context. Prior to joining Wicker Smith, Ms. Frimmel was Of Counsel at one of the Nation’s largest and most respected labor and employment defense firms. Ms. Frimmel began her legal career at one of the first boutique management labor and employment firms in Central Florida, where she developed her skills as an employment litigator and advised clients concerning all aspects of employment law.

**Representative Trials**

*SunTrust Bank of East Central Florida v. Barbara Herrin*, Circuit Court for the Seventh Judicial Circuit, Volusia County, Florida. Obtained a jury verdict in favor of SunTrust following a five-day trial in which Plaintiff claimed discrimination under the Florida Civil Rights Act based on gender and age discrimination in connection with her termination from employment.

*Bonne Sharrit, et al. v. Chateau Communities, Inc.*, U.S. District Court, Middle District of Florida. After a two-day evidentiary hearing, during which expert testimony proved plaintiffs had submitted fraudulent evidence to support their claims that defendant’s employees harassed them, the court dismissed plaintiffs’ multi-million-dollar action and imposed sanctions against them.

*Terry Arthur v. Silver Lake Resort*, U.S. District Court, Middle District of Florida, Orlando Division. Before the trial of this race discrimination case ended, the plaintiff accepted a nuisance settlement offer that had been tendered by the insurer many months earlier.

**Areas of Experience**

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**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- Lorman Educational Services: Featured speaker on numerous labor and employment topics including, but not limited to, Wages, Hours and Safety, Hiring and Discipline, Employment Law Overview, Employee Privacy, The Bermuda Triangle-ADA, FMLA and Workers’ Compensation laws in Florida, Progressive Discipline, Record Retention and Control, Electronic Discovery, Sexual Harassment and Workplace Violence.

- Council on Education in Management: Featured speaker on several labor and employment law related topics including, but not limited to; Employee Privacy, FLSA Collective Actions; Union Avoidance, Labor Management Relations and Sexual Harassment and the Supreme Court Opinions in Faragher and Ellerth.


- “Responding to EEO Agency Charges of Discrimination,” *Association of Corporate Counsel Infopak*, April, 2006

**Education**

- 1996, J.D., Shepard Broad Law Center, Nova Southeastern University, Fort Lauderdale, Fl, *with honors*
- 1990, B.S., Business Administration, Villanova University, Philadelphia, PA, *cum laude*
Biography and Experience

Jason Glusman has more than 10 years experience in Federal and State Courts handling labor and employment litigation representing local and national companies with matters before the EEOC, and Administrative agencies. His practice encompasses several areas of employment and labor law, including all discrimination actions based upon race, gender, age, national origin and religion. Jason also handles claims/suits involving hostile work environment, retaliation, sexual harassment, wage and hour disputes, FLSA, wrongful termination suits/claims and claims of ADA noncompliance. In addition, he provides extensive problem solving advice to our clients regarding ongoing employment disputes, restrictive covenants and reduction in force issues.

Areas of Experience

- ADA Matters
- Age Discrimination
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Wage & Hour Claims
- WCAB-132a Matters
- Wrongful Termination

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Hot Topics in Employment Litigation,” Wicker Smith Claims Seminar, Orlando, FL, June 13, 2014

Education

- 2000, J.D., John Marshall Law School
- 1997, B.A., University of Florida
Donald W. Benson
Hall Booth Smith, P.C.
191 Peachtree St., Suite 2900
Atlanta, GA 30303
Phone: (404.954-6947)
Fax: (678.539-1576)
Cell: (678.357-6658)
Email: dbenson@hallboothsmith.com
www.hallboothsmith.com

Biography and Experience

Don Benson is a senior litigator with over twenty years experience in labor and employment helping management clients avoid, resolve and litigate employee disputes. He has appeared in state and federal courts nationwide and before the NLRB, DOL, state and federal OSHA, the EEOC and numerous state deferral agencies. He represents employers in the full range of labor and employment law issues including: race, sex, age, national origin, religion, disability and sexual orientation discrimination, harassment and retaliation; federal and state wage and hour law compliance including mis-classification, off the clock work, regular rate calculation, and meal break and rest periods; Equal Pay under Title VII and the EPA; USERRA; FMLA; Fair Credit Reporting Act, HIPAA and privacy protections; layoffs and reductions in force; ERISA benefit claims; state torts including invasion of privacy, fraud, assault and battery, false imprisonment, defamation, negligent hiring and retention; restrictive covenant and confidential information protections; executive contracts.

Areas of Experience

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Representative Seminars

Served as Speaker/Panlist or Articles Written

Don is a nationally recognized author and frequent speaker on communicable diseases in the workplace and pandemic planning, RICO/Immigration litigation, wage and hour compliance, and restrictive covenant enforcement. He has spoken and written as an expert on responding in the workplace to H1N1 Influenza, Avian Flu, Tuberculosis, MRSA staff infections and many other health related issues. Don has been quoted in numerous employment and legal journals nationwide, and has been a repeated guest on NPR radio on the topic of RICO/immigration lawsuits. Articles include:

North Carolina State Bar Journal, “Pandemic – Is Your Workplace Prepared For Disaster?”
“Wage and Hour Answer Book.”

Executive Counsel, “RICO Charges Are Newest Wrinkle In Immigrant Labor Issue.”

Georgia Bar Journal, “Pandemic Preparation In The Workplace.”

Tennessee Bar Journal, “Racing To the Court House Over Non-Compete.”

Kiplinger Business Resource Center, “Antiviral Drug Stockpiling for Pandemic Planning.”


Education

- University of Utah, Salt Lake City, UT, J.D., 1984
- University of Georgia, Athens, GA, M.A., 1978
- Davidson College, Davidson, NC, B.A., 1976
Heather Saum Ware has practiced in the Employment Law area for four years. She has handled employment litigation matters in both Federal and State Courts. She advises clients in the areas of employment investigations, hostile work environment and sexual harassment, national origin discrimination, race discrimination, and FLSA matters.

Ms. Saum Ware and her colleagues successfully defended a large university which had been sued for retaliation after an employee filed a sexual harassment claim.

Civil Rights Matters
Employment Policy and Procedure Manuals
Employment Risk Realities Seminar
Hostile Work Environment

Investigation of Employee Complaints Seminar
National Origin Discrimination
Race Discrimination
Religious Discrimination
Retaliation

Sex/Gender Discrimination
Sexual Harassment
Wage & Hour Claims
Wrongful Termination

• Investigations – What every HR Director Needs to Know

Mississippi State University, B.A. Communication, 1995
University of Mississippi School of Law, J.D., 1998
Biography and Experience

Rich Sheinis has practiced in the Employment Law area for the past two years. He has experience litigating matters such as trans-gender discrimination, national origin discrimination, and religious discrimination. He advises clients regarding Federal and State employment law matters including civil rights matters, Title VII discrimination matters, and the Family and Medical Leave Act.

Areas of Experience

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Representative Seminars

Served as Speaker/Panelist or Articles Written

- Employee Free Choice Act
- Americans with Disabilities Act (ADA) Amendments of 2008
- Family Medical Leave Act
- Genetic Information Non-Discrimination Act (Gina)
- New Legislation: The Americans with Disabilities Act Gets a Facelift
- Employment Discrimination in Nursing Homes: Can Nursing Homes be Liable for Employment Discrimination when Residents or their Visitors Harass the Staff?
- It’s Part of my Religion: Employer Rights and Responsibilities to Accommodate Employee Religious Beliefs

Education

- State University of New York at Binghamton, B.S. Political Science, 1980
- Duke University School of Law, J.D., 1983
Biography and Experience

John S. Mackey represents and advises employers in many areas of employment law. He defends employers in court and in agency proceedings and investigations involving allegations of harassment, discrimination, failure to accommodate disabilities, wage and hour violations, unfair labor practices and breach of contract restricting post-employment competition or misappropriation of trade secrets. He also advises employers on issues relating to terminating employees, providing leaves of absence, properly classifying employees, and conducting internal investigations, and he drafts employment related agreements, policies and handbooks.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee Complaints' Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Education

- 1992, J.D. University of Missouri
- 1989, B.A., Economics, University of Hawaii
Biography and Experience

Barbara A. Petrus has extensive experience in the practice of labor and employment law in Hawaii since 1982. She regularly advises and defends a wide range of employers from sole proprietorships and non-profit organizations to large Hawaii and international corporations. Ms. Petrus represents management in all aspects of labor and employment law, including jury trials, Equal Employment Opportunity Commission proceedings, management training, employment policies and procedures, and Hawaii Civil Rights Commission labor relations issues such as labor grievances and arbitrations, unfair labor practices, union organizing campaigns and collective bargaining negotiations.

Representative Trials

Douglass v. Pflueger Hawaii, Inc. – Ms. Petrus was lead counsel representing a car dealer against claims of sexual harassment. After a jury trial, judgment was entered in the company’s favor.

Francisco v. Sheraton Waikiki Hotel – Ms. Petrus was lead counsel representing a hotel against claims of sexual harassment. After a jury trial, the jury was unable to come to a final decision, resulting in a mistrial. The defense team successfully prevented any judgment from being entered against the hotel.

Shahata v. W Steak Waikiki – Ms. Petrus was lead counsel representing a restaurant against claims of promissory estoppel, intentional infliction of emotional distress, invasion of privacy, wrongful discharge and breach of contract. After a bench trial, judgment was entered in the company’s favor.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigations
- Complainants Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Ms. Petrus was recognized as an established employment litigator in Chambers and Partners’ Chambers USA Clients’ Guide from 2006-2012.
- Ms. Petrus was recognized in The Best Lawyers in America from 2006-2010.
- Ms. Perus was recognized in Super Lawyers in 2008, 2010-2012

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Employment Law – Hawaii Hiring & Managing Employees in 2012 & Beyond; Discipline to Discharge,” Executive Education Council, June, 2012
- “Managing Employee Leave and Absenteeism,” Hawaii Employers Council, September 26, 2008

Education

- 1982, J.D., Albany Law School of Union University, cum laude
- 1978, B.A., Russell Sage College, cum laude
Biography and Experience

Ms. Duke is an experienced trial attorney practicing in the area of Employment Law. She represents many local and national companies in employment investigations, litigation, and arbitrations. She also performs workplace training to her clients throughout the State of Idaho. With respect to trial work, in the age of the vanishing trial, she has successfully tried 13 cases to a defense verdict, two of which were employment actions.

Ms. Duke is the Immediate Past President of the Federal Bar Association, Idaho Chapter (she served four years as President) and is the current President of the Idaho Association of Defense Counsel. She has an AV rating from Martindale Hubbard and has been named in Best Lawyers in America and Chambers for the last several years. Ms. Duke devotes about 25% of her practice to Employment Law Litigation.

Representative Trials

Ms. Duke's client received a defense verdict in a Section 1983 claim filed by a prisoner at the Idaho Department of Corrections who alleged he was sexually harassed and sexually assaulted by a female correctional officer.

Ms. Duke defended a physician practice in a breach of contract and wrongful termination case. In that case, the physician plaintiff requested that the jury pay him over $150,000 for the damages and the jury awarded him just under $2,000.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
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- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Effective Trial Skills,” Inn of Court, January 2016
- “Employment Litigation in Idaho,” August 2015
- “Lay and Expert Witness Discovery,” June 2015
- “Practical Trial Skills,” Idaho State Bar, April 2015
- Adjunct Professor at University of Idaho School for the Civil Litigation Trial Skills course, 2010, 2012, 2014
- “Between a Rock and a Hard Place: Limitations on a Health Care Provider's Right to Indemnification When it is Targeted Under the False Claims Act as a Result of the Fraudulent Activities of a Third Party with Which it Contracts or Associates,” The Federal Lawyer, February 2009
- FMLA Changes Now In Effect, Idaho Employment Law Letter, February 2009

Education

- 1999, J.D., Willamette University College of Law in Salem, Oregon
- 1996, B.A., Business Administration and Political Science, Carroll College in Helena, Montana
Heather A. Bailey
SmithAmundsen LLC
150 North Michigan Avenue
Suite 3300
Chicago, IL 60601
Phone: (312) 894-3266
Fax: (312) 997-1710
Cell: (312) 209-5868
Email: hbailey@salawus.com
www.salawus.com

**Biography and Experience**

Heather credits her experience working full-time in office administration and human resources during law school for her seamless transition into management-side labor and employment law. The skills she developed as a legal secretary and office manager help strengthen her appreciation and understanding of clients’ concerns today and gave her the tools to be efficient, respectful and meticulous in her role as an attorney. For 17 years, Heather has concentrated her practice in employment and labor counseling and litigation, including discrimination and trade secret / non-compete lawsuits, FLSA class actions, labor negotiations and arbitrations, affirmative action, and OFCCP/DOL audits. She counsels on day-to-day operations, human resources, and management decisions regarding employees, practices and policies. Heather also works comfortably with FMLA/ADA, sexual harassment, affirmative action, union avoidance and other types of employee and management training. Her clients operate across the U.S. in industries like vending, healthcare, transportation, parking, automotive repair, construction, staffing, hospitality (restaurants/taverns), banking, and manufacturing to name a few.

**Representative Trials**

Generally, Heather’s goal is to win at the summary judgment stage – thus vitiating the need for a trial and has been successful even in the Illinois State Court where employment matters are new to judges. In the most recent trial Heather has had in the past 10 years, while it was not successful at the jury level, she was able to get the judge to remit down the $1m verdict to $175,000 based upon the objections and motions in limine Heather preserved on the record during trial. Heather has also been successful in a number of union arbitrations.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee
- Complaints’ Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- WCAB-132a Matters
- Wrongful Termination

**Honors and Awards**

- Recognized as a Pro to Know by Automatic Merchandiser and VendingMarketWatch: 2015

**Representative Seminars**

*Served as Speaker/Panelist or Articles Written*

- “Sexual Harassment and Scandal Beyond Hollywood: A Primer for Hospitality Industry Employers,” Webinar, January, 2018
- Author, “Goodbye 2017 & Hello 2018! What All Employers Should Know For the New Year,” *NAMA InTouch Magazine*, Winter 2018
- Author, “Important DOL Update: The Final Rule on Doubling White Collar Salaries is Shot Down by Texas Judge,” *NAMA InTouch Magazine*, Fall 2017

**Education**

- 1992, B.A., Communications (BAC), Bowling Green State University
**Biography and Experience**

For 15 years, Julie has helped employers of all shapes and sizes navigate legal pitfalls of the employment relationship from its inception at recruitment and hiring through the implementation of policies and procedures, and the conclusion of the relationship with the termination/separation process. When litigation arises, Julie advocates for clients in the areas of traditional labor and employment law, including discrimination/retaliation cases, non-competition/non-solicitation enforcement, wage and hour litigation, and employment and labor arbitrations.

In addition to the private sector, Julie represents many public sector/municipal employers in traditional labor and employment issues. Which includes labor disputes, negotiations, grievances, ULP defense, and arbitrations. Her practice encompasses representing both public and private sector employers in federal, state and administrative venues. These venues include a trial practice in federal and state court, as well as the Illinois Human Rights Commission, Equal Employment Opportunity Commission, National Labor Relations Board and Department of Labor.

**Representative Trials**

- Grievance Arbitration regarding a dispute surrounding contract language and health insurance benefits. The successful outcome impacted numerous bargaining units.
- Arbitration regarding the termination of a firefighter for conduct unbecoming.
- Age Discrimination case regarding the failure to hire.

**Areas of Experience**

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**Honors and Awards**

- Appointed to the IL Senate Task Force on Sexual Harassment, 2017-2018
- Honored with Leading Lawyer designation in 2015 and 2016; Rising Star in 2011, 2013 and 2014
- Received the Influential Women in Business Award from the *Daily Herald Business Ledger* in 2013
- Recognized as “40 Illinois Attorneys Under 40 to Watch” by the *Law Bulletin* in 2012

**Representative Seminars**

- Contributing Author to SmithAmundsen’s blog, The Labor & Employment Law Update

**Education**

- 2003, J.D., Northern Illinois University College of Law, *magna cum laude*
- 1998, M.A., Eastern Illinois University
- 1997, B.A., Eastern Illinois University, *cum laude*
Jeff Risch serves as chair of SmithAmundsen’s Labor & Employment Group. His practice has concentrated in management-side labor & employment matters since 1998. Jeff has successfully litigated over 2,000 employment and labor law cases in state and federal courts before local, state, and federal administrative agencies throughout the United States. His practice is concentrated on representing employers in employment discrimination and retaliation claims as well as matters involving employee wage and hour claims. He also represents clients in traditional labor law matters including campaigning against union organizing petitions, unfair labor practice charges, labor negotiations, and all facets of collective bargaining under the NLRA. He is adept in handling disputes arising under employment related contracts (with an emphasis on non-compete agreements). He has additionally handled various independent contractor and contingent workforce issues. He obtained substantial experience in various areas of employment law and traditional labor law as Director of Legal Affairs for a leading industrial equipment distributor and service provider, with multiple locations throughout the Midwest. Jeff currently serves as Chapter Labor Attorney for the Associated Builders & Contractors of Illinois, Chapter Labor Counsel for NIBCA (Northern Illinois Building Contractors Association), and as the Chairperson for the Illinois Chamber of Commerce’s Employment Law & Litigation Committee.

Representative Trials

- *New Jersey Department of Labor v. Reader’s Digest*
- *Sustaita v. West Suburban Bank*
- *Chester Bross v. Illinois Department of Transportation*

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Chair of Illinois Chamber’s Employment Law Council, 2014-Present
- Named as an Illinois Super Lawyer in the Labor & Employment – Thomson Reuters, 2013-Present
- Best Lawyers – Employment Law, 2015, 2016, 2017, 2018
- 2010 Chicago Law Bulletin’s 40 and 40

Representative Seminars

- “Managing the Workforce in Light of Developing Regulatory Compliance Requirements and Changes Under President Trump’s Administration,” Illinois Bankers Association, June, 2017
- Editor and Contributing Author, SmithAmundsen’s *The Labor & Employment Law Update* blog
- Mr. Risch has also had notable speaking engagements and contributions for the following organizations: Illinois Chamber of Commerce; MotorAge Magazine; CNNMoney; Fox News Chicago; Construction Executive Magazine; New England In House Counsel Magazine; Daily Herald Business Ledger; Chicago Tribune; Kane County Bar Association; Lorman Education Services; Illinois Institute of Continuing Legal Education; Associated Builders and Contractors; Midwest Truckers Association; SHRM; and Valley Industrial Association.

Education

- 1998, J.D., University of Tulsa
- 1994, B.S., Illinois State University
Biography and Experience

Rusty is a member of the Partnership Board, Chair of the Labor and Employment Practice Group and a member of the Litigation Practice Group at the firm. He handles a wide variety of employment and commercial litigation matters, representing clients in pre-dispute counseling and negotiations, ADR, administrative proceedings, discovery, injunction hearings, trials and appeals.

Rusty represents employers in the full range of employment matters, regularly providing clients with general advice and counsel on employment policies and practices and on employee discipline and termination. He represents employers in litigation before agencies and courts on all types of employment claims, including discrimination, wage disputes and wrongful termination. He has also represented clients in commercial litigation in both state and federal courts involving claims of breach of contract, breach of fiduciary duty, common law fraud, conversion, defamation, non-compete and non-disclosure violations, shareholder misconduct, trade secret misappropriation and inevitable disclosure, torts, tortious interference and unfair competition.

Areas of Experience

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Honors and Awards

- Chambers USA 2014
- The Best Lawyers in America® in the field of Litigation – Labor & Employment in 2013 and 2014

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Instructor on evidence for Indiana Bar Review
- Frequent lecturer on federal evidence and federal practice for Indianapolis Bar Association and other CLE conferences
- Lecturer on employment issues at attorney CLE conference, employer conferences and client training session
- Author of articles on Indiana and federal law, evidence and employment law developments

Education

- 1988, J.D., Indiana University Robert H. McKinney School of Law
- 1985, B.S., Business Administration, Butler University, cum laude
Biography and Experience

Working exclusively in the areas of labor and employment law for the past thirteen years, Andy provides advice, counsel and litigation defense to employers in all areas of employment law, including Title VII, ADA, ADEA, FLSA, FMLA and ERISA. Andy has extensive experience in competitive business litigation, including the prosecution and defense of restrictive covenants and trade secret litigation. Andy also has worked closely with businesses on ADA accessibility compliance, including compliance of public accommodations and web-based services.

Representative Trials

Race Discrimination – successfully tried race discrimination claim to a defense verdict before a jury in Federal District Court for the Southern District of Indiana. Plaintiff asserted he was harassed and discriminated against because of his race in the termination of his employment. After a several day jury trial, jury returned a defense verdict on all counts.

FMLA – successfully defended client against multi-count FMLA claim in Federal District Court for the Southern District of Indiana. Received ruling on summary judgment in favor of client.


Areas of Experience

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Representative Seminars

Served as Speaker/Panist or Articles Written

- “Title VII Harassment – Hostile Environment Cases,” Indiana Continuing Legal Education Forum
- “Fundamental Issues in Human Resources Law,” National Business Institute
- “Recent Developments in Human Resources Law,” Indiana Continuing Legal Education Forum
- “Title II of the ADA – Public Accommodations,” Indiana Association of Cities and Towns
- Frequent Contributor to INside Indiana Business, “INsiders” Segments

Education

- 1999, J.D., University of Toledo College of Law, cum laude
- 1996, B.A., The Ohio State University
Biography and Experience

Brian Fagan is a member at Simmons Perrine Moyer Bergman PLC in Cedar Rapids, Iowa where he leads the firm’s employment and labor practice group and also sits on the firm’s board of directors. Mr. Fagan represents and counsels businesses and individuals on employment-related matters, including employment contracts, independent contractor agreements, trade secrets, non-compete and non-solicitation agreements and labor arbitrations, as well as the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA) and Title VII of the Civil Rights Act. He conducts internal employment investigations and counsels clients facing government investigations on the multitude of statutes and regulations governing the workplace. He appears before local, state and federal administrative agencies, and state and federal courts and arbitration panels.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Department of Labor Investigations
- Employment Policy and Procedure Manuals
- Family and Medical Leave Act
- Hostile Work Environment
- Labor Arbitration
- National Origin Discrimination
- Race Discrimination
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage and Hour Claims
- Wrongful Termination

Honors and Awards

- AV Rating by Martindale-Hubbell®

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Non-Compete/Non-Solicitation Agreements,” 2017
- “Mental Illness in the Workplace,” 2016
- “EEOC and NLRB Actions and Decisions: What is the Impact on Employers?” 2015
- “Worker Misclassification – State and Federal Perspectives,” 2014
- “Hiring and Terminating Employees in the Current Economy,” 2014

Education

- 2001, J.D., Drake University of Law School, with honors
- 1998, M.A., Catholic University of American
- 1994, B.B.A., University of Iowa
Biography and Experience

Kevin J. Visser is a member of Simmons Perrine Moyer Bergman in Cedar Rapids, Iowa. He has served as primary counsel in more than 225 pieces of PACER-identified federal litigation including nearly 20 8th Circuit decisions, representing Plaintiffs and businesses; labor arbitration; class action experience. Mr. Visser is the firm’s primary contact with the USLAW NETWORK and serves on the firm’s board of directors.

Mr. Visser is a member of the American Board of Trial Advocates. He is included in The Best Lawyers in America© list for Commercial Litigation and Employment Law – Management. He was listed as a Best Lawyers® Lawyer of the Year for Employment Law – Management in 2015. Mr. Visser is ranked in Chambers USA for Employment Law and Litigation: General Commercial. He is an AV Rated attorney with Martindale-Hubbell® and is included in the Great Plains Super Lawyers® list – being named to Iowa’s Top 10 Attorneys by Super Lawyers® in 2014.

Representative Trials

Tina Haskenhoff v. Homeland Energy Solutions, LLC, No. 15-0574 (Iowa Supreme Court 2017) Iowa Supreme Court reversed the 2015 order of a trial judge denying Homeland Energy, LLC a new trial based upon improper instructions of law requested by the Homeland’s former lab manager. The Court’s 173-page, three-opinion ruling vacates a $2.5MM judgment and announces the elements of Iowa law on a sexually hostile work environment, the standard for retaliation claims, and constructive discharge.

LaRhonda Austin v. CRST Expedited, Inc., No. C13-91 (N.D. Iowa 2015) Jury verdict against driver on her state and federal claims of sexual harassment, constructive discharge, and punitive damages, and for employer on its counterclaims.

J. Richard Ransel, Trustee of the Estate of John Kaufman v. CRST Dedicated Services, Inc., No. 2:10-cv-466 (N.D Ind. 2015) Jury verdict and judgment in favor of trucking employer on Plaintiff’s FMLA interference claim and FMLA retaliation claim. Plaintiff’s Indiana retaliatory discharge claim dismissed on directed verdict. Summary judgment previously entered on 03/24/2014 in favor of Defendant and against Plaintiff on Plaintiff’s ERISA interference claim and Indiana Wage Claims statute claim.


Areas of Experience

- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Employment Policy and Procedure Manuals
- EEOC and DFEH Mediations
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Retaliation
- Sexual Harassment
- Sexual Harassment Training
- Wrongful Termination

Education

- Central Missouri State, B.S. (Economics) 1978
- University of Iowa College of Law, J.D. 1980
Biography and Experience

Thomas D. Wolle is a member of Simmons Perrine Moyer Bergman where he focuses his practice in the areas of workers’ compensation defense and labor and employment law.

Mr. Wolle’s workers’ compensation practice includes representation of large, self-insured employers as well as those employers who procure workers’ compensation insurance from insurers and third-party administrators.

His labor and employment law practice involves representing primarily employers in the broad range of employment-based claims that are frequently asserted in litigated cases brought in administrative agencies and in state and federal court. Mr. Wolle has tried numerous cases to juries and judges and has handled multiple appeals in both state and federal court. His litigation and jury trial experience includes cases involving race discrimination, national origin discrimination, disability discrimination, age discrimination, sex discrimination, sexual harassment, and also cases involving various wrongful termination claims, the FMLA, non-compete/unfair competition, drug testing and contract-based claims. He has also handled numerous matters involving allegations that employees have left employment in violation of restrictive covenants and/or have misappropriated trade secrets of the former employer.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigation of Employee Complaints’ Seminar
- National Origin Discrimination Race Discrimination Reductions in Force
- Religious Discrimination Retaliation Sex/Gender Discrimination Sexual Harassment Sexual Harassment Training Wage & Hour Claims WCAB-132a Matters Wrongful Termination

Honors and Awards

- Named to The Best Lawyers® “Lawyer of the Year” in Cedar Rapids for Labor Law – Management
- Included in The Best Lawyers in America® list
- AV Rating by Martindale-Hubbell®
- Included in Great Plains Super Lawyers®

Education

- 1992, J.D., University of Iowa College of Law, with Distinction
- 1988, B.A., Luther College
Anne helps employers implement practical solutions to workplace issues while remaining compliant with federal, state, and local employment laws. Anne has wide-ranging experience with day-to-day human resources and employment counseling. She develops policies and handbooks and trains employees and managers in the multitude of laws that apply to the employment relationship. Anne also advises clients regarding various employment agreements.

When claims occur, Anne represents her clients in federal and state courts and before administrative agencies. She has obtained successful trial verdicts and dispositive motions in litigation involving: sexual harassment; sex, race, disability, and age discrimination; retaliation and whistleblowing; non-compete agreements and restrictive covenants; and wage and hour disputes.

Anne conducts independent workplace investigations. Her extensive employment litigation experience gives her real-world insight when conducting workplace investigations into internal employee complaints, third-party complaints, and lawsuits alleging employee or employer misconduct. Anne performs fact-finding investigations and makes objective written findings and recommendations. She works with her clients to assess exposure, if any, and implement recommendations noted during the investigation. Anne also provides on-going advice and counseling with the goal of minimizing any future claims.

Representative Trials

Represented international manufacturer in an action seeking damages for alleged sexual orientation harassment, retaliation, and multiple employment torts. After discovery, obtained a partial grant of summary judgment and tried the remaining claims. At trial, the judge dismissed part of the case on a motion for directed verdict. The jury returned a defense verdict on the remaining claims.

Advised clients to provide proactive advice regarding issues such as background checks, weapons in the workplace, leaves of absence, disability, wage and hour.

Helped retail grocery client navigate multiple wage-and-hour and discrimination claims and lawsuits to successful resolution through dispositive motions, pre-trial litigation strategies, and favorable settlements.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
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- Sexual Harassment Training
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- Wrongful Termination

Honors and Awards


Representative Seminars

Served as Speaker/Panelist or Articles Written


Education

- 2005, J.D., Suffolk University Law School, magna cum laude
- 2000, Bachelor of Journalism, University of Missouri, magna cum laude
Biography and Experience

Amanda Pennington Ketchum serves clients both as a trial lawyer and counselor on preventive strategies to avoid employment-related litigation. She litigates for numerous businesses on a wide range of employment-related matters. She is known for her sincere interest in helping employers improve their workplaces and proactively avoid litigation, and she supports management, human resources and in-house legal teams with all aspects of workforce management. Mandy has also successfully represented clients before the EEOC and state human rights commissions.

Mandy is Dysart Taylor’s managing director. She was recently elected to the Board of Directors of the USLAW NETWORK and is a member of its Managing Partners Steering Committee and Diversity Council. She is a Past President of the Association for Women Lawyers of Greater Kansas City and now serves on the Board of Directors for the Association for Women Lawyers Foundation. She also serves on the Board of Directors of Lawyers Encouraging Academic Performance and is an elected Governor of the Missouri Bar. She is licensed to practice in Missouri and Kansas and the U.S. District Courts for the Western District of Missouri and the District of Kansas.

Areas of Experience

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Honors and Awards

- Missouri Lawyers Weekly Rising Star, Women’s Justice Awards, 2017
- Kansas City Business Journal’s Best of the Bar, 2009-2017
- Selected to Missouri & Kansas Super Lawyers, 2013-2017

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Mizzou Women’s Law Association Symposium, panelist, April 2017
- “Wrecking Ball: Creating a Crisis for Your Opponent,” USLAW Women’s Connection, June 2016
- Drinks Among Friends Kansas City Launch and Panel Discussion, moderator, 2015

Education

- 2001, J.D., University of Missouri School of Law
- 1998, B.A., William Jewell College, magna cum laude
Biography and Experience
Brent Baughman has represented employers in state and federal courts for the past 20 years, defending civil rights, common law, wrongful discharge, and contract claims. He has frequently counseled employers on labor and employment issues. Brent also has an extensive appellate practice, representing clients before the Kentucky Supreme Court, Kentucky Court of Appeals, United States Supreme Court, and federal Courts of Appeals. He has argued numerous cases, resulting in published decisions addressing the Kentucky Civil Rights Act, common law wrongful discharge and defamation law, franchise law, and a housing authority’s state agency status.

Representative Trials
Buckley v. Kroger Co. – Obtained a defense verdict in a hotly contested, 15 year, case. Taking on the case in successful appeal from $1.75 Million verdict at 2001 trial, there were two additional rounds of appeals to both Kentucky appellate courts, culminating in retrial on the sole remaining intentional infliction of emotional distress claim. At the second trial, after more than a week of testimony, jury rejected plaintiff’s request for over $3.3 Million in damages, despite highly charged allegations of emotional harm.

Duncan Machinery – Successful labor arbitration, following two full days of hearing, with arbitrator completely denying grievance seeking over $850,000 in lost wages for five former employees.

Union Underwear Co. v. Barnhart – Taking case over on appeal at the Kentucky Supreme Court, obtained discretionary review from Court of Appeals Opinion which had affirmed over $1 Million judgment. The Supreme Court vacated the judgment, holding that there could be no extraterritorial application of the Kentucky Civil Rights Act.

Areas of Experience
- ADA Matters
- Age Discrimination
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- Consultations/Risk Analysis
- EEOC and DFEH Mediations
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- Employment Risk Realities Seminar
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- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards
- The Best Lawyers in America® Louisville Appellate Practice "Lawyer of the Year," 2013

Representative Seminars
- “Sea-Change or Semantics? The Hew and Cry Over Twombly, Iqbal and Their Effect on Employment Litigation,” American Bar Association Labor & Employment Law National Conference, November, 2010
- “What’s New With The ADA?,” The ADA Amendments Act of 2008, Kentucky Society for Human Resources Management Annual Conference, September, 2009
- “Employee Free Choice Act – What Does It Mean For You?,” Kentucky Association of Manufacturers Legislative Summit, February, 2009

Education
- 1988, J.D., Indiana University
- 1988, M.B.A., Indiana University
- 1984, B.A., University of Louisville
Biography and Experience

After teaching history for seven years, Phil Eschels has practiced labor and employment law for over 30 years. His experience includes litigation in court, as well as before the NLRB and EEOC. Phil has also engaged in collective bargaining and labor arbitrations. His litigation experience has been defending employers against all forms of discrimination claims, collective wage and hour claims, non-compete litigation and wrongful discharge claims. Phil regularly provides employment counsel on all aspects of employment, management training, and drafting of employment agreements, severance agreements and employee handbooks.

Phil is a Partner in the firm’s Labor and Employment Practice Group.

Representative Trials

Meyers v. Chapman Printing Company in Fayette Circuit Court, Lexington, Kentucky. This case established numerous legal issues of first impression under the Kentucky Civil Rights Act, including the right to a jury trial and recovery of compensatory damages. At trial, the jury found for the defendant on the Plaintiff’s sex discrimination discharge claim and found for the plaintiff on her sex harassment claim.

Moore v. Commonwealth Aluminum in Hancock Circuit Court, Hawesville, Kentucky. This case alleged race discrimination against a discharged supervisor. Although the jury found for the plaintiff, the Kentucky Court of Appeals held that summary judgment should have been granted to the defendant and reversed the verdict in its entirety.

Brooks vs. Lexington-Fayette Urban County Housing Authority, Fayette Circuit Court, Lexington, Kentucky. The result was mixed: no liability on the discrimination/harassment claim that sought recovery of significant liability and a small verdict in favor of the plaintiff on the retaliation count.

Areas of Experience

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- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Included in Who’s Who Legal USA and the International Who’s Who of Management Labour & Employment Lawyers
- Inducted as a Fellow in The College of Labor and Employment Lawyers, Inc., 2007

Representative Seminars

- “Ethics & Professionalism: Exploring the Boundary Between Zealous Advocacy and Lawyer Misconduct,” 29th Annual Carl A. Warns, Jr. Labor & Employment Law Institute
- “Lessons From Penn State – Businesses Need to Review Reporting Policies and Conduct Ongoing Training”
- “Trial Tactics,” American Bar Association Labor & Employment Section’s Annual Meeting, Denver, CO, September 12, 2008
- “How to Protect Your Company in the Modern Age of Social Media”
- “Overcoming Compliance and Employee Leave Challenges,” FMLA Master Class for Kentucky Employers, 2010

Education

- 1983, J.D., Indiana University School of Law, with honors
- 1977, M.A., Ball State University
- 1974, B.A., Concordia University, River Forest, IL
Biography and Experience
Attorney Stouder has represented many employers before the Maine Human Rights Commission regarding claims of age, disability and gender discrimination, as well as various types of harassment claims.

Representative Trials

**Chancey and Coombs v. GM, Ford, Chrysler and 59 Car Dealerships (Maine)**
Maine Human Rights Commission PA07-0554- PA 07-0618
Represented 33 car dealers on claims before the Maine Human Rights Commission on claims that dealers and manufacturers unlawfully discriminated against Canadian citizens in not permitting sales of new cars from U.S. dealerships. Commission finding of no unlawful discrimination.

**Goss v. Care & Comfort**
Maine Human Rights Commission E05-0389
Successful representation of employer care provider in claim of wrongful termination and discrimination based on claimed disabilities of employee. Commission finding of no unlawful discrimination.

Areas of Experience

<table>
<thead>
<tr>
<th>ADA Matters</th>
<th>Hostile Work Environment</th>
<th>Sex/Gender Discrimination</th>
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<td>Retaliation</td>
<td>Wrongful Termination</td>
</tr>
</tbody>
</table>

Education

- Middlebury College, B.A. Political Science, 1975
- Temple University School of Law, J.D. 1984
Biography and Experience

Bert Randall concentrates his practice in the defense of employers in labor and employment matters in state and federal courts and before state and federal administrative agencies, including, but not limited to: U.S. EEOC and State and Local FEP agencies, Department of Labor, DLR, MOSH/OSHA, NLRB, and Office of Administrative Hearings.

He represents employers in employment related litigation to include matters involving discrimination, FMLA, ADA, employment contracts, wrongful discharge, wage and hour, unemployment, occupational safety and health, workers’ compensation and retaliation claims. He also represents employers in collective bargaining and in labor arbitrations on matters such as contract interpretation and discharge issues. In addition to his active trial practice, Mr. Randall places an emphasis on counseling employers in effective employment policy formation and training in order to avoid cost and litigation.

Representative Trials

Babwah v. Henry’s Wrecker Service – Represented a motor carrier who had been sued for wage and hour violations. Specifically, the employee alleged a failure to pay overtime. Relying upon the motor carrier exemption to the Fair Labor Standards Act, Mr. Randall obtained summary judgment on behalf of the employer before the U.S. District Court for Maryland.

Bello v. Brink’s, Inc. – Represented a national security company who had been sued for false imprisonment, malicious prosecution, battery, assault and intentional infliction of emotional distress, among other counts, by a former employee. Plaintiff alleged these causes of actions after he had been charged with theft. After detailed discovery and briefing, Mr. Randall obtained summary judgments in behalf of his client on all counts.

Green v. Hahn Transportation, Inc. – Plaintiff alleged an occupational disease sustained in the course of employment. After a three day jury trial, Mr. Randall successfully moved to strike Plaintiff’s key medical expert and subsequently obtained a directed verdict in favor of his client.

Areas of Experience

ADA Matters
Age Discrimination
Alternative Dispute Resolution
Civil Rights Matters
Collective Bargaining
Employment Contracts
Employment Law Training for
Managers/Employees
Employment Policy and Procedure Manuals

Employment Practices Liability Insurance
Equal Pay Act Matters
FMLA Issues
Hostile Work Environment
Labor Arbitrations
National Origin Discrimination
Non-Competes and Restrictive Covenants
Occupational Safety & Health
Race Discrimination

Reductions in Force
Religious Discrimination
Retaliation
Sex/Gender Discrimination
Sexual Harassment Investigations
Sexual Harassment Training
Wage & Hour Claims
Workers’ Compensation
Workplace Violence
Wrongful Termination

Honors and Awards

• Prior USLAW NETWORK, Inc. Employment and Labor Law Practice Group Chair.
• Testified numerous times in behalf of the Maryland Chamber of Commerce before the Maryland Legislature on a variety of employment legislation.

Representative Seminars

Served as Speaker/Panelist or Articles Written

• “National Labor Relations Act Update,” Maryland Motor Truck Association
• “The Impact of Employment Practices Liability Insurance on Employment Claims,” American Bar Association
• “Changes Faces of ADA and VEVRAA,” Maryland Association of Affirmative Action Officers
• “The Perils of Social Media” Hunt Valley Business Forum
• “What To Do When Faced With Permanent Restrictions,” SEAK, Inc
• “OSHA Updates and Recordkeeping Issues,” Maryland Motor Truck Association
• “Utilizing Non-Competes and Restrictive Covenants to Protect Your Proprietary Information,” Maryland Ready Mix Concrete Association

Education

• University of Maryland, BS Business, 1991
• University of Baltimore School of Law, JD (cum laude), 1995
Biography and Experience

Ms. Barringer defends companies and individuals in a variety of matters ranging from employment claims to business disputes to professional liability matters. Her peers have recognized her as a Massachusetts Super Lawyer (Employment Litigation: Defense) and for inclusion in the Best Lawyers in America (Personal Injury Litigation: Defense). Ms. Barringer has tried more than 20 cases before juries. She also regularly represents her clients at arbitration and mediation, and handles matters before administrative agencies including Massachusetts Commission Against Discrimination (MCAD). Ms. Barringer is experienced in the counseling and defending of corporations, individuals, manufacturers, health care providers, hospitals and insurers. Her practice involves aggressively protecting her clients’ interests after litigation occurs. Ms. Barringer defends her clients from the initial response to the complaint through trial. She protects her clients’ positions cost effectively through motion and discovery practice, and deposes the necessary parties, witnesses and experts. Her business and individual clients become enthusiastic fans of her trial skills, strategies, and business insight and acumen.

Representative Trials


Obtained dismissal on behalf of hospital accused by doctor of bad faith, which is a question decided by judge not jury in Massachusetts & where treble damages and attorney fees may be available if plaintiff prevails. February 2017.

Prevailed at trial in defending well-known hedge fund manager of emotional distress claims brought by domestic worker injured in his home while hired to care for his young children. Contentious litigation resulted in minimal award by jury for breach of contract and for strict liability claim for personal injury to plaintiff’s hand (including medical and surgery bills). Amount jury awarded essentially equalled amount offered nearly three years prior, which preceded commencement of litigation. 12-person jury trial, September 2016.

Areas of Experience

- ADA Matters
- Age Discrimination
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee Complaints’ Seminar
- National Origin Discrimination
- Race Discrimination
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wrongful Termination

Honors and Awards

- Recognized as a Massachusetts “Super Lawyer” by Law & Politics magazine in the area of Employee Litigation: Defense, 2016-2017
- Selected for inclusion in The Best Lawyers in America® in the field of Personal Injury Litigation – Defendants, 2012-2015, 2017-2018

Representative Seminars

- Co-Chair of Boston/Hartford Professional Lines Attorney Network (“PLAN”) Regional Workshop for Individuals Handling Professional Liability Matters, New York, NY
- Lecturer on Massachusetts’ Bad Faith/Consumer Protection Statute G.L. ch 93A, Boston, MA
- Presenter on Work-Place Harassment in Food Services Industry, New England Food Show, Boston, MA

Education

- 1998, J.D., Suffolk University Law School, cum laude, Moot Court Honor Board
- 1993, B.A., Sociology, Boston College, Member of Women’s Ice Hockey Team
Biography and Experience

For over 25 years, Mr. Blake has focused on employment litigation, counseling and labor law. In his litigation practice, Mr. Blake represents local and national clients across many industries before state and federal courts and agencies in all types of employment claims including wage-hour and other class and collective actions, wrongful discharge, discrimination and harassment, employment torts, non-compete agreements and other contractual matters. In his counseling practice, Mr. Blake provides strategic and tactical advice on all types of employment matters, including non-compete and trade secret issues, severance and employment agreements, government audits and investigations, reductions in force, employment policies, privacy matters, as well as other compliance matters and litigation avoidance strategies. Mr. Blake also provides counsel and representation to employers in labor law matters including representation and compliance cases before the NLRB, union relations, collective bargaining negotiations, arbitrations, union organizing campaigns and related issues.

Representative Trials

Represented national franchisor in multiple class actions in US District Court – Massachusetts for claims under the Massachusetts Tips and Minimum Wage laws. Defense verdict obtained in case tried as an exemplar trial.

Represented national telecommunications provider in Massachusetts Superior Court action alleging disability discrimination. Obtained favorable settlement following closing arguments.

Obtained labor arbitration award for pulp mill in a case involving assignment of work between job classifications with potential for multi-million dollar backpay liability.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee Complaints’ Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Rated Preeminent (AV) in legal skill and ethics by Martindale-Hubbell Peer Review©
- Listed among The Best Lawyers in America® in Employment Law – Management, 2016-2018
- Recognized as a Massachusetts “Super Lawyer” by Law & Politics magazine in the areas of Employment & Labor, and Business Litigation, 2013-2017

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Litigating Wage and Hour Cases,” Massachusetts Defense Lawyers Association Seminar, September 2012
- “Concerted Activity Under the National Labor Relations Act,” Massachusetts Bar Association Health Law Conference, June 2009

Education

- 1988, J.D., St. John's University School of Law
- 1984, B.A., Boston College
**Biography and Experience**

For over 20 years, Edward Bardelli has successfully represented manufacturers, utility companies, universities and banks in all manner of employment disputes, including race, sex, age, FMLA and disability discrimination claims, as well as harassment, retaliation and whistleblower claims.

**Representative Trials**

Bold type denotes client.

Rivard v. The Dow Chemical Company, et al. No cause jury verdict involving Whistleblowers’ Protection Act and violation of Michigan Public Policy claims brought by former employee against Dow and five individual defendants.

Warner, et al. v. DSM Pharma Chemicals – No cause jury verdict involving breach of contract claim by several former employees relating to shutdown of facility.


Hodge v. Grand Valley State University – No-cause jury verdict involving race discrimination claim.

**Areas of Experience**

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**Honors and Awards**

- Best Lawyers in America, Commercial Litigation, 2013-Present
- Named to Michigan Super Lawyers, 2010-Present
- Leading Lawyers Michigan, 2014

**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- “Employment Litigation Update,” Warner Norcross Human Resources Seminar, Grand Rapids, Michigan, April 20, 2015

**Education**

- 1995, J.D., Wayne State University, cum laude
- 1992, B.A., University of Michigan, high distinction
**Biography and Experience**

Known for her no-nonsense approach and fierce advocacy, Amanda Fielder has established a reputation for defending employer interests in employment-related issues. Amanda’s practice covers all aspects of employment law and she has successfully defended employers against claims of discrimination, harassment, retaliation and wrongful discharge, as well as other statutory, contract and tort-related employment claims. Passionate about her clients’ business needs and goals, Amanda prides herself on being a critical resource, regularly counseling employers on current and relevant employee relation issues. Moreover, Amanda’s in-depth knowledge of her client’s business practices has allowed her to counsel and represent clients in antitrust investigations and proceedings.

A client called Amanda a great employment law attorney, adding: “She makes an uncomfortable situation — trying an employment dispute in court — as comfortable as possible. She gives us peace of mind. On top of all that, she has educated our management team so that we can avoid potential issues in the future.” Amanda’s experience and expertise have earned her recognition as a “Rising Star” by Super Lawyer for the past four years.

Amanda has been elected a member of the Management Committee at Warner Norcross + Judd.

**Representative Trials**

Counsel for large chemical company in obtaining no-cause jury verdict after five-day trial in Whistleblower Protection Act and Michigan Public Policy case

Co-Counsel for large manufacturer obtaining summary judgment in Whistleblowers Protection Act and public policy case, affirmed by the Sixth Circuit Court of Appeals

Co-Counsel for large chemical company in jury trial involving FMLA retaliation claim

Co-Counsel for manufacturing food company in obtaining denial of class certification in action under the employee background check rules of the Fair Credit Reporting Act

Co-Counsel for pharmaceutical company in obtaining no-cause jury verdict in breach of contract case

Lead Counsel for medical provider in obtaining summary judgment in gender discrimination case

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Honors and Awards**

- Named as a Michigan Super Lawyer Rising Star, 2010-Present
- *Michigan Lawyers Weekly* honored Amanda M. Fielder, as one of its “Up & Coming Lawyers” for 2015

**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- “Anatomy of a Discharge Case, Best Practices in HR Litigation,” Mid-Michigan and Cadillac Area HR Association, Clare, Michigan, September 15, 2015
- “Hot Topics in Labor and Employment” and “Employment Litigation Update,” Warner Norcross Human Resources Seminar, Grand Rapids, Michigan, April 20, 2015

**Education**

- 2006, J.D., Michigan State University, Executive Editor, *Michigan State Law Review*, magna cum laude
- 2002, B.A., Western Michigan University, summa cum laude
Biography and Experience

David Wilk focuses his practice on employment litigation and counseling. Throughout his 20 years in the employment area, Mr. Wilk has successfully litigated numerous sex, race, age and disability discrimination case law in state and federal courts, including appellate courts. Mr. Wilk has also handled matters before the EEOC and other agencies, and he also has extensive experience counseling employers on reductions-in-force, harassment investigations, violence in the workplace and other human relations matters. Prior to joining Larson • King, he served as in-house counsel for a Minnesota-based high tech company and was a partner at Oppenheimer Wolff & Donnelly LLP. Mr. Wilk serves as Larson • King’s managing partner.

Representative Trials


McLain v. Andersen Corp., 567 F.3d 956 (8th Cir. 2009) (affirming summary judgment, claims of disability discrimination, reprisal and fraud)

Schurmeier v. Nash Finch Company, 2007 WL 4179392 (D. Minn. 2007) (ordering trial on sex discrimination claim; defense verdict following trial)

Srch v. 3M Company, 259 Fed. Appx. 949 (9th Cir. 2007) (affirming summary judgment for employer on claim regarding compensation plan)

Alberts v. Nash Finch Co., 245 F.R.D. 399 (D. Minn. 2007) (certifying class actions and ordering trial under WARN ACT; defense verdict following trial)

Areas of Experience

ADA Matters
Age Discrimination
Civil Rights Matters
Consultations/Risk Analysis
EEOC and DFEH Mediations
Employment Policy and Procedure Manuals
Employment Risk Realities Seminar
Hostile Work Environment Investigation of Employee Complaints Seminar
National Origin Discrimination Race Discrimination Reductions in Force
Religious Discrimination
Retaliation
Sex/Gender Discrimination
Sexual Harassment
Sexual Harassment Training
Wage & Hour Claims
Wrongful Termination

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “The Basics of Drafting Separation Agreements,” Upper Midwest Employment Law Institute, 2013
- “Important Recent Developments in Employment Law and Practice,” Upper Midwest Employment Law Institute Faculty Webinar, 2012
- “Introduction to Religious Accommodation in the Workplace,” Upper Midwest Employment Law Institute, 2011
- “Strategic Discovery Practice,” Upper Midwest Employment Law Institute, 2010 (panelist)
- “RIFs: A 360-Degree View,” Upper Midwest Employment Law Institute, 2009; and Highlights of the 2009 Upper Midwest Employment Law Institute

- The Reduction-In-Force Desk Reference, co-authored with Yvonne Shorts and Melissa Weldon, 2008

Education

- Hamline University, B.A., magna cum laude, 1988
- University of Minnesota School of Law, J.D., cum laude, 1991
Robert C. Richardson
Copeland, Cook, Taylor & Bush, P.A.
600 Concourse, Suite 100
1076 Highland Colony Parkway
Ridgeland, MS 39157
Phone: (601) 856-7200
Fax: (601) 856-7626
Cell: (601) 573-1387
Email: brichardson@cctb.com
www.copelandcook.com

Biography and Experience
Mr. Richardson has over 25 years of experience in assisting employers with the myriad of laws affecting the workplace. He provides counsel to employers regarding day-to-day personnel matters, and assists with issues and proactive measures such as drafting employee handbooks and policies, supervisor training, drafting and enforcing employment-related agreements, and employee compensation. Mr. Richardson also assists employers with investigations and charges by the EEOC, OSHA, Wage & Hour, NLRB, and OFCCP, and in defending lawsuits related to wrongful discharge, whistle-blowing, discrimination, harassment, retaliation, leaves of absence, breach of contract, and minimum wage/overtime. Mr. Richardson also counsels and assists employers with labor issues such as union avoidance strategies, union elections, collective bargaining, and arbitrations. Prior to joining Copeland Cook in 1999, he worked in-house in Memphis, Tennessee, for a large Japanese electronics manufacturer. He currently serves as the chair of Copeland Cook’s Labor & Employment Law section.

Representative Trials
Representing both local and national employers, Mr. Richardson has defended numerous state and federal court lawsuits involving employment-related claims. This includes cases involving allegations based on federal employment laws such as Title VII, ADA, ADEA, FLSA, and FMLA, as well as state law claims and allegations involving wrongful discharge, whistle-blowing, breach of contract, breach of noncompetition agreements, infliction of emotional distress, breach of fiduciary duty, and tortious interference. He has also represented companies in a number of union arbitrations and has served as a labor arbitrator. Mr. Richardson previously served as a Special Judge for the Memphis City Courts.

Areas of Experience
- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards
- Chair, Labor & Employment Law Section of The Mississippi Bar (2012-2013)
- Served as arbitrator for employer/union arbitrations
- Selected as a Special Judge for the Memphis City Courts

Representative Seminars
- “Social Media Policies: Issues and Concerns”
- “The FMLA and the ADA: A Workers’ Compensation Perspective”
- “Fair Labor Standards Act: Basic Requirements and Common Violations”
- “What to Do When OSHA Shows Up: The Basics”
- “The Limitations of the Employment-at-Will Doctrine in Mississippi,” The MDLA Quarterly, Fall 2008

Education
- 1987, J.D., University of Mississippi School of Law
- 1983, B.B.A., University of Mississippi
During Ms. Rosetti’s representation of Employment and Labor Law litigation, the majority of cases are dismissed by summary judgment and/or resolved successfully for the client without the need for a trial.

**Areas of Experience**

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**Biography and Experience**

Kimberly Rosetti’s experience in Employment and Labor Law involves ten years of representation of corporate clients on the Mississippi Gulf Coast for various employment issues and litigation including sexual harassment lawsuits, race discrimination lawsuits and wage and hour litigation. During this time period, numerous seminars have been attended including national DRI seminars focused on Employment and Labor Law litigation. Ms. Rosetti is licensed in Mississippi.

**Education**

- 1998, J.D., University of Mississippi School of Law
- 1989, B.S., Paralegal Studies and Minor in Accounting, University of Southern Mississippi
**Biography and Experience**

Julie Devine, a trial lawyer for over 15 years, has extensive experience in all areas of employment litigation and counseling. Julie represents employers in a wide range of single-plaintiff, multi-plaintiff, and class action lawsuits. She has successfully defended employers in state and federal court and government investigations involving claims under:

- Title VII of the Civil Rights Act of 1964 (Title VII)
- Americans with Disabilities Act (ADA)
- Age Discrimination in Employment Act (ADEA)
- Family Medical Leave Act (FMLA)
- Fair Credit Reporting Act (FCRA)
- Fair Labor Standards Act (FLSA)
- Missouri/Illinois Human Rights Act
- Missouri/Illinois Worker’s Compensation Act
- Missouri and Illinois common law claims.

Julie also regularly provides advice and counseling about an array of compliance issues including:

- Hiring practices
- Credit and background checks
- Drug and alcohol testing
- Workplace safety
- Employee handbooks
- Employee discipline and terminations
- Accommodating employees with disabilities
- Social media and technology
- Non-compete agreements
- Separation and severance agreements.

**Areas of Experience**

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**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- “Managing Difficult Leave of Absence and Accommodation Issues,” SHRM of Southeast Missouri Seminar, Sikeston, October 2017
- “Compensation Policies Under Scrutiny: Federal Court Conditionally Certifies Class of Female Faculty Physicians in EPA Case,” October 2017
- “Social Media in the Workplace,” SHRM of Southeast Missouri Seminar, Sikeston, October 2017
- “Accommodating Employees with ‘Hidden’ Mental and Behavioral Disabilities,” HRMA Legal Roundtable, St. Louis, February 2017

**Education**

- 2002, J.D., Harvard Law School, *magna cum laude*
- 1998, B.A., Duke University, *summa cum laude*
Biography and Experience

As an experienced counselor and litigator, Jim Hetlage has represented employers for over 25 years in all aspects of employment discrimination, general employment and labor law issues. Mr. Hetlage has successfully defended employers in race, age, sex, and disability discrimination cases as well as sexual and racial harassment cases and wage and hour collective actions. Mr. Hetlage also has experience in resolving employment and labor disputes through arbitration and mediation.

Mr. Hetlage takes an aggressive approach to defending employment cases, by thoroughly analyzing the facts in each case and identifying means to win the case as swiftly as possible in order to save his clients both time and substantial legal fees. Mr. Hetlage has argued labor and employment matters before the Missouri Supreme Court, the Federal courts, and the state trial courts in Missouri and Illinois. Through his active involvement in well over 100 agency investigations at the EEOC and state human rights commission level, Mr. Hetlage is often able to avoid litigation for his employer clients.

Mr. Hetlage's representation of employers includes obtaining injunctive relief in non-compete and trade secret cases, defending wage and hour class and collective actions. In addition to his litigation experience, Mr. Hetlage spends much of his time counseling employers regarding hiring practices, ADA compliance issues, termination and disciplinary practices, FLSA compliance, and preparation and review of employee manuals and policies. Mr. Hetlage understands the value to the client of preventing claims through establishing best practices for employment law compliance.

Mr. Hetlage is licensed to practice before the United States Courts of Appeals for the Seventh Circuit, Eighth Circuit and Federal Circuit, the United States District Courts for the Eastern and Western Districts of Missouri, the Supreme Court of Missouri and the Supreme Court of Illinois.

Representative Trials

Wilma Warren v. Board of Education of the City of St. Louis, United States District Court, Eastern District of Missouri – Defendant’s verdict in Fourth Amendment drug testing Federal Court jury trial.

Cross v. Board of Education, 223 F.3d. 867 (8th Cir.) – prevailed at trial court and in U.S. Court of Appeals, Eighth Circuit, on appeal in public employment due process case.

Wack v. Board of Education of the City of St. Louis, 25 S.W.3d 689 (Mo. App. E.D.) – prevailed at trial court and on appeal on First Amendment freedom of speech employment lawsuit.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee
- Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- The Best Lawyers in America®, Employment Law, 2015–Present
- Missouri & Kansas Super Lawyers, Employment Law, 2009–Present
- Martindale-Hubbell AV-Preeminent Rated

Representative Seminars

Served as Speaker/Panelist or Articles Written

- “Recent Developments in the Family and Medical Leave Act,” Leading Age Legal Issues Seminar
- “Fair Labor Standards Act for Public Employers,” Missouri School Boards Association
- “Social Networking Websites in the Workplace,” Missouri School Boards Association Annual Conference
- “Employment Laws for Missouri School Districts,” Missouri Association of School Business Officials Conference
- “Selecting and Terminating Employees,” NBI Seminar

Education

- 1989, J.D., Washington University
- 1986, B.A., English Literature, Kenyon College
Biography and Experience

Greg Hatley has almost thirty years experience counseling and representing Montana employers in a wide variety of employment issues, before the Montana Human Rights Commission and in state and federal courts, including defending claims of age and sex discrimination and wrongful discharge and for unemployment benefits, as well as crafting enforceable covenants not to compete under Montana's peculiar legal environment.

He regularly provides all manner of employment related advice to the Diocese of Great Falls-Billings, for which he serves as legal counsel. In addition, Mr. Hatley serves on the Board of Directors of Benefis Healthcare, the largest hospital in Montana, in which role he is called upon for advice and guidance by the hospital's senior management on employment issues.

Areas of Experience

- ADA Matters
- Age Discrimination
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- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Education

- 1980, J.D., Gonzaga University School of Law
- 1975, B.A., Carroll College
Biography and Experience

Christopher R. Hedican leads the employment litigation practice for the firm’s Labor, Employment and Employee Benefit Law Group, defending all types of employment claims, including discrimination, wrongful termination, retaliation, employment torts and public policy claims. He devotes a substantial part of his practice to the prosecution and defense of non-compete, trade secret, fiduciary breach, and business tort litigation. He also handles complex ERISA litigation. Chris regularly handles cases in state and federal courts for firms clients throughout the country, but particularly in the Midwest.

Representative Trials

Successfully prosecuted non-compete and trade secret cases for several Fortune 500 companies.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigation of Employee Complaints Seminar
- National Origin Discrimination Race Discrimination
- Reductions in Force Religious Discrimination
- Retaliation Sex/Gender Discrimination
- Sex/Harassment Sexual Harassment Training
- Wrongful Termination

Honors and Awards

- Since 2003 Mr. Hedican has been named in Best Lawyers of America. He is also listed in Chambers USA, Super Lawyer and is “AV” rated by Martindale-Hubbell
- Litigation Counsel of America
- SHRM Nebraska 2012 Volunteer of the year

Representative Seminars

- He is a regular presenter and emcee of the annual Baird Holm Labor & Employment Law Forum, which hosted its 25th Annual Forum in April 2013.
- Mr. Hedican was a presenter at SHRM Nebraska State conference in 2012
- Presenter at the National Blue summit in 2012 on ERISA subrogation and reimbursement
- He was a panelist of the 2011 Nebraska Minority Justice Committee’s 7th Annual Legal Diversity Summit.
- Mr. Hedican was a presenter at the United States Equal Employment opportunity commission Denver District Office Technical Assistance Program in 2001 and 2004.
- Mr. Hedican is also a regular author for the Labor and Employment Law Update, a monthly newsletter written and published by the Labor, Employment and Employee Benefits Group at Baird Holm LLP.

Education

- 1990, J.D., Washington University in St. Louis School of Law
- 1990, M.B.A., John M. Olin Graduate School of Business of Washington University in St. Louis
- 1986, B.S., Creighton University, cum laude
Biography and Experience

Lindsay Lundholm is a member of the Firm's Litigation Section and Labor and Employment Practice Group. Her practice is focused upon the defense of entities and individuals in complex commercial, contractual, and other high stakes litigation. Lindsay has significant first-chair experience in state and federal court, in Nebraska and Iowa. She also has an extensive background in alternative dispute resolution, regularly enforcing agreements to arbitrate, frequently trying cases in arbitration proceedings, and advocating for clients in mediation.

Before joining the Firm, Ms. Lundholm served as a law clerk to the Honorable William Jay Riley of the United States Court of Appeals for the Eighth Circuit in 2001.

Representative Trials

Obtained multiple judgments at trial in favor of business clients in disputes with former employees and agents which involved allegations ranging from employment discrimination to misappropriation of business property, confidential information, and trade secrets

Successful representation of insurance, financial services, retail, and other businesses in suits brought by and against former employees and independent contractors

Frequent defense of large employers before the Nebraska Workers' Compensation Court

Successful resolution of disputes arising out of injuries occurring in the business setting, and resolution of subrogation issues related to injuries in the workplace

Strategic advocacy in complex employment discrimination and other discrimination actions

Areas of Experience

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<th>Age Discrimination</th>
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Honors and Awards

- Lindsay has been recognized by Benchmark Litigation as a “Future Star” of the Nebraska Bar.

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Ms. Lundholm is a frequent presenter at the Baird Holm Labor & Employment Law Forum. The Forum is the largest employment law seminar in the region and is in its 21st year.
- Ms. Lundholm recently addressed the Human Resources Association of the Midlands about developments in Nebraska's Workers' Compensation Law.
- Ms. Lundholm is a frequent author for the Labor & Employment Law Update, a monthly newsletter written and published by the Labor, Employment and Employee Benefits Law Group at Baird Holm LLP.
- After the passage of Nebraska's Concealed-Carry law in 2006, Ms. Lundholm published an article in the Nebraska Lawyer entitled "Can Your Employees Bring Guns to Work?"

Education

- 2004, International Association of Defense Counsel Trial Academy, Stanford University
- 2001, J.D., University of Iowa College of Law
- 1998, B.A., History and Psychology, University of Kansas
Biography and Experience

Partner and Chair of the Firm’s Labor, Employment, and Employee Benefits Law Group.

28 years in practice representing private and public employers exclusively concerning employment counseling and compliance, traditional labor relations (including NLRB litigation, labor arbitration, collective bargaining, and union avoidance campaigns), and OSHA counseling and litigation.

Former Chair of the Nebraska State Bar Association Labor Relations and Employment Law Section. Former Adjunct Faculty member at Creighton University School of Law.

Named in: Best Lawyers in America (Labor and Employment); Chambers USA (Labor and Employment); and Great Plains Super Lawyers (Labor and Employment). “AV” rated by Martindale-Hubbell.

Admitted in Nebraska and Iowa.

Representative Trials

Litigation limited to NLRB litigation, labor arbitrations under collective bargaining agreements, and OSHA defense litigation.

Millard Refrigerated Services, Inc. and United Food & Commercial Workers Local Union 230, 345 NLRB 1143 (2005)


Millard Refrigerated Services, Inc. and United Steelworkers of America, AFL-CIO-CLC, 326 NLRB 1437 (1998)

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigation of Employee Complaints Seminar
- National Origin Discrimination Race Discrimination Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Best Lawyers in America (Labor and Employment)
- Chambers USA: America’s Leading Lawyers for Business (“Band 1” for Labor and Employment)
- Great Plains Super Lawyers (Labor and Employment)

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Speaker on labor and employment law topics at approximately 200 seminars. Audiences have included attorneys, human resource professionals, trade association members, and professional organization members.

Education

- J.D. 1985, University of Nebraska College of Law.
- B.S.B.A. 1982, University of Nebraska at Omaha.
Biography and Experience

Brian Brown has 23 years of experience in employment and labor law. His experience includes representation of both public and private employers. His practice includes representing clients in both federal court and state court, as well as, in the administrative law matters before the EEOC, the Nevada Equal Rights commission and the United States Department of Labor.

Representative Trials

Mr. Brown represented Washoe County Nevada in a First Amendment retaliation claim. After a two week trial, a verdict was returned in favor of his client. Mr. Brown also represented several employees in a sexual harassment and hostile work environment claim and was successful in obtaining a defense verdict. A significant portion of his employment and labor law practice is devoted to the representation of government entities. Given the immunities afforded these clients, as well as certain limitations on damages, a large majority of these cases are subject to dispositive motions.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wrongful Termination

Representative Seminars

Served as Speaker/Panlist or Articles Written

- Brian Brown is a frequent speaker at the Nevada Government Civil Attorneys Conference and has lectured on Title VII and ADA claims as well as other forms of § 1983 litigation.

Education

- 1994, J.D., California Western School of Law
- 1992, B.S., Economics, San Diego State University
**Biography and Experience**

Kathy Parks has 21 years experience in employment and labor law, both for public and private employers. Her experience includes federal court practice and litigating in the administrative arena before the EEOC, the Nevada Equal Rights Commission, the U.S. Department of Housing and Urban Development, and the United States Department of Labor.

**Representative Trials**

The majority of employment law cases Kathy Parks has handled in the last 21 years have been disposed of on motions. Much of her employment and labor law practice is devoted to the representation of government entities. Given the immunities afforded these clients, as well as certain limitations on damages, a large majority of these cases are subject to dispositive motions. Those that are not are generally settled. Ms. Parks has also appeared before the Department of Labor in defense of private clients in employment matters, including those arising under the Surface Transportation Assistance Act.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wrongful Termination

**Representative Seminars**

- Kathy Parks appears yearly at the Litigation Strategy Workshop held by the Nevada Public Agency Insurance Pool, an insurance cooperative whose members include 113 political subdivisions in the State of Nevada. Topics include Title VII, ADA, and ADEA claims, and other forms of § 1983 litigation.

**Education**

- 1997, J.D., California Western School of Law
- 1995, B.S., Political Science, University of Nevada, Reno
Michael A. Shadiack is a partner in and the chair of Connell Foley LLP's Labor and Employment Law practice group. He has devoted his entire 20 year career to representing employers and management personnel in the private and public sectors and regularly provides employers with practical, comprehensive, and preventative counseling on personnel and benefit issues to ensure compliance with statutory and common law requirements. He focuses on helping clients make employment-related decisions intended to avoid or reduce the risks of litigation.

Mr. Shadiack represents clients in all aspects of litigation in state and federal courts, before state and federal administrative agencies, and in arbitration involving claims of workplace harassment, discrimination, wrongful termination, whistleblower retaliation, reasonable accommodation, breach of contract, civil rights, non-competition violations, minority shareholder oppression, assault and battery, intentional infliction of emotional distress, protected concerted activity, and wage and hour. He also provides practical and cost-effective training on all aspects of employment law and formulates practical personnel policies and employee handbooks.

**Representative Trials**

Mr. Shadiack has successfully defended cases before state and federal courts and administrative agencies addressing all types of employment claims.

*Allen v. Warren County Board of Chosen Freeholders, et al.* – Mr. Shadiack was lead counsel in this case, which received media attention, presenting claims of wrongful discharge and retaliation against a public entity and two supervisors. Mr. Shadiack obtained dismissal of all claims at trial.

*Spagnola v. Dillon, Bitar & Luther, L.L.C., et al.* – This matter presented novel employment claims against a law firm stemming from its alleged negligent investigation of a complaint of hostile work environment. Mr. Shadiack obtained the dismissal of all claims against his client in a decision spotlighted on the front page of the *New Jersey Law Journal*.

Mr. Shadiack has efficiently resolved numerous lawsuits and administrative charges consistent with his client’s strategic objectives.

**Areas of Experience**

- ADA Matters
- Employment Policy and Procedure Manuals
- Retaliation
- Age Discrimination
- Hostile Work Environment
- Sex/Gender Discrimination
- Civil Rights Matters
- Race Discrimination
- Sexual Harassment
- Collective Bargaining
- Reductions in Force
- Sexual Harassment Training
- Consultations/Risk Analysis
- Religious Discrimination
- Wage & Hour Claims
- EEOC and DFEH Mediations
- Wrongful Termination

**Honors and Awards**

- In 2013, Mr. Shadiack was one of only 50 attorneys in New Jersey to be named a “New Leader of the Bar” by the New Jersey Law Journal. Mr. Shadiack was selected for this prestigious recognition due to his formidable professional accomplishments, demonstrated leadership qualities, expertise in employment law, exuberance for the law, and enduring commitment to pro bono, charitable and community volunteer work.
- Mr. Shadiack is a multi-year recipient of the *New Jersey Super Lawyers* recognition.
- Mr. Shadiack is also AV Preeminent Peer Review rated, earning the highest rating for his legal ability and professional ethics.
- Mr. Shadiack is recognized in *The Best Lawyers in America* in the area of Employment Law – Management.

**Representative Seminars**

*Presented as Speaker/Panelist or Articles Written*

- Faculty, “Managing Employee Leaves of Absence and Income Replacement Benefits While on Leave,” National Business Institute, November 2017
- Presenter, “Social Media Ramifications in the Workplace,” National Association of Chemical Distributors (NACD), 2017 Northeast Regional Conference, September 2017

**Education**

- 1998, J.D., Concentration in Labor and Employment Law, Seton Hall University School of Law
- 1995, B.A., Pre-Law and Liberal Studies, Seton Hall University, *magna cum laude*
Jennifer has been representing employers in employment disputes, including internal complaint proceedings and EEOC proceedings since 1997. Jennifer has experience representing public entities and private employers, and has litigated everything from civil rights issues to breach of contract claims in the context of employment law. She has experience handling non-compete provisions and litigation concerning the enforcement of those provisions. Additionally, Jennifer has handled large class actions relating to employment issues. She has appeared in state and federal courts, and regularly participates in arbitrations and facilitations. She is also a Certified Mediator through University of New Mexico School of Law.

_Chambers USA_ has recognized Jennifer in the areas of Labor & Employment law and Litigation, and in the 2017 publication states “[she] has a broad focus within labor and employment law, including matters pertaining to discrimination, retaliation, contract claims and employee relations issues.” Clients were quoted as saying, “Jennifer is amazing. She is smart, gives good advice and keeps us out of trouble. She is exceptional at avoiding litigation.”

In addition to her litigation experience, Jennifer regularly provides training on sexual harassment, ADA compliance and other labor and employment topics to corporate clients and educational institutions.

**Representative Trials**

Successfully arbitrated a Level III Grievance Hearing for a secondary education client.

Successfully represented a large national retailer in a wage and hour class action. Coordinated the discovery efforts, which included obtaining thousands of boxes of documents from dozens of sources across the state and maintaining a document production facility housing those documents.

Represented large public and private employers in litigated and non-litigated employment matters, including matters involving the following types of claims: Title VII, ADA, ADEA, New Mexico Human Rights Act, defamation and breach of contract.

Represented public and private entities in sensitive matters, developing crisis management plans and strategies for handling media inquiries.

**Areas of Experience**

- **ADA Matters:** Employment Policy and Procedure Manuals
- **Age Discrimination:** Hostile Work Environment
- **Civil Rights Matters:** National Origin Discrimination
- **Consultations/Risk Analysis:** Race Discrimination
- **EEOC and DFEH Mediations:** Reductions in Force
- **Wrongful Termination:**

**Honors and Awards**

- **Benchmark Litigation,** selected as one of the Top 250 Women in Litigation in United States, 2012-present
- **Benchmark Litigation, The Definitive Guide to America’s Leading Litigation Firms and Attorneys,** Future Litigation Star in New Mexico, 2012-2014; Litigation Star, 2015-present
- **Best Lawyers in America®** in Commercial Litigation and Litigation – Healthcare, 2016-present
- **Chambers USA Directories of America’s Leading Lawyers for Business** in Labor & Employment and Litigation: General Commercial, 2013-present
- **Martindale-Hubbell AV® Preeminent Peer Review Rated**
- **New Mexico Business Weekly,** 40 Under Forty, 2009
- **New Mexico Business Weekly,** Best of the Bar in Litigation, 2011
- **Southwest Super Lawyers®** (derived from a lawyer survey), 2013-present; Top 25 New Mexico Super Lawyers, 2017

**Education**

- 1997, J.D., University of Michigan Law School, _cum laude_
- 1992, B.S., Political Science, Santa Clara University, _magna cum laude, Phi Beta Kappa, Pi Sigma Alpha_
Megan Muirhead concentrates her practice on employment law, complex litigation and personal injury. She has extensive experience representing government and private entities in a variety of areas of employment law including the Americans with Disabilities Act, Age Discrimination in Employment Act, breach of contract, sexual harassment, discrimination and wrongful termination. Megan also has assisted employers in a broad range of dealings with the EEOC involving responding to and resolving EEOC charges. She particularly enjoys providing guidance to employers aimed to reducing the risk of litigation such as specialized training sessions, creation of employment policies and review of employment handbooks.

### Representative Trials
New Mexico counsel for one of the Top 10 Fortune 500 Companies handling multiple litigation matters, including employment and personal injury matters.

Trial counsel for a large public entity in an employment matter that terminated with a July 14, 2015 summary judgment granted by United States District Court Judge Armijo on complex issues in a purported class action matter involving alleged ADA violations.

Trial counsel for a large public entity in matter that terminated with March 26, 2015 summary judgment granted by United States District Court Judge Vazquez which resulted in a dismissal with prejudice of a former employee's claims of Title VII discrimination, retaliation, and hostile work environment discrimination.

Trial counsel in matters involving consumer protection and fraud claims and complex insurance coverage issues.

Assisted public and private entities in sensitive matters, conducting employment investigations and strategies for handling media inquiries.

### Areas of Experience

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### Honors and Awards

- **Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms and Attorneys**, Future Litigation Star in New Mexico, 2013-present
- **Martindale Hubbell AV® Preeminent Peer Review Rated**
- **Southwest Super Lawyers®** (derived from a lawyer survey), 2014-present

### Representative Seminars

- “An Employee's Bankruptcy Can Assist New Mexico Employers Defend Against The Employee's Claims,” 2015
- “Same Sex Marriage: What Do Employers Need to Know?” Co-authored with Zachary L. McCormick and Anna E. Indahl, January 2014

### Education

- 1996, J.D., University of Michigan Law School
- 1993, B.A., Political Science, University of Michigan, *with highest distinction*, Phi Beta Kappa
Nathan Nieman is a litigator. His litigation experience is broad and includes handling commercial litigation, personal injury, wrongful death, insurance, prescription medication products liability, workers’ compensation, unfair trade practices, and employment discrimination cases in federal, state, and agency courts. Nathan also provides day-to-day advice to property management companies and concerning human resources matters for public education entities. His recent litigation experience includes representing, as both a lead and second chair attorney, public and private entities in commercial, personal injury and employment litigation from inception to trial or arbitration. He has also successfully represented, through briefing and oral argument, a local school district before the Tenth Circuit Court of Appeals. Nathan’s diverse practice combined with his trial and appellate experience has enabled him to provide advice to clients based upon first-hand litigation experience and regarding a broad range of subjects.

Nathan was selected as a Southwest Rising Star by *Southwest Super Lawyers®* in 2014 and named to *Benchmark Litigation*’s “Under 40 Hot List” in 2017.

### Representative Trials

Provide advice, on a weekly basis, to public school district regarding discipline, suspension, termination and discharge of employees.

Frequently represents public school district HR Department in disciplinary hearings and arbitrations pursuant to collective bargaining agreements and the New Mexico School Personnel Act.

Advise school districts regarding employment policies and implementation of the same.

**Hart v. Albuquerque Public Schools** – Lead attorney for Albuquerque Public Schools in arbitration concerning reduction in force/termination and Americans with Disabilities Act claim. Termination was upheld.

**Feit v. Albuquerque Public Schools** – Lead attorney for Albuquerque Public Schools in arbitration concerning termination of teacher concerning off-duty conduct. Termination was upheld.

Have frequently assisted public and private entities, in responding to and resolving EEOC and/or HRD charges.

**Marquez v. Albuquerque Public Schools**, HRD No. 10-10-12-0479 – Successfully defended Albuquerque Public Schools in a formal hearing before the Human Rights Commission. Employee alleged that school district discriminated against her. After a two day formal hearing, the Human Rights Commission found in favor of the school district.

### Areas of Experience

| ADA Matters | Employment Policy and Procedure Manuals | Religious Discrimination |
| Civil Rights Matters | Hostile Work Environment | Retaliation |
| Consultations/Risk Analysis | National Origin Discrimination | Sex/Gender Discrimination |
| EEOC and DFEH Mediations | Race Discrimination | Sexual Harassment |
| | Reductions in Force | Wage & Hour Claims |
| | | Wrongful Termination |

### Honors and Awards

- *Benchmark Litigation, The Definitive Guide to America’s Leading Litigation Firms and Attorneys*, Under 40 Hot List, 2017
- *Southwest Super Lawyers®,* selected as a Southwest Rising Star, 2014-present

### Education

- 2009, J.D., DePaul University College of Law, Member, *DePaul Law Review*, magna cum laude
- 2006, B.A., History, Seattle Pacific University, cum laude
Defending a school district against a former high school principal who alleged that the school district’s refusal to grant him tenure was motivated by unlawful discrimination because of his national origin (Arab-American) and age (over 40). The case settled for less than nuisance value. While defensible, the case was complicated by alleged anti-Arab remarks made by two former school board members, both of whom subsequently resigned due to the fallout of their comments (which included an anti-Arab rant on social media).

Successfully defending a national telecommunications company in an employment discrimination action by obtaining summary judgment dismissing all claims asserted against it. The plaintiff claimed, among other things, that he was the victim of employment discrimination and harassment based on his race, color, and national origin. Summary judgment in favor of the employer was significant because plaintiff offered testimony from former co-workers who alleged that supervisors regularly used racial epithets regarding the plaintiff and others in the workplace. In addition to the plaintiff’s discrimination claims, the court dismissed his state common law claims for intentional infliction of emotional distress, breach of contract, breach of the covenant of good faith and fair dealing, and negligence as a matter of law.

Obtaining summary judgment for a long-term disability carrier against a plaintiff’s claim for benefits due under the Employee Retirement Income Security Act (ERISA) and for alleged breach of fiduciary duty in violation of ERISA.

**Representative Trials**

**Biography and Experience**

Richard Braden is a trial attorney who represents business corporations in a wide variety of matters related to commercial litigation and employment law. Rick combines comprehensive knowledge of business law with a keen understanding of today’s corporate legal environment and the wide array of issues that regularly confront employers.

Rick has a broad range of experience in representing clients before administrative agencies and in state and federal courts, including employment discrimination lawsuits, employee benefits litigation and complex commercial cases. A member of the firm’s Employment and Labor Practice Group, he regularly counsels employers on all aspects of the employment relationship, including hiring, discipline, promotion, and discharge of employees; drafting employee manuals/handbooks; developing practices, policies, and procedures; negotiating and drafting separation/severance agreements; analyzing wage and hour issues; and complying with the broad spectrum of federal, state, and local employment laws and regulations.

Rick has successfully defended employers against unfair labor practice charges, claims of sexual harassment and gender discrimination, and allegations relating to age, race, and disability discrimination. He has also written extensively on employment law issues, such as the fundamentals of hiring and firing and the proper planning and implementation of reductions in force.

Rick is AV rated by Martindale-Hubbell, has been recognized by *Business First*’s Who’s Who in Law and Upstate New York *Super Lawyers*, and has received the Robert J. Connelly Trial Technique Award.

**Representative Seminars**

Defending a school district against a former high school principal who alleged that the school district’s refusal to grant him tenure was motivated by unlawful discrimination because of his national origin (Arab-American) and age (over 40). The case settled for less than nuisance value. While defensible, the case was complicated by alleged anti-Arab remarks made by two former school board members, both of whom subsequently resigned due to the fallout of their comments (which included an anti-Arab rant on social media).

Successfully defending a national telecommunications company in an employment discrimination action by obtaining summary judgment dismissing all claims asserted against it. The plaintiff claimed, among other things, that he was the victim of employment discrimination and harassment based on his race, color, and national origin. Summary judgment in favor of the employer was significant because plaintiff offered testimony from former co-workers who alleged that supervisors regularly used racial epithets regarding the plaintiff and others in the workplace. In addition to the plaintiff’s discrimination claims, the court dismissed his state common law claims for intentional infliction of emotional distress, breach of contract, breach of the covenant of good faith and fair dealing, and negligence as a matter of law.

Obtaining summary judgment for a long-term disability carrier against a plaintiff’s claim for benefits due under the Employee Retirement Income Security Act (ERISA) and for alleged breach of fiduciary duty in violation or ERISA.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigation of Employee Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Honors and Awards**

- Mr. Braden was named to the *Business First*’s Who’s Who in Law for Labor and Employment.

**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- “After the Gold Rush – The NLRB’s Continued Intrusion Into the Non-Union Workplace,” USLAW NETWORK Client Conference, September 2015
- Panelist, “’Hey! It’s MySpace’…Managing Today’s Electronic Workplace,” USLAW NETWORK Client Conference, Chicago, IL, September 24, 2011

**Education**

- 1995, J.D., State University of New York at Buffalo, School of Law, magna cum laude
- 1988, B.A., State University of New York at Albany, cum laude
Kristin Klein Wheaton counsels and defends the interests of clients involved in complex commercial disputes. A skilled problem solver, Kristin’s wide-ranging experience includes labor and employee relations, contract negotiations, and assisting clients with creating and maintaining compliance strategies for state and federal laws.

Over her 20-year career, Kristin has handled many types of complicated employment and labor matters, both counseling clients and representing them at trial. She has public-sector experience that includes serving as Acting County Attorney for Erie County, NY, and Executive Vice President for Legal Affairs at a large community college. She frequently appeared before the New York State Public Employment Relations Board, negotiated settlements with unions, represented the county and its employees before state and federal courts and administrative agencies, and acted as in-house counsel for Erie County Commissioners. She also has extensive experience handling municipal litigation, including civil rights and First Amendment claims, negligence claims, and Article 78 proceedings.

Representative Trials


Achieved favorable results on summary judgment on many employment and civil rights cases in the United States District Court, Western District of New York, as well as in Article 78 and state administrative proceedings.

Successfully defended clients in arbitrations.

Successfully vacated an arbitration award valued at $686,000 in case County of Erie and Erie Community College v. Faculty Federation of ECC, 44 Misc.3d 593 (Sup. Ct. Erie County 2014).

Areas of Experience

| ADA Matters | Employment Policy and Procedure Manuals | Reductions in Force |
| Civil Rights Matters | Hostile Work Environment | Religious Discrimination |
| Collective Bargaining | Investigation of Employee | Retaliation |
| Consultations/Risk Analysis | Complaints’ Seminar | Sex/Gender Discrimination |
| EEOC and DFEH Mediations | National Origin Discrimination | Sexual Harassment |
| | Race Discrimination | Sexual Harassment Training |
| | | Wrongful Termination |

Representative Seminars

Served as Speaker/Panelist or Articles Written


Education

- 1994, J.D., Albany Law School
- 1991, B.A., Michigan State University
Biography and Experience

John K. Diviney has been practicing law for 30 years. A Partner in the Employment & Labor Practice Group, John represents clients in labor negotiations, arbitrations and grievances; unfair labor practice charges; employment discrimination, harassment and retaliation claims; wrongful competition and restrictive covenant disputes; and wage and hour collective and class actions. John regularly appears before federal and state regulatory agencies, including the National Labor Relations Board (NLRB), the Equal Employment Opportunity Commission (EEOC), state and federal labor departments and various fair employment practices agencies.

John also has acted as the lead negotiator for numerous collective bargaining agreements with major unions across the country. He has handled negotiations in the transportation, defense, health care, manufacturing and service industries. In addition, John regularly handles contracts for government contractors under the Secure Contract Act and public sector bargaining in the State of New York.

Clients routinely call on John to consult on union avoidance and campaign issues, as well as contract grievances and arbitrations. John regularly counsels clients on regulatory compliance under state and federal statutes, including the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA), wage and hour issues and the review of layoffs, discipline and termination decisions.

Areas of Experience

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Representative Seminars

Served as Speaker/Panelist or Articles Written

• “Major Employment Law Topics,” New York State Ambulatory Surgery Center Association, October 2015

• Panelist, “Exempt or Non-Exempt Under the FLSA – You Decide?,” 23rd Annual Labor & Employment Law Conference – Law In the Workplace, June 7, 2013

• “Changes To Minimum Wage Requirements For Home Care Workers,” Rivkin Radler Employment & Labor Bulletin, October 31, 2015


Education

• 1985, J.D., St. John’s University School of Law

• 1982, B.A., Cornell University School of Industrial and Labor Relations
Barry I. Levy
Rivkin Radler LLP
926 RXR Plaza
Uniondale, NY 11556-0926
Phone: (516) 357-3149
Fax: (516) 357-3333
Cell: (347) 583-7982
Home: (516) 939-0440
Email: barry.levy@rivkin.com
www.rivkinradler.com

The following are representative trials/arbitrations in which Barry has been lead counsel:

Successful representation of regional catering and banquet company in case claiming violations of state and federal wage and hour laws.

Successful representation of regional pharmaceutical manufacturer in case alleging federal and state claims for gender discrimination, sexual harassment and retaliation.

Successful representation of national automobile insurer and executive staff in case alleging federal and state claims for hostile work environment and retaliation claims.

Representative Trials

- Barry I. Levy has been practicing law for 25 years and has focused on employment, labor and healthcare issues during his entire career.

- A Partner in the Commercial Litigation, Employment & Labor and Insurance Fraud Practice Groups, Barry represents institutional and non-institutional clients in the insurance, financial services, hospitality, pharmaceutical and automotive industries in federal and state litigation, arbitration, mediation, and administrative proceedings (both NLRB and EEOC) in matters relating to collective bargaining, workplace employment practices (including discrimination and sexual harassment), reductions in force and other restructurings, employment policies and procedures, employee discipline and discharge, employment agreements, restrictive covenants, and wage and hour practices. In addition, Barry represents welfare and pension plans as well as their boards of trustees and plan administrators in matters concerning ERISA compliance, fiduciary duty and prohibited transactions, challenges to plan denials of claims for benefits, challenges to investment decisions, and delinquent employer contribution and collection claims.

Areas of Experience

- ADA matters
- Age Discrimination
- Collective Bargaining
- EEOC and DFEH mediations
- Employment Risk Realities Seminar
- Religious Discrimination Retaliation Sex/Gender Discrimination Sexual Harassment Wage & Hour claims Wrongful Termination

Honors and Awards

- Barry has been honored by trade associations in the insurance, hospitality and real estate industries for work that he has performed litigating employment and wage and hour claims on behalf of industry members.
- He has been named to the 2017 and 2018 “Best Lawyers in America” in Healthcare Litigation by U.S. News & World Report.
- He has also been named as a Super Lawyer for Metro New York in the area of Business Litigation and Employment Litigation from 2013 to 2017.

Representative Seminars

- Barry regularly presents seminars and workshops to firm clients directly and to housing corporations, commercial businesses and primary and secondary educational institutions as part of risk management programs that are designed by EPLI insurers for their insureds. The topics span a multitude of areas including general legal updates, risk management and litigation, ESI protocols and wage and hour compliance.

Education

- 1991, J.D., Ohio State University College of Law
- 1988, B.A., The Ohio State University and Oxford University
**Biography and Experience**

Kenneth A. Novikoff, a Partner in Rivkin Radler’s Employment & Labor and Commercial Litigation Practice Groups, has been practicing law for 25 years. Ken has litigated before state and federal courts, and arbitration panels, on behalf of corporations, municipalities, and individuals in varied complex employment discrimination actions and multi-million dollar commercial disputes, including partnership disputes, employment and housing discrimination matters, and civil rights lawsuits.

He provides advice and counsel to clients on employment and housing discrimination matters and has defended hundreds of discrimination claims in state and federal courts and administrative bodies.

Representative cases include:

- **Carter v. Inc. Vill. Of Ocean Beach**, 693 FSupp.2d 203 (E.D.N.Y. 2010), aff’d 415 Appx. 290 (2d Cir. 2011)

**Representative Trials**

Lotan v. Nehmadi: Supreme Court, New York County, 2015 – Ken Novikoff successfully defended a prominent New York City real estate developer in a $10,000,000 lawsuit in which Plaintiff sought to impose a constructive trust over hundreds of acres of waterfront property. Plaintiff sued for breach of fiduciary duty, an accounting and damages under a constructive trust theory. After the close of plaintiff’s case, the Court issued a directed verdict dismissing Plaintiff’s complaint in its entirety.

CreditRiskMonitor.com v. Fensterstock: 2004 N.Y. Misc. LEXIS 3120, 232 N.Y.L.J. 42 (Sup. Ct. Nassau Co. 2004) – preliminary injunction granted against a former employee in a non-compete case; subsequently obtained in a forty-day bench trial a finding of contempt resulting in an award in excess of $1,000,000.

Barrella v. Village of Freeport: Ken Novikoff, on behalf of the former Mayor of the Village of Freeport, successfully argued before the United States Court of Appeals for the Second Circuit, that the jury’s verdict in favor of Plaintiff on his race discrimination claims should be vacated. The Second Circuit, addressing the many complicated issues that Mr. Novikoff tried, agreed that the District Court erred in admitting evidence that was irrelevant and prejudicial and ordered a new trial.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Investigation of Employee Complaints Seminar
- National Origin Discrimination Race Discrimination Reductions in Force
- Religious Discrimination Retaliation Sex/Gender Discrimination Sexual Harassment Sexual Harassment Training Wage & Hour Claims Wrongful Termination

**Honors and Awards**

- Ken has been named as a Super Lawyer for Metro New York in the area of Business Litigation from 2013 to 2017.

**Representative Seminars**

Served as Speaker/Panelist or Articles Written


**Education**

- 1990, J.D., Washington College School of Law, American University, cum laude
- 1986, B.A., Dartmouth College
**Biography and Experience**

Lisa Shrewsberry has practiced in the professional liability area since 1990. She has extensive experience litigating employment matters in federal and state courts. She has been quite successful in assisting clients to reach amicable resolutions through mediated settlements.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Complaints Seminar
- Investigation of Employee National Origin Discrimination
- Race Discrimination Reductions in Force
- Religious Discrimination Retaliation
- Sex/Gender Discrimination Sexual Harassment
- Sexual Harassment Training Wage & Hour Claims
- Wrongful Termination

**Education**

- J.D., University of Connecticut School of Law, 1988
- B.S., *cum laude*, Central Connecticut State University, 1985
**Biography and Experience**

Steve Rowe has over 20 years of experience representing employers in a wide variety of employment matters in state and federal court and before the North Carolina Industrial Commission, United States Equal Employment Opportunity Commission, North Carolina Employment Security Commission, State of North Carolina Office of Administrative Hearings, United States Department of Labor, and the North Carolina Department of Labor. In addition, he represents clients in court and before administrative agencies throughout the country. Mr. Rowe is a frequent speaker on employment law topics.

**Representative Trials**

*Harris v. Matthews*, 361 N.C. 265, 643 S.E.2d 566. Counsel for church pastor in lawsuit arising from internal church governance dispute. The plaintiffs, representing the minority of the congregation, sued the pastor and other church officials for alleged mismanagement of church resources. Successfully argued to the North Carolina Supreme Court that the trial court did not have jurisdiction over the case, as the First Amendment prohibits involvement in matters of religious doctrine and practice.

*Jacobs vs. Mallard Creek Presbyterian Church, Inc. et al.*, 214 F. Supp. 2d 552; WDNC. Represented Church, Presbytery, and other Defendants being sued by minister, who claimed he was harmed by the procedural actions taken by the church administration in investigating allegations of misconduct. Obtained dismissal of all Defendants.

*Charlene Eley v. Rocky Mount Family YMCA, et al.*, 536 S.E.2d 71. Represented YMCA and others in action brought by former employee. Former employee's claims included conspiracy, defamation, intentional infliction of emotional distress, and tortious interference with contract. Obtained dismissal of all claims and dismissal of appeal to the North Carolina Court of Appeals. Petition for discretionary review was denied by the North Carolina Supreme Court.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Workers’ Compensation Matters
- Wrongful Termination

**Representative Seminars**

- Poyner Spruill and Steve Rowe regularly give speeches and seminars to HR directors, managers, supervisors, general managers, small business owners, and CPAs, among others. Topics of these seminars include, but are not limited to, FMLA Remade: New Types of Leave, New Forms, New Rules; Pitfalls and Policies: Cautions for Employers and Those Who Advise Them; Prepare for Termination to Avoid Litigation; and Controlling Liability in the Workplace.

- Steve Rowe, along with other attorneys in Poyner Spruill’s employment group, publishes a bi-monthly article that includes titles such as “The Risks of Misclassification of Employers as Independent Contractors,” “EEOC Rules That Transgender Employees are Covered Under Title VII;” “North Carolina Court of Appeals Judge Raises Possibility of New Exception to Employment At-Will Doctrine;” and “Fourth Circuit Court of Appeals Points Out Defects in Sexual Harassment Policy.”

- Misclassification of Employees As Independent Contractors In the News
- EEOC Publishes Guidance on Employment Rights Related to Religious Garb and Grooming in the Workplace

**Education**

- 1988, J.D., Wake Forest University
- 1985, B.A., Wake Forest University
Biography and Experience

David Woodard has over 20 years of experience practicing in the area of employment law, where he represents management in employment discrimination, wrongful discharge and ERISA claims. He regularly advises and defends clients in race, age, disability and sex discrimination and harassment cases before the EEOC and in state and federal court; reviews handbooks and termination issues; and provides compliance advice to employers on matters of employment law.

Representative Trials


Spease v. Public Works Commission of the City of Fayetteville – Obtained summary judgment in Title VII discriminatory discharge claim and successfully defended judgment in Fourth Circuit Court of Appeals.

McNeil v. Scotland County – Obtained summary judgment for employer in suit where plaintiff alleged race discrimination and retaliation in violation of Title VII of the Civil Rights Act as well as violation of the Americans with Disabilities Act. Successfully defended the judgment in the Fourth Circuit Court of Appeals.

Webster v. Black & Decker (U.S.) Inc., et al. – Obtained summary judgment in claim for benefits under the Employee Retirement Income Security Act (ERISA) and for breach of fiduciary duty against Employer. Successfully defended the judgment in the Fourth Circuit Court of Appeals.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Representative Seminars

- Served as Speaker/Panelist or Articles Written
- Poyner Spruill LLP regularly give speeches and seminars to hr directors, managers, supervisors, general managers, small business owners, and CPAs, among others. Topics of these seminars include, but are not limited to, Identity Theft Issues and Employee Privacy Rights – What Employers Need To Know; FMLA Remade – New Types of Leave, New Forms, New Rules; Pitfalls and Policies – Cautions for Employers and Those Who Advise Them; and Prepare for Termination to Avoid Litigation.
- David Woodard, along with other attorneys in Poyner Spruill’s employment group, publish bi-monthly articles that include titles such as “Jury Verdict Highlights Risks Involved in Monitoring Employee E-Mail;” “Reminder to Start Using New Form I-9;” “Civil Penalties for Child Labor Law Violations Increase;” “Recent Developments Under The Family and Medical Leave Act: New Rights for Employees with Family Members in the Armed Services and Proposed New Regulations;” and “Collective Actions Seeking Unpaid Wages And Overtime Pay Are On The Rise.”

Education

- 1992, J.D., Campbell University, cum laude
- 1988, BA, North Carolina State University
Kevin M. Ceglowski
Poyner Spruill LLP
301 Fayetteville St., Suite 1900
Raleigh, NC 27601
Phone: (919) 783-2853
Fax: (919) 783-1075
Email: kceglowski@poynerspruill.com
www.poynerspruill.com

**Biography and Experience**

Kevin represents employers in many areas of labor and employment law, including race, age, gender, religion, national origin and disability employment discrimination claims, wrongful discharge claims, and wage and hour claims. For 10 years he has defended clients before administrative agencies such as the EEOC, the DOL and the NC Employment Security Commission, in state and federal courts, and in arbitrations. Kevin provides guidance to management to ensure employment practices are in full compliance with all applicable statutes and regulations, including Title VII of the Civil Rights Act of 1964, the ADA, the FMLA, the Age Discrimination in Employment Act, the FLSA, the Worker Adjustment and Retraining Notification Act, and workplace privacy issues. He also represents companies and individuals involving non-compete covenants, trade secrets, and other matters associated with departing employees. He advises clients on using non-compete covenants in employment contracts, as well as strategies for protection of key employees, customer relationships, and proprietary information.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment National Origin Discrimination
- Race Discrimination Reductions in Force Religious Discrimination
- Retaliation Sex/Gender Discrimination Sexual Harassment Sexual Harassment Training Wage & Hour Claims Wrongful Termination

**Honors and Awards**

- Ranked in Business *North Carolina* magazine's “Legal Elite” (Employment) 2015 and 2016

**Representative Seminars**

- Poyner Spruill and Kevin Ceglowski regularly give speeches and seminars to HR directors, managers, supervisors, general managers, small business owners, and CPAs, among others. Topics of these seminars include, but are not limited to, New Wage & Hour Requirements for White Collar Employees Presentation, Rightful Hires to Avoid Wrongful Discharge; Pitfalls and Policies: Cautions for Employers and Those Who Advise Them; Prepare for Termination to Avoid Litigation; and Controlling Liability in the Workplace.

- “DOL Gets Reined In,” September 28, 2015
- “NLRB Upends Legality of Employer Email Policies,” December 22, 2014

**Education**

- 2006, J.D., Campbell University, *Campbell Law Review*, Executive Editor
- 2001, B.S., North Carolina State University
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Roetzel & Andress
1375 East 9th Street
One Cleveland Center
10th Floor
Cleveland, OH 44114
Phone: (216) 615-4839
Fax: (216) 623-0134
Cell: (330) 730-4092
Email: rblackham@ralaw.com
www.ralaw.com

**Biography and Experience**

Mr. Blackham represents employers in all facets of employment law and related litigation, and has handled numerous labor arbitrations for unionized employers on a local and national level. His 29 years of practice have focused on workplace injury, Occupational Safety & Health Administration (OSHA) claims, workers’ compensation, intentional tort, non-compete agreements and employee discrimination matters. He has tried cases at all levels of federal and state court. Mr. Blackham is also Roetzel’s President, the National Practice Group Chair for the firm’s practice groups, and serves as Partner-in-Charge of the firm’s Cleveland office.

**Representative Trials**

*Secretary of Labor v. Lake Erie Construction Company*, OSHRC Docket No. 11-0156 – OSHA cited a highway construction company after an employee was electrocuted while removing old guardrail posts along a highway in Minerva, Ohio. OSHA alleged a willful violation of 29 C.F.R. § 1926.600(a), which sets forth minimum clearance distances between certain equipment and power lines or energy transmitters. The case proceeded to a formal hearing before an administrative law judge, who affirmed the citations and penalty against Lake Erie. The Occupational Safety Health Review Commission subsequently accepted Lake Erie’s discretionary appeal and reversed the ALJ’s decision. The Commission held that the cited standard did not apply to the equipment at issue and in doing so overruled a 30-year precedent.

*Secretary of Labor v. Jersey Central Power and Light*, OSHRC Docket No. 12-2270 – OSHA served citations upon an energy distribution company following the electrocution injury of a lineman who was attempting to replace a broken overhead transformer in Point Pleasant, New Jersey. OSHA alleged JCP&L committed several serious violations of 29 C.F.R. § 1910.269 by failing to conduct a job briefing, failing to ensure the lineman stood firmly on the floor of the bucket truck, and failing to ensure that employees maintained the minimum approach distance from energized parts. Following extensive discovery, including depositions of the compliance officer and all three members of the work crew, JCP&L moved for summary judgment. The Secretary responded to the motion by voluntarily dismissing all of the citations.

*Secretary of Labor v. Jersey Central Power and Light*, OSHRC Docket No. 13-0499, OSHA served citations upon an energy distribution company after the electrocution death of an employee who was repairing a downed power transmission line in New Jersey. OSHA alleged JCP&L violated 29 C.F.R. § 1910.269 by failing to ensure that employees wore protective rubber gloves and sleeves and that the downed conductor was properly grounded. Following written discovery and depositions, JCP&L negotiated a very favorable settlement, whereby all of the citations were either vacated or reclassified from serious to other-than-serious or unclassified.

**Areas of Experience**

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<thead>
<tr>
<th>ADA Matters</th>
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<td>Age Discrimination</td>
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<td>EEOC and DFEH Mediations</td>
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<td>Wrongful Termination</td>
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<td>National Origin Discrimination</td>
<td>Sex/Gender Discrimination</td>
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</tbody>
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**Honors and Awards**

- Board Certified in Pre-Trial Advocacy by the National Board of Trial Advocacy (NBTA)
- Selected as an “Ohio Super Lawyer” by *Ohio Super Lawyers* magazine (2015)
- Board Certified as a Specialist in Trial Advocacy by the National Board of Trial Advocacy (NBTA)
- Certified as a Workers’ Compensation Law Specialist by the Ohio State Bar Association
- AV® Preeminent™ rating from *Martindale-Hubbell Law Directory*

**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- Routinely presents to public and private companies on employment-related issues, including OSHA, EEOC, FLSA and workers’ compensation practice and procedures
- Lectured on workers’ compensation to the Ohio Self-Insurers Group
- Several presentations to self-insured and private employers’ groups

**Education**

- 1987, J.D., Cleveland-Marshall College of Law
- 1984, B.A., Political Science, The Ohio State University
Mr. Spiker's 29 years of practice focuses on defending employers in general employment matters, Occupational Safety and Health Administration (OSHA) compliance and workers’ compensation claims, including violation of a specific safety requirement (VSSRs) as well as all related litigation. He also handles rating, classification and premium issues before the Bureau of Workers’ Compensation's Adjudication Committee. His clients have included corporations and individuals in the health care, retail, manufacturing, transportation and construction industries. Mr. Spiker is the Practice Group Leader for the Employment Services Group.

**State ex rel Sears Logistics v. Cope**, Ohio Supreme Court, 89 Ohio St.3d 393 – Successful appeal overturning Industrial Commission order awarding temporary total disability. Ohio Supreme Court ruled that an examining doctor need not take into consideration allowed conditions in a medical report if those conditions no longer disable the claimant.

**Hart v. Cardinal Health**, 3rd District Court of Appeals, Ohio – Successful denial of requested additional allowances of substantial aggravation of pre-existing degenerative disc disease.

**James v. Wal-Mart Stores, Inc.**, 10th District Court of Appeals – Successful denial of request for on-going temporary total disability and voluntary abandonment.

Mr. Spiker's 29 years of practice focuses on defending employers in general employment matters, Occupational Safety and Health Administration (OSHA) compliance and workers’ compensation claims, including violation of a specific safety requirement (VSSRs) as well as all related litigation. He also handles rating, classification and premium issues before the Bureau of Workers’ Compensation's Adjudication Committee. His clients have included corporations and individuals in the health care, retail, manufacturing, transportation and construction industries. Mr. Spiker is the Practice Group Leader for the Employment Services Group.

**Representative Trials**

**State ex rel Sears Logistics v. Cope**, Ohio Supreme Court, 89 Ohio St.3d 393 – Successful appeal overturning Industrial Commission order awarding temporary total disability. Ohio Supreme Court ruled that an examining doctor need not take into consideration allowed conditions in a medical report if those conditions no longer disable the claimant.

**Hart v. Cardinal Health**, 3rd District Court of Appeals, Ohio – Successful denial of requested additional allowances of substantial aggravation of pre-existing degenerative disc disease.

**James v. Wal-Mart Stores, Inc.**, 10th District Court of Appeals – Successful denial of request for on-going temporary total disability and voluntary abandonment.

**Areas of Experience**

- ADA Matters
- Employment Risk Realities Seminar
- Age Discrimination
- Hostile Work Environment Seminar
- Civil Rights Matters
- Investigation of Employee Seminar
- Collective Bargaining
- Complaints Seminar
- Consultations/Risk Analysis
- National Origin Discrimination
- EEOC and DFEH Mediations
- Race Discrimination
- Employment Policy and Procedure Manuals
- Sexual Harassment
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment Training
- Wage & Hour Claims
- Sexual Harassment
- Wrongful Termination

**Honors and Awards**

- Named the Workers’ Compensation Law – Employers “Lawyer of the Year” for Cleveland by The Best Lawyers in America® (2016)
- AV® Preeminent™ rating from Martindale-Hubbell Law Directory
- Named to The Best Lawyers in America® for Workers’ Compensation Law – Employers (2015-2016)
- Selected as an “Ohio Super Lawyer” by Ohio Super Lawyers Magazine (2006-2016)

**Representative Seminars**

- Presented seminars to numerous groups including Akron Bar Association, Columbus Bar Association, Getaway Continuing Legal Education, Lorman Business Institute, Northern Ohio Self-Insured Association, Self-Insurers’ Group of Ohio and Sterling Education Services
- "An Appeal Has Been Filed in Workers’ Compensation Claim,” Speaker/Presenter, The Ohio Manufacturer’s Association
- "Ohio Supreme Court Declares One Time Only Premium Reduction Credit Unlawful,” State, ex rel. UAW v. BWC, 95 Ohio St. 3d. 408, 2002-Ohio-2491
- “PTSD and The Armstrong Decision,” Self-Insured Group of Ohio
- Ohio Self-Insured Addendum, Legal Update

**Education**

- 1986, J.D., Ohio Northern University, Pettit College of Law
- 1983, B.A., Mount Union College
Biography and Experience

Malinda Matlock has been practicing employment law, including all areas of employment discrimination, retaliation and EPL covered cases in state and federal courts in Oklahoma and Missouri for more than 12 years. She makes frequent appearances before the EEOC, the Oklahoma Department of Labor and the Oklahoma Employment Security Commission. She also advises clients on wage and hour matters, personnel policies and procedures and presents training sessions for management and employees on workplace employment-related matters.

Representative Trials

Stafford v. Grace Living Center, Inc. – successfully defended state law claim for retaliatory discharge at the trial and court of appeals level.

Ayers v. Grace Living Center, Inc. – successfully defended state law claim for retaliatory discharge.

Gonzalez v. Amity Care, LLC – successfully defended claim for gender discrimination pursuant to the Title VII Pregnancy Discrimination Act.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities
- Hostile Work Environment
- Investigation of Employee
- Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Serving as President of the Oklahoma Association of Defense Counsel for 2013
- Selected as Oklahoma Super Lawyer for 2006-2007 and 2009-2012
- Invited attorney member of Claims Litigation Management (CLM)

Representative Seminars

- Regularly provides client seminars on Hiring Practices, Personnel Evaluations and Documentation, Email, Cell Phone, and Social Media Policies, and other issues of client interest
- Co-Chair and Moderator of the Employment & Labor Law Fall Panel Presentation, 2011

Education

- 1991, J.D., University of Oklahoma College of Law
- 1988, B.B.A., University of Oklahoma
Elizabeth Sharrock has practiced in the area of employment law for 20 years. Her experience includes defense of allegations brought pursuant to Title VII, §1983, the ADA, the ADEA, the FLSA and FMLA, as well as various state law causes of action for wrongful termination, hostile work environment and retaliation. She has appeared on such matters before the EEOC; in the United States District Courts for the Northern, Eastern and Western Districts of Oklahoma; as well as in a host of state district courts. Ms. Sharrock has drafted and revised personnel policy manuals, she has presented continuing education to attorneys and risk managers, and she periodically presents sexual harassment training to employees on behalf of their employer(s).

**Representative Trials**

*Counts v. Communication Federal Credit Union;* Western District of Oklahoma; CIV-10-1192-L; CEO alleged contractual entitlement to SERP (Supplemental Executive Retirement Plan) benefits after termination for sexual harassment of credit union official - successfully obtained dismissal of case.

*Tilghman v. Kirby;* Western District of Oklahoma; 13cv73-D; alleged sexual harassment and retaliation – successfully obtained summary judgment on behalf of the alleged wrongdoer, as affirmed by the Tenth Circuit Court of Appeals.

Multiple matters resolved after presentation of Position Statements to the EEOC.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- EEOC and DFEH Mediations

- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Race Discrimination
- Retaliation

- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Honors and Awards**

- 2017 Best Lawyers in America Inductee
- 2008-2011 *Oklahoma Magazine* Rising Star Section, Top Young Attorney
- 2004 Outstanding Barrister, Ruth Bader Ginsberg American Inn of Court

**Representative Seminars**

- Co-Chair 2017 USLAW Labor and Employment Law Exchange, Chicago, IL
- Co-Chair 2017 Labor and Employment Law Track, USLAW Fall Conference, Carlsbad, CA
- “Conducting Workplace Investigations; Knowing When to Conduct Them and How to Use Them as Useful Compliance and Risk Management Tools,” Carlsbad, CA 2017
- “Mary Jane & Packin’ Heat; A Look at the Impact of Cultural Changes on the Employer-Employee Relationship,” Chicago, IL 2017
- “Managing Crisis in the Attorney-Client Relationship,” June 2016

**Education**

- 1997, J.D., University of Oklahoma
- 1994, B.A., University of Oklahoma
Sheryl Willert is a member resident in the Seattle office of Williams Kastner Greene & Markley where she concentrates her practice on counseling investigations, litigation and alternative dispute resolution experience. She has litigated cases involving all aspects of employment law for both unionized and nonunionized employers in both the public and private sectors. She is a national speaker and author on a myriad of employment related topics including sexual harassment, all types of discrimination, leave related laws and non competition agreements as well as ethics and trial tactics. Ms. Willert has successfully defended individuals as well as corporations in employment related matters.

Ms. Willert is past President of the Defense Research Institute (DRI), the nation's largest association of civil litigation defense attorneys, and she was honored when DRI renamed its annual diversity award the Sheryl J. Willert Pioneer Diversity Award in 2009. Ms. Willert is a current member of the Board and past Chair of USLAW NETWORK. Ms. Willert is a current member and past Chair of the Board of Directors of the National Foundation for Judicial Excellence, and she is a Fellow of the American College of Trial Lawyers. She has also been recognized as a Best Lawyer in America for more than 20 years and has been recognized by Super Lawyers magazine as a Super Lawyer® every year since the publication began its annual review of Washington's top lawyers in 1998. Ms. Willert was also named a Top Lawyer in Labor Law by Seattle Magazine. In addition, Ms. Willert has served in various management capacities within her firm, including serving as the firm's Managing Director for many years, most recently from 2006-2013.

### Representative Trials

**Price et. al. v. Equillon Enterprises (Shell Oil Company).** Multi plaintiff case in which Plaintiffs alleged that they were denied promotions and subjected to intentional discrimination on the basis of gender and sexual orientation. Defense verdict.

**Nelson v. Pro Sports.** A two-week arbitration where the demand was $3.6 million and the verdict was $100K. State of Washington Public Employees Commission Consolidated Cases.

**Seattle Prosecuting Attorneys Assn v. City of Seattle, City Attorney's Office.** Wrongful discharge/sex discrimination/unfair labor practice case. After hearings that lasted for approximately three months, we were able to get the superior court to declare that PERC had no jurisdiction over the City Attorney in a separate action, City of Seattle, City Attorney's Office v. Public Employees Relations Commission.

**Puyallup School District in Thomas, et al. v. Puyallup School District.** The class action suit was brought by 55 plaintiffs alleging race discrimination against the school district. The case settled.

### Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- WCAB-132a Matters
- Wrongful Termination

### Honors and Awards

- Washington Most Powerful and Influential Women Award, National Diversity Counsel
- Pioneering Woman Award, Loren Miller Bar Association
- "Women of Influence," a recognition of women in commerce, service and philanthropy who are “a force in the Seattle community,” Puget Sound Business Journal

### Representative Seminars

Served as Speaker/Panelist or Articles Written

- Presenter, “Acronym Mania: Five Years of Employment Law in 60 Minutes,” DRI Civil Rights and Governmental Tort Liability Seminar, New Orleans, LA, January 30, 2014

### Education

- 1978, J.D., Vanderbilt University
- 1975, B.A., Duke University, with distinction
Biography and Experience

Practicing employment and labor law with strong client praise for many years, Craig Brooks has primarily represented management but also successfully handled plaintiff’s cases on a regular basis. He provides advice on how to handle employee issues and actions, as well as defending or pursuing claims in court and before government agencies on matters including:

- Employment discrimination claims
- Wage and hour matters
- Family and Medical Leave Act
- Wrongful discharge
- Labor/Union matters
- Restrictive covenants
- Sexual and other harassment claim investigations
- Affirmative action programs
- Defamation
- Privacy

He has a highly successful record in handling employment discrimination and wrongful discharge cases, including making positive changes to case law on behalf of employers. He is also sought after for advice and counsel on and has a very successful track record representing management on union issues such as:

- Labor arbitrations
- Unfair labor practice charges
- Union collective bargaining agreement negotiations
- Union representation cases (e.g., elections, unit clarification proceedings, decertifications)
- Court suits over labor issues
- Proper practices in developing/maintaining employer represented workforces
- Job changes, movement of work, and general management policies and practices

Craig has appeared extensively before government employment practice agencies, including the EEOC, PHRC, NLRB, DOL, OFCCP, OSHA, Pa. L&I, among others.

Representative Trials

- Bechtel Subsidiary, Idaho
  Work Jurisdiction Dispute involving moving work out of a bargaining unit
  NLRB Unfair Labor Practices Charges, NLRB Unit Clarification Petition & Labor Arbitrations
  All resolved in favor of Company
- Pennsylvania-American Water Company
  National origin discrimination, defense verdict followed by successful petition for award of attorneys’ fees to the employer.
- Westinghouse Electric Corp.
  Established new case law shortening the statute of limitations from six to two years under Pennsylvania's employment discrimination statute (Pa. Human Relations Act)
  Appeals dismissed by both PA & U.S. Supreme Courts

Areas of Experience

<table>
<thead>
<tr>
<th>ADA Matters</th>
<th>Employment Risk Realities</th>
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<tr>
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<td></td>
<td>Reductions in Force</td>
</tr>
</tbody>
</table>

Honors and Awards

- AV Preeminent® Rated, Martindale-Hubbell Peer Review Rating System
- Best Lawyers in America®, 2017-2018 – Employment Law – Individuals

Representative Seminars

- “Understanding Employment Law & Developing Issues,” Client Training Program, February 2018
- “Labor and Employment Legal Principles,” National Business Institute Manufacturing Law Seminar, August 2017
- “Department of Labor Increasing Activity on Wage and Hour Law Issues,” Houston Harbaugh Website, July 2017

Education

- 1980, J.D., Duke University School of Law
- 1977, B.S., Wharton School of the University of Pennsylvania, cum laude
Biography and Experience
Adam Shestak has advised and represented clients in employment matters for over nine years. He regularly counsels clients on a range of employment issues such as hiring and discipline, the Family and Medical Leave Act, wage and hour matters, and anti-discrimination laws. A good portion of Adam’s practice is also devoted to representing clients in employment-related litigation before courts and administrative agencies. He has successfully represented clients before federal and state courts as well as agencies such as the EEOC, Pennsylvania Human Relations Commission, Connecticut Commission on Human Rights and Opportunities, and Pennsylvania Department of Labor and Industry.

Prior to joining Houston Harbaugh, Adam practiced law in the State of North Carolina for a number of years. For part of that time, he was an Assistant Attorney General for the North Carolina Department of Justice where he served as the in-house attorney for a large state hospital and represented the North Carolina Department of Health and Human Services in employment and other litigation before both federal and state trial and appellate courts.

Representative Trials
Successfully represented an employer before an administrative tribunal in a contested case hearing involving an employee’s allegations of wrongful termination and violation of personnel policy. Outcome was a ruling in favor of the employer following evidentiary hearing.

Represented an employer before an administrative tribunal in a contested case hearing brought by an employee challenging the basis of the employer’s disciplinary action. Outcome was a ruling in favor of the employer following evidentiary hearing.

Areas of Experience
- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee Complaints’ Seminar
- National Origin Discrimination
- Race Discrimination
- Religious Discrimination
- Reductions in Force
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Representative Seminars
- “Human Resources Law from Start to Finish,” National Business Institute, Pittsburgh, August 2017
- “Medical Marijuana – Considerations for Pennsylvania Employers,” Houston Harbaugh Website, May 2016
- “Is Your Employee Handbook Leaving You Exposed!,” Houston Harbaugh Website, November 2015

Education
- 2007, J.D., Duke University School of Law
- 2003, B.S., Carnegie Mellon University, with honors
Biography and Experience

Henry Sneath is a shareholder and director at Houston Harbaugh in Pittsburgh, PA. He is co-chair of the litigation department and serves on the firm’s executive committee. He has extensive federal and state court trial experience in cases involving employment, trade secret, and restrictive covenant matters. He has tried over 95 cases to jury and non-jury verdict in Federal and State Court jurisdictions. Mr. Sneath has handled and tried to verdict numerous civil rights, employment discrimination, wage and hour, trade secret, non-compete, non-disclosure and other restrictive covenant cases in state and federal courts. Many of the lawsuits in the employment restrictive covenant matters either ended or were settled prior to trial and particularly at the injunction phase of the case. He has handled injunction actions and presided over forensic examinations, data-security reviews and data evaluation in litigation against adverse parties and in counseling of clients. He is an Adjunct Professor at Duquesne University School of Law teaching Trade Secret Law, Non-Compete Law, Unfair Competition and Trademark Law.

Representative Trials

Smith v. National Restaurant Chain (Real names protected by confidentiality agreement). Federal District Court (Pittsburgh, Pa.) – plaintiff brought claims of sexual harassment and violations of civil rights. Obtained dismissal of all claims on behalf of defendant and against plaintiff.


Herman Brothers Insurance Brokerage Firm v. United Group Insurance Brokerage Firm (Real names protected by confidentiality agreement). Pennsylvania State Court action seeking preliminary and permanent injunction for client against competing insurance brokerage firm who employed ex-employee of client and who used client’s trade secrets to solicit business and client employees. After expedited discovery and development of sufficient proof to secure an injunction, the matter was resolved.

Areas of Experience

- Age Discrimination
- Race Discrimination
- Wage & Hour Claims
- Civil Rights Matters
- Sex/Gender Discrimination
- Wrongful Termination
- Employment Policy and Procedure Manuals
-

Honors and Awards

- Best Lawyers in America®
- Pennsylvania Super Lawyers
- Pennsylvania 2012 Defense Lawyer of the Year Award

Representative Seminars


Education

- 1983, J.D., Duquesne University School of Law
- 1980, B.A., Hamilton College
Robyn Farrell McGrath is a partner in the Employment Practices Group at Sweeney & Sheehan, P.C. in Philadelphia. She represents both public and private employers in a wide variety of employment and civil rights litigation at the administrative, trial, and appellate court levels. Her practice includes traditional employment litigation under the prevailing Federal and state statutes, in addition to business disputes arising from the employment relationship and employment-related tort claims. In addition to her litigation practice, Ms. McGrath counsels clients on workplace issues and is a frequent lecturer to insurers and employers on issues in employment and civil rights law. She can be reached at robyn.mcgrath@sweeneyfirm.com.

### Representative Trials

**Farabella v. City of Vineland** – Settlement after four weeks of trial of a whistleblower claim by a police officer alleging that he was retaliated against by his superiors for reporting criminal activity of other police officers.

**Alston v. City of Chester** – Summary judgment granted in mandamus action by former police chief and current lieutenant colonel of the police force on claims that he was wrongfully demoted in contravention of state statute and civil service law.

**Arias v. Borough of East Newark** – Litigation of fee petition after Plaintiff accepted offer of judgment. Plaintiff’s attorney sought more than $1.2 million dollars in fees and was awarded only $79,000.

### Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

### Representative Seminars

- "Mindreading 101: The FMLA for Women and Managers," Presentation at USLAW Women’s Connection Seminar, Winter 2014
- "Employment Law Basics," Presentation to selected insurers, Summer 2014
- “Updates in FMLA and ADA,” Presentation to selected insurers, Summer 2012
- “Whistleblowing in the USA,” *USLAW Magazine*, Fall/Winter 2012

### Education

- 1989, J.D., Villanova University School of Law, Villanova, PA
- 1985, B.A., American University, Washington, D.C.
**Biography and Experience**

Barbara O’Connell has practiced in the employment area since 1991. She has extensive experience litigating employment matters in the federal and state courts and the EEOC and local administrative agencies. These have included discrimination, wrongful discharge, retaliation and whistleblower cases. In addition, she has mediated and negotiated all types of employment related claims to settlement. She also advises clients regarding workplace investigations, anti-discrimination policies and compliance with state and federal employment laws.

**Representative Trials**

*DeVita v. Five Star* (State Court – Philadelphia County Court of Common Pleas) – Ms. O’Connell successfully defended an employer accused of hiring a violent employee who eventually murdered a customer. The customer had hired the employee directly unbeknownst to the employer. Although a jury returned a small amount of liability on the employer, the lion share of liability landed on the Plaintiff and her business partner for their actions.

*Yolanda Williams v. EMAX* (State Court, Delaware County Court of Common Pleas) – Ms. O’Connell obtained a defense verdict on all claims after a trial where a Plaintiff alleged her discharge was related to race.

*Sharon Wheeler v. T-Mobile* (Federal Court – Middle District of Pennsylvania) – Ms. O’Connell obtained a defense verdict on behalf of T-Mobile Corporation in a claim alleging religious discrimination in scheduling and termination.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and PHRC Hearings
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Honors and Awards**

- Ms. O’Connell was elected to be the Chairperson of the Defense Research Institute’s Employment Law Committee for the years 2008-2010.
- Ms. O’Connell was selected as a Pennsylvania Super Lawyer four of the last five years.

**Representative Seminars**


**Education**

- University of Bridgeport, BS Education, *Summa Cum Laude*, 1978
- Villanova University School of Law, JD, 1986, recipient of Law School Academic Merit Scholarship
Robert P. Brooks is the firm's Managing Partner and Chairman of the Labor and Employment Law Group. He represents management in all facets of labor relations and employment law in the public and private sectors. Mr. Brooks regularly and successfully handles collective bargaining negotiations and the defense of union organizing campaigns. He has successfully represented employers in employment discrimination matters, and a wide variety of labor arbitration and administrative proceedings. In addition, he lectures frequently to groups and private companies on many of the issues facing human resource professionals on a daily basis.

Representative Trials and Dispositions

Successful appeal of adverse arbitration decision which found new City Ordinance regulating City employee use of City vehicle to be a violation of the parties' collective bargaining agreement. The Court upheld City's right to promulgate regulations regarding operational issues even where ordinance conflicts with collective bargaining agreement.

Successful completion of collective bargaining negotiations with multiple unions representing employees at the Rhode Island Convention Center and Dunkin' Donuts Center.

Successful defense in grievance arbitration of employer termination of long-term employee for workplace violation.

Advise international hotel investment group on complicated labor and employment issues related to acquisition of major hotel property.

Challange to statutory and regulatory provisions requiring premium pay for work on Sunday. Mobilized opposition to repeal of regulations. Appealed adverse decision to Superior Court. Petitioned RI Supreme Court for writ of certiorari.

Areas of Experience

- ADA Matters
- Age Discrimination
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- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- “Top 20 Most Powerful Labor Attorneys in the Nation” by Lawdragon Magazine and Human Resource Executive
- Best Lawyers’ 2012 & 2014 Lawyer of the Year, Labor Law-Management, Providence, R.I.
- Chambers USA America’s Leading Business Lawyers as one of the “Leaders in Rhode Island” and as one of Rhode Island's best in Labor and Employment Law, 2006-2013
- The Best Lawyers in America® in the field of Labor and Employment Law, 2007-2014
- Rhode Island Super Lawyer, 2007-2013, an honor that recognizes him as a leader in the legal community

Representative Seminars

Served as Speaker/Panlist or Articles Written

- “New Tactics in Union Organizing,” Rhode Island Hospitality Association, November 18, 2013
- “Social Media in the Workplace – What’s An Employer To Do?,” Newport Chamber of Commerce HR Roundtable, November 13, 2013
- “Recent Employment Law Decisions and Development,” RI SHRM 15th Annual Legislative & Employment Law Conference, April 11, 2013

Education

- Suffolk University (J.D., 1987)
- Rhode Island College (B.A., 1982)
Biography and Experience

Mike Chittick handles all facets of labor and employment law and related litigation, consistently finding efficient, practical solutions for his private and public sector clients. His successful track-record includes collective bargaining negotiations, labor arbitrations, alleged unfair labor practices, employment discrimination, wage-hour laws, medical leave, reductions-in-force, OSHA compliance, employee discipline and termination, and day-to-day personnel issues. Mike has successfully represented employers in labor arbitrations and employment discrimination matters in both federal and state courts and before a wide array of administrative agencies. Mike's practice also extends to various business-based immigration matters.

Representative Trials

Successfully represented Rhode Island's largest gaming facility in collective bargaining negotiations with the various unions that represent its employees.

Represented lender group in connection with refinancing of resort casino. Representation included advising client with regard to state gaming laws and regulations, creation and perfection of security interests in associated real property, personal property, licensure and securities. Assisted client in connection with interaction with relevant state gaming authorities.

Successfully argued in Rhode Island Superior Court that an agency decision which would have likely resulted in over $1 million of overtime pay liability against our client should be reversed. *Frito-Lay, Inc. v. Rhode Island Department of Labor and Training, et al.,* C.A. No. PC-2012-1488, 2013 WL 1704965, 2013 R.I. Super. LEXIS 71 (April 12, 2013).

Won summary judgment for employer-client in the U.S. District Court with respect to all claims asserted against it, including alleged violations of federal and state disability discrimination statutes and various education laws. *Richardson v. Whitmarsh Corporation*, 2009 WL 5178075 (D.R.I. December 29, 2009)

Areas of Experience

- ADA Matters
- Age Discrimination
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- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Recognized in the 2009-2013 editions of *Chambers USA America's Leading Business Lawyers* in the field of Labor & Employment Law.
- Named Rhode Island Rising Star in 2008-2011, by the publishers of *Super Lawyers*, recognizing him as an outstanding young attorney in the Rhode Island legal community.

Representative Seminars

- "Remedies For Wrongful Termination In An Employment At-Will State," Speaker/Presenter – Rhode Island Bar Association Annual Meeting, Providence, RI, June 13, 2013
- "Employment Laws Made Simple," Speaker/Presenter – National Business Institute, Providence, RI, June 6, 2012

Education

- 1998, J.D., Boston College
- 1995, B.A., Trinity College
Biography and Experience

Robert Riter has been involved for the past 25 years in employment related matters. These have included defending wrongful termination litigation against employers, and numerous hearings before the South Dakota Department of Labor, as well as the South Dakota Personnel Policy Commission. He has also represented employers defending employee claims asserted before the South Dakota Human Rights Commission and the EEOC, including hearings and administrative appeals. He has regularly represented employers in public sector labor negotiations with ensuing grievance issues and administrative hearings.

Mr. Riter has also been involved on a regular basis consulting with employers on the applicability of South Dakota laws to employment decisions regarding hiring, firing and personnel policy actions.

Representative Trials

While Mr. Riter has assisted several partners on wrongful termination and discrimination claims which proceeded to trial, the cases of that nature in which he was the lead attorney were resolved prior to trial.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Reductions in Force
- Sex/Gender Discrimination
- Sexual Harassment
- Wage & Hour Claims
- Wrongful Termination

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Mr. Riter has previously presented during a seminar to the State Bar of South Dakota on the handling of administrative law matters to include employment related claims, and has presented to the Central South Dakota Society for Human Resource Management on employment related issues.

Education

- University of South Dakota 1970 – Business Administration
- University of South Dakota 1973 – Juris Doctorate
Biography and Experience

Brett Smith is an AV rated attorney by Martindale-Hubbell and regularly serves as lead counsel for companies and individuals in disputes involving high risks and exposure. He has successfully litigated and consulted on employment matters. Mr. Smith has maintained a practice in the area of employment law since 2001. Mr. Smith is admitted to practice in federal and state court in Texas.

Representative Trials

Charles J. Bolin, et al. v. Securicor d/b/a Cognisa Security, Inc., lead counsel representing a security company in the defense of retaliation and race discrimination causes of action (N.D. Tx.) wherein judgment for the defense was rendered on a majority of the Plaintiff’s claims.

Areas of Experience

| ADA Matters | Employment Policy and Procedure Manuals | Sexual Harassment |
| Age Discrimination | Race Discrimination | Sexual Harassment Training |
| Civil Rights Matters | Retaliation | Wrongful Termination |
| Consultations/Risk Analysis | |

Honors and Awards

- Mr. Smith is an AV rated by Martindale-Hubbell.

Representative Seminars

Served as Speaker/Panelist or Articles Written


Education

- South Texas College of Law, J.D. – 1991
- Southern Methodist University – 1988
Stan Fitts is a shareholder in the law firm of Strong & Hanni and is a member of the USLAW Board of Directors. Stan received his law degree in 1986 from the University of Utah College of Law where he was a member of the Utah Law Review. He has practiced in the area of employment law for 24 years, representing employers in a wide variety of employment matters. He has represented employers in a broad range of employment litigation, including wrongful discharge, discrimination, harassment, retaliation, FMLA, ADA, Title VII, reductions in force, non-compete issues and trade secrets. Stan also provides non-litigation employment law services including preventative planning and policies, contracts, handbooks and employment policy manuals, confidentiality agreements, trade secret and proprietary information agreements, non-compete agreements, and management training.

### Representative Trials

**Guthrie/Pay v. Halliburton Energy Services.** Successful four-day arbitration defense and judgment for dismissal of claims for wrongful discharge, violations of public policy and discrimination. Plaintiffs offered to settle just prior to arbitration for $1.4 million. Arbitration decision dismissed all claims of all plaintiffs with prejudice.

**Pinney v. Halliburton Energy Services.** Successful trial defense and no-cause dismissal of employees claims for extensive property loss while assigned to remote job-site location. Judgment entered for dismissal of all claims with prejudice.

**Troise v. McDonalds.** Successful defense of discrimination and retaliation claims based upon alleged disability, age and race discrimination. Obtained summary judgment in favor of employer resulting in dismissal of all claims.

**Peterson v. Murdock Travel.** Successful trial and defense verdict on claims against employer regarding alleged vicarious liability for negligence and fraud of alleged employee based upon claims of apparent authority of independent contractor, negligent employment and supervision.

**EEOC v. Murdock Travel.** Represented corporation in successful defense of claims by EEOC of alleged employment discrimination resulting in dismissal of all claims.

### Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wrongful Termination

### Honors and Awards

- Mountain States Super Lawyers listing of top attorneys
- AV rating by Martindale-Hubbell
- Recognized in *Utah Business Magazine*’s “Utah Legal Elite” listing for “the best and the brightest among Utah’s attorneys.”

### Education

- University of Utah, B.A., Finance, *cum laude*, 1983
- University of Utah College of Law, J.D., 1986
Michael Stanger practiced management-side labor and employment law in Las Vegas, Nevada for two years before returning home to Utah, where he has been for the past 14 years. He drafts or reviews employee handbooks, NDAs, employment contracts, restrictive covenants, and employment policies and procedures. Michael audits his client’s employment practices, and conduct sensitivity training. He counsels on terminations and severance, union avoidance, workplace safety, and unfair labor practices and herecently helped decertify a Teamsters bargaining unit in Weber County. Michael is often asked to get involved in workplace investigations. He advises on ADA accommodations, FMLA leave, FLSA exemptions, downsizing, and enforceability of non-compete agreements. Michael regularly speaks to employer groups about new developments in the law. When disputes arise, he provides vigorous representation at all stages of the litigation process. Michael has significant trial, arbitration and mediation experience, including first chair jury trial experience.

**Representative Trials**

- **Parallel HR Solutions, Inc. v. Eleventh Hire, Inc.** (Utah Third District Court, 2017) – successful first chair jury trial defense of departing employees and their new employer against claims of breach of noncompete agreements, tortious interference, misappropriation of trade secrets, etc.
- **MJ v. Wisan**, 371 P.3d 21 (Utah 2016) (dismissing certain tort claims by victim of Warren Jeffs and FLDS Church and remanding for jury trial)
- **Mauerhan v. Wagner Corp.**, 649 F.3d 1180 (10th Cir. 2011) (affirming summary judgment for employer accused of violating ADA by discriminating against recovering drug addict)

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee
- Complaints’ Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Honors and Awards**

- *Utah Business Magazine*, Utah Legal Elite – Labor & Employment Law – 2009-17
- Legislative Liaison – Northern Utah Human Resources Association

**Representative Seminars**

- “The EEOC’s Strategic Enforcement Plan and Other Priorities in 2017 and Beyond,” USLAW Network Employment & Labor Law Exchange, May 2, 2017

**Education**

- 2002, J.D., University of Miami
- 1999, B.A. German & Anthropology, University of Utah
**Biography and Experience**

Kristin VanOrman is the employment law group practice group leader at Strong and Hanni. For the past 20 years, she has had extensive experience defending clients in employment cases ranging from wrongful discharge, hostile workplace, and discrimination, to ADA and FMLA claims. She has been actively involved in all aspects of employment law ranging from the drafting of policy and procedure manuals, procuring a response to labor commission charges, to full blown litigation, including handling of class actions suits initiated by the EEOC.

**Representative Trials**

*Potts v. Davis County, et al.*, 07-4139 (10th Cir. Ct App 2007). Plaintiff sued for wrongful termination. Defense filed a motion for summary judgment, which was granted by trial court and affirmed by 10th Circuit.


**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- National Origin Discrimination
- Race Discrimination
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wrongful Termination

**Representative Seminars**

Served as Speaker/Panelist or Articles Written

- “Social Media,” Employers Council, 2013
- “Updates in Employment Law,” Department of Workforce Services, 2012
- “Updates in Hostile Workplace and Harassment Law” PRIMA, 2012
- “FMLA – What Do I Need to Know?” UCIP Annual Human Resource Director Conference, 2009

**Education**

- 1995, J.D., J. Reuben Clark Law School, Brigham Young University, Provo, Utah, *cum laude*
- 1992, B.S., Psychology, Brigham Young University, Provo, Utah
Biography and Experience

Betsy Davis focuses her practice on advising management in all areas of labor and employment law. She regularly represents employers in state and federal courts in the areas of discrimination, fair labor standards, family and medical leave, wrongful discharge, covenants not to compete, breaches of employment contracts, as well as other state and federal employment issues. She counsels and represents clients in defense of EEOC charges and DOL investigations.

Representative Trials

Successfully represented clients in investigation and defense of EEOC, DOL, and NLRB charges and VEC claims. Drafted and litigated non-compete, non-solicitation, and confidentiality covenants to injunction. Defended business litigation claim filed by joint venturer in federal court to agreed dismissal without defense payment.

Areas of Experience

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Consultations/Risk Analysis
- EEOC and DFEH mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment Seminar
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- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards

- Virginia Business magazine’s Legal Elite
- “AV-Preeminent” Rated by Martindale-Hubbell

Representative Seminars

- “EPLI: A Year in Review and A Look at What Is to Come,” LeClairRyan Client seminar, February, 12, 2018
- “Staffing and Employment Issues,” Associated General Contractors of Virginia, Young Leaders Conference, May 18, 2017

Education

- 1997, J.D., University of Richmond T.C. Williams School of Law, cum laude, Client Counseling and Negotiations Boards Member, Moot Court Board
- 1994, B.A., English, University of Virginia
Leslie Paul Machado
LeClairRyan
2318 Mill Road, Suite 1100
Alexandria, VA 22314
Phone: (703) 647-5928
Fax: (703) 647-5968
Email: leslie.machado@leclairryan.com
www.leclairryan.com


Biography and Experience
For more than 15 years, Mr. Machado has represented employers in a wide variety of employment matters, including discipline; handbook reviews; responding to discrimination charges; advising on employment contracts and restrictive covenants; and defending wrongful discharge claims, disability discrimination claims, age discrimination claims, claims of unlawful harassment, and race and gender discrimination claims before state and federal agencies, in arbitrations, and in state and federal courts.

Representative Trials


Areas of Experience
| ADA Matters | National Origin Discrimination | Sex/Gender Discrimination |
| Age Discrimination | Race Discrimination | Sexual Harassment |
| EEOC and DFEH mediations | Religious Discrimination | Wrongful Termination |
| Hostile Work Environment | Retaliation | |

Representative Seminars
Served as Speaker/Panelist or Articles Written
• “Corporate Compliance & Social Media – Tread Carefully With Employees and Applicants,” Corporate Compliance Insights, September 2013
• “Who Owns Your Social Media Account and Followers When Your Employee Leaves,” Corporate Compliance Insights, April 2013
• “Title VII and the Public Sector Transgender Employee,” HR News Magazine, January 2012
• “Protecting Against Employee Theft,” Human Resource Executive Online, July 12, 2010
• “Courts Increasingly Split on Whether Computer Fraud & Abuse Act Applies to Disloyal Employees,” Inform Legal, July 9, 2010

Education
• 1996, J.D., University at Buffalo School of Law, cum laude
• 1992, B.A., Communications, Fordham University
Biography and Experience

Ms. North’s practice includes counseling, mediation, arbitration and litigation of employment issues, including sexual harassment, race and sex discrimination, age discrimination and disability discrimination, wage and hour claims, as well as covenants not to compete, non-disclosure agreements, business conspiracy and trade secrets. She has significant experience in the development, implementation and enforcement of mandatory arbitration programs. She has defended challenges to these programs in federal and state courts around the country. She is experienced in defending complex, multiple-plaintiff and pattern and practice cases, including defeating Title VII and 42 U.S.C. Section 1981 class action discrimination cases, and wage and hour collective action cases under the Fair Labor Standards Act. In addition, she counsels employers, credit reporting agencies, furnishers of information to credit reporting agencies and debt collectors on compliance issues related to the Fair Credit Reporting Act and the Fair Debt Collection Practices Act, and she litigates these claims also.

Representative Trials

Breach of employment contract and quantum meruit claim – defense jury verdict.
Retaliation claim under Title VII of the Civil Rights Act of 1964, as amended – defense jury verdict.
Won more than 40 employment law arbitrations.

Areas of Experience

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</table>

Honors and Awards

• Listed in Chambers USA, America’s Leading Business Lawyers in Labor & Employment Law, 2013-2017
• Adjunct Professor – William & Mary School of Law – Advanced Litigation
• Selected as one of Virginia’s “Top 50 Women Lawyers,” 2012-2014, 2016
• Listed in Virginia Business magazine’s “Legal Elite,” for Labor and Employment Law, 2004-Present
• Named a Virginia “Super Lawyer,” Labor and Employment Law, 2010-2017

Representative Seminars

Served as Speaker/Panelist or Articles Written

• Appointed by Virginia Supreme Court as faculty member, Harry L. Carrico Professionalism Course
• Published in Management Magazine (CLM)
• Published in Virginia Small Business Resource Guide 2012

Education

• 1998, J.D., University of Richmond School of Law, cum laude
• 1992, M.B.A., George Washington University, cum laude
• 1989, B.S., Industrial/Organizational Psychology and Business Management, Old Dominion University, cum laude
Biography and Experience

Jessie Harris is Managing Director of Williams Kastner and a member in the firm’s Seattle office. He is a trial lawyer who concentrates his practice on civil litigation related to employment law, product liability and commercial disputes. Mr. Harris has vast litigation experience consisting of numerous jury trials and alternative dispute resolution proceedings.

His employment practice consists of conducting personnel investigations and defending employers against lawsuits alleging wrongful termination, sexual harassment, retaliation, discrimination and other claims arising under Title VII. His commercial practice includes the representation of clients in contract disputes and cases involving misrepresentation and breach of warranties. He also provides risk management assistance to his clients which include corporate entities, municipal corporations, school districts and public agencies.

Representative Trials


Areas of Experience

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<td>Procedure Manuals</td>
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Honors and Awards

- Super Lawyer – Washington Law
- AV Preeminent® by Martindale-Hubbell

Representative Seminars


Education

- J.D., Gonzaga University School of Law
- B.A., Washington State University
**Biography and Experience**

Jerome Rubin started his career with five years in government and has been in private practice from 1975 to present. His experience includes NLRB proceedings, union negotiations, equal employment and discrimination claims before agencies and courts, wage hour issues, unemployment and workers compensation cases, OSHA, Federal Contractor Compliance and general personal compliance.

**Representative Trials**

Represented Louis Dreyfus Commodities in federal court and arbitration involving ILWU member claims of racial discrimination. The arbitrator ruled that there was no liability for discrimination and dismissed all of plaintiff’s claims.

Represented The Jim Pattison Group in a variety of employment matters, including a case of successorship litigation and unfunded pension liability. The Jim Pattison Group, Canada's largest privately held company, has more than 35,000 employees, and annual sales of $9.1 billion. With investments in Canada, the U.S., Mexico, Europe, Asia and Australia, The Jim Pattison Group is involved in a wide variety of industries including TV and radio stations; car dealerships; grocery store chains; magazine distribution; flexible, rigid and specialty packaging; advertising; real estate development; fishing; financial services; and entertainment.

Represented Swedish Medical Center in labor negotiations involving approximately 6,500 nurse, technical, service and maintenance employees. As a result of these negotiations the employer was able to switch from a defined benefit to a defined contribution pension plan, as well as to achieve for the first time employee sharing in the cost of health insurance premiums. All of this was achieved without a strike or work stoppage.

**Areas of Experience**

- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- Consultations/Risk Analysis
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Employment Risk Realities Seminar
- Hostile Work Environment
- Investigation of Employee
- Complaints' Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

**Honors and Awards**

- “America’s Leading Lawyers for Business” by Chambers USA, 2004-2016

**Representative Seminars**

- Presenter, "Labor Law Under the New Administration," Change on the Horizon Breakfast Seminar, Seattle, WA, April 18, 2017
- Presenter, "Appropriate Workplace Conduct, Preventing Harassment and its Consequences", Seattle, WA, February 20016
- Presenter, "Employment Law for Nonprofits", Seattle, WA, May 2014
- Presenter, "Hot Labor Law Issues for Employers", Seattle, WA, March 2013

**Education**

- 1969, J.D., Villanova University School of Law
- 1966, B.A., University of Virginia
Biography and Experience

Sheryl Willert is a member resident in the Seattle office of Williams Kastner where she concentrates her practice on counseling investigations, litigation and alternative dispute resolution experience. She has litigated cases involving all aspects of employment law for both unionized and nonunionized employers in both the public and private sectors. She is a national speaker and author on a myriad of employment related topics including sexual harassment, all types of discrimination, leave related laws and non competition agreements as well as ethics and trial tactics. Ms. Willert has successfully defended individuals as well as corporations in employment related matters.

Ms. Willert is past President of the Defense Research Institute (DRI), the nation’s largest association of civil litigation defense attorneys, and she was honored when DRI renamed its annual diversity award the Sheryl J. Willert Pioneer Diversity Award in 2009. Ms. Willert is a current member of the Board and past Chair of USLAW NETWORK. Ms. Willert is a current member and past Chair of the Board of Directors of the National Foundation for Judicial Excellence, and she is a Fellow of the American College of Trial Lawyers. She has also been recognized as a Best Lawyer in America for more than 20 years and has been recognized by Super Lawyers magazine as a Super Lawyer® every year since the publication began its annual review of Washington’s top lawyers in 1998. Ms. Willert was also named a Top Lawyer in Labor Law by Seattle Magazine. In addition, Ms. Willert has served in various management capacities within her firm, including serving as the firm’s Managing Director for many years, most recently from 2006-2013.

Representative Trials

Price et. al. v. Equillon Enterprises (Shell Oil Company). Multi plaintiff case in which Plaintiffs alleged that they were denied promotions and subjected to intentional discrimination on the basis of gender and sexual orientation. Defense verdict.

Nelson v. Pro Sports. A two-week arbitration where the demand was $3.6million and the verdict was $100K. State of Washington Public Employees Commission Consolidated Cases.

Seattle Prosecuting Attorneys Assn v. City of Seattle, City Attorney’s Office. Wrongful discharge/sex discrimination/unfair labor practice case. After hearings that lasted for approximately three months, we were able to get the superior court to declare that PERC had no jurisdiction over the City Attorney in a separate action, City of Seattle, City Attorney’s office v. Public Employees Relations Commission.

Puyallup School District in Thomas, et al. v. Puyallup School District. The class action suit was brought by 55 plaintiffs alleging race discrimination against the school district. The case settled.

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Honors and Awards

- Washington Most Powerful and Influential Women Award, National Diversity Counsel
- Pioneering Woman Award, Loren Miller Bar Association
- “Women of Influence,” a recognition of women in commerce, service and philanthropy who are “a force in the Seattle community,” Puget Sound Business Journal

Representative Seminars

Served as Speaker/Panelist or Articles Written

- Presenter, “Acronym Mania: Five Years of Employment Law in 60 Minutes,” DRI Civil Rights and Governmental Tort Liability Seminar, New Orleans, LA, January 30, 2014

Education

- 1978, J.D., Vanderbilt University
- 1975, B.A., Duke University, with distinction
Biography and Experience

Scott Evans is a veteran defense attorney with over 20 years of litigation experience who devotes a significant portion of his practice to employment and labor law. Mr. Evans counsels and represents employers on a wide range of employment matters in federal and state court including discrimination suits involving claims of age, race, sex and disability discrimination.

Mr. Evans also advises employers on labor and collective bargaining issues and represents employers in arbitration concerning labor management disputes. He defends employers and management in sexual harassment/hostile work environment cases and represents employers in wrongful discharge actions, breach of contract cases, enforcement of employment based non-competition agreements and deliberate intent personal injury actions. In addition, he defends employers in investigations and administrative actions before the West Virginia Human Rights Commission and the Equal Employment Opportunity Commission.

Representative Trials


ICWU/261C(Tyler Hall Discharge) v. ATK Tactical Systems, FMCS Case 08-52501—Represented ATK in an Arbitration regarding claims of a wrongful discharge brought by a former employee. Federal Mediation and Conciliation Service arbitrator dismissed union’s grievance related to the discharge of a union member due to his violation of the attendance policy contained in the parties’ collective bargaining agreement. (2008).

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Honors and Awards

- Defense Trial Counsel of West Virginia
- DTCWV Employment & Labor Committee Chairman 2012-2013

Representative Seminars

Served as Speaker/Panlist or Articles Written

- “SC Decisions Demonstrate Importance of Written Warnings in Disciplining Employees,” The West Virginia Record, November 28, 2013
- “Layoffs? Yes, There are Alternatives,” Capacity, Fall 2009 edition

Education

- 1991, J.D., West Virginia University College of Law
- 1988, B.A., Political Science, West Virginia University College of Arts and Science, magna cum laude
Tim Mayo brings more than 25 years of experience to Flaherty and focuses 80% of his practice on employment law and civil rights. His experience extends to commercial litigation, product litigation and general insurance defense work. He regularly represents clients in both state and federal courts, the West Virginia Human Rights Commission and the federal EEOC.

Mr. Mayo has represented business clients involving companies from Germany, Brazil and the UK. In addition to employment advice, he hosts in-house seminars, providing a full range of business-focused advice from premises litigation to employment liability. In addition, he has been involved in numerous wrongful death and catastrophic personal injury suits.

Represented numerous employers in cases involving wrongful discharge and sexual harassment.

Represented employers accused of discrimination before the WV Human Rights Commission.

Represented employers before the federal EEOC.

### Areas of Experience

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### Honors and Awards

- Listed, West Virginia Super Lawyers, 2012 – Present

### Representative Seminars

- “Employment Hot Topics in West Virginia,” The West Virginia College and University Professional Association for Human Resources, 2015
- “Transgender Issues Confronting Colleges and Universities,” College and University Professional Association of Human Resources in Charleston, West Virginia, 2013

### Education

- 2011, M.A., History, Marshall University
- 1991, J.D., T.C. Williams School of Law, University of Richmond
- 1988, B.A., History, Hampden-Sydney College, cum laude
Biography and Experience
Scott Ortiz has had a trial practice since 1992, specializing in labor and employment law, professional negligence claims, defense of transportation carriers and oil and gas related litigation. He has successfully defended more than 50 jury trials in state and federal court. He has also successfully defended public and private employers in dozens of contested case hearings, and management rights in more than 75 labor arbitrations in a multi-state area. His clients include regional and county hospitals, individual health care practitioners and other professionals and their insurers, city and county entities, community colleges, utility companies, oil and gas companies, transportation carriers and their insurers, and many private employers.

Representative Trials
Douglas v. Orkin: Mr. Ortiz represented the employer who was charged with breach of contract and breach of the covenant of good faith and fair dealing. Two week jury trial, federal court, before the Honorable Alan Johnson.
Walker v. Toolpushers Supply Company: Mr. Ortiz represented the employer against charges of gender-based discrimination. Two week jury trial, federal court, before the Honorable Alan Johnson.
Cooper v. Natrona County School District No. 1: Mr. Ortiz represented the school district on charges of failure to hire based on racial discrimination. To week jury trial, federal court, before the Honorable Clarence Brimmer.

Areas of Experience
- ADA Matters
- Age Discrimination
- Civil Rights Matters
- Collective Bargaining
- EEOC and DFEH Mediations
- Employment Policy and Procedure Manuals
- Hostile Work Environment
- Investigation of Employee Complaints Seminar
- National Origin Discrimination
- Race Discrimination
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Sexual Harassment Training
- Wage & Hour Claims
- Wrongful Termination

Honors and Awards
- Scott Ortiz has been referenced in USA Chambers, as one of Wyoming's top employment lawyers since 2003.
- He is also referenced as a top employment lawyer in Best Lawyers
- Mr. Ortiz has received an AV rating from Martindale-Hubbell

Representative Seminars
Served as Speaker/Panelist or Articles Written
- Lorman Education Services: Provides frequent seminars regarding employment-related issues
- Methamphetamine Prevention Conference: Yearly presentation regarding drug testing issues in the workplace.
- Frequently retained by large employers to present in-house training to management employees regarding employment issues

Education
- 1988, J.D., University of Wyoming School of Law, with honors
- 1985, B.A., University of Wyoming
Biography and Experience
Alex joined Parlee McLaws LLP as an associate in 2016, after working as a summer student and completing his articles with the firm. His main area of practice is employment and labour law.

Alex has advised and acted for both employers and employees in a wide variety of employment and labour based matters, such as wrongful and constructive dismissal actions, privacy complaints, grievance arbitrations, human rights complaints, and Canada Labour Code and Alberta Employment Standards Code claims.

Alex regularly assists provincially and federally regulated employers with the preparation and vetting of all manner of employment and consulting based agreements, policies, handbooks, and supporting documents, as well as with a broad range of other employment, labour, privacy, and statutory compliance issues. Alex's past experience in this regard has included working with employers to develop and implement individual to large scale employee hiring and dismissal strategies and the preparation and implementation of drug and alcohol policies.

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Representative Seminars
Served as Speaker/Panelist or Articles Written


Education

- 2014, J.D., University of Alberta
- 2011, B.A., Economics and Political Science, University of Alberta, with Distinction
Biography and Experience

Brent has over 14 years’ experience advising clients on a variety of employment related matters, including employment agreements, employment policy and handbook review and preparation, terminations, work place discipline, disability and accommodation, drug and alcohol testing and non-competition covenants. In addition, Brent has represented clients on lawsuits involving various employment issues, including, wrongful dismissal, discriminatons, breaches of fiduciary duties, non-competition covenant violations, Canada Labour Code hearings, human rights disputes and employment standard complaints.

Areas of Experience

- Age Discrimination
- Employment Risk Realities
- Consultations/Risk Analysis
- Seminar
- Employment Policy and 
  Race Discrimination
- Procedure Manuals
- Reductions in Force
- Religious Discrimination
- Retaliation
- Sex/Gender Discrimination
- Sexual Harassment
- Wage & Hour Claims
- Wrongful Termination

Education

- 2000, Admitted to the Law Society of Alberta
- 1999, LL.B, Bachelor of Laws, University of Saskatchewan
- 1998, B-Comm, Bachelor of Commerce, University of Saskatchewan
Biography and Experience

Called to the Bar of Ontario in 2008, Sean has been providing proactive employment law advice to both employers and employees since he began practicing. His services range from providing proactive advice aimed at preventing disputes from occurring to appearing before the courts to fight on his clients’ behalf when a dispute arises. He has experience advising clients in all aspects of employment law including discrimination claims, wrongful dismissal, workers compensation claims, pay equity and human rights. He has represented clients in front of the Ontario Superior Court of Justice, Ontario Court of Justice, and the Court of Appeal for Ontario. In addition, he has argued in front of administrative boards, including the Public Services Labour Relations Board (PSLRB), Workplace Safety and Insurance Board (WSIB), and professional disciplinary boards. In 2012 Sean was accredited as an expert witness in Canadian law by the Massachusetts Department of Industrial Accidents.

Representative Trials

Wellman v. The Herjavec Group Inc., 2014 ONSC 2039 – Sean represented an individual employed for less than one year who was terminated without cause. Following summary disposition, Sean was able to obtain an award in an amount equal to four months of salary.

595799 Ontario Ltd. v. Galpin, 2010 ONSC 2083, aff’d 2010 ONCA 843 – Sean represented an individual sued for the tort of intentional inference with economic relations and successfully brought a motion to have the case dismissed.

Pilling v Lowerys Limited, 2014 CanLII 51309 (ON SCSM) – In this Small Claims matter, the employer alleged just cause for dismissal. Sean was successful in obtaining a ruling in favour of the employee that the employer did not have just cause. Damages were minimal due to the employee’s successful mitigation efforts.

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Representative Seminars

- Sean is the author of the award winning blog Labour Pains – An employment law blog for employers and employees. In 2014 this blog was selected as the Best Employment Law Blog in Canada.
- “Purchasing a Business in Canada? Understand the key assets: Your new employees,” USLAW Magazine, Fall/Winter 2014
- “Don’t Fire at Will: What you need to know about being an employer in Canada,” USLAW eduNET presentation, June 27, 2014
- “Sick of Work? The Legal Minefield of Workplace Burnout,” CCLA Civil Litigation Updated 2010, Montebello, Quebec, November 20, 2010

Education

- 2007, LL.B., University of Ottawa, cum laude
- 2003, B.A., York University
**Summary Judgment Motion Dismissed**

JP successfully represented an employer in a summary judgment motion brought by a former employee, who was claiming approximately two years' salary, alleging that the parties had entered into a two-year fixed term employment contract. The Ontario Superior Court of Justice dismissed the employee's motion with costs.


**Human Rights Complaint Dismissed**

JP successfully represented Carleton University before the Human Rights Tribunal. That case arose out of an Application filed by a graduate student after she was withdrawn from the Masters of Architecture (M. Arch) program after being granted five extensions to the deadline for completing the two-year program. After being denied a sixth extension, the Applicant appealed the decision and, for the first time, gave notice that she was suffering from a purportedly serious health issue. The appeal was considered by the University and denied. A subsequent attempt by the University to reinstate and accommodate the Applicant failed and the Applicant filed a complaint with the Human Rights Tribunal of Ontario, alleging that she had suffered discrimination and the University had failed to accommodate her disability. The Applicant sought an order reinstating her into the program as well as damages for future lost wages. At the conclusion of the seven day hearing, JP successfully convinced the Tribunal to dismiss the Application because her disability was not a factor in the decision to not grant her a further extension and deny her appeal; the Applicant failed to prove that she had a disability-related need that required accommodation and, in any event, the accommodation process failed as a result of decisions made by the Applicant. *Liu v. Carleton University*, 2015 HRTO 621 (CanLII)

**Human Rights Complaint Summarily Dismissed**

JP successfully sought an early dismissal of an application filed with the Human Rights Tribunal of Ontario, when he represented a community health centre and two of its executives, who were all respondents to the application, which was filed by a former employee: *Colbeck v. Pinecrest-Queensway Community Health Centre*, 2010 HRTO 1435 (CanLII).

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**Biography and Experience**

JP advises businesses on employment and labour law issues that occur at all stages of an employment or labour life-cycle. These issues have included issues that arise out of a purchase and sale of a business. JP regularly reviews and drafts employment agreements, contractor agreements, non-solicitation and non-competition agreements and workplace policies. He also provides risk management advice with respect to terminations, human rights issues, collective bargaining and shareholder disputes.

An experienced litigator, JP has a successful track record, appearing before the Federal Court of Appeal, the Federal Court of Canada, the Divisional Court, the Superior Court of Justice, the Canada Industrial Relations Board, Ontario Labour Relations Board, the Ministry of Labour, the Human Rights Tribunal of Ontario as well as grievance and private arbitrators. His clients value his common sense approach to resolving disputes and his ability to anticipate and plan for each stage of the litigation process.

Originally, from Winnipeg, JP was a professional hockey referee before becoming a lawyer. While studying law, he served as a Program Manager for Sport Solution, a clinic that assists Olympic and National Team athletes with legal issues related to selection, discipline and carding. JP relies on this experience when representing and advising a number of national and regional sports organizations with respect to a wide variety of issues such as litigation matters, human rights complaints, collective bargaining and general risk management.

**Representative Trials**

**Summary Judgment Motion Dismissed**

JP successfully represented an employer in a summary judgment motion brought by a former employee, who was claiming approximately two years' salary, alleging that the parties had entered into a two-year fixed term employment contract. The Ontario Superior Court of Justice dismissed the employee’s motion with costs. *Besseau v. Seprotech Systems* (unreported dated July 19, 2013)

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**Education**

- 2002, LL.B., University of Western Ontario
**Biography and Experience**

Claudia is the group leader of our Employment and Labour Law Group. As employer counsel, Claudia acts mainly for corporations in both the private and institutional sectors. In her practice, Claudia on behalf of employers in collective agreement negotiations and before civil courts as well as various administrative tribunals with regard to matters dealing with dispute resolution, union accreditation, labour relations, dismissal and occupational health and safety.

Claudia teaches labour law at the École du Barreau du Québec, and also gives workshops to various companies and organizations. She is the Vice President of the board of directors of the Centre de santé et de services sociaux Haut-Richelieu-Rouville.

Driven by her strong sense of professionalism, Claudia seeks to executing practical solutions for every situation her clients’ face, and brings her great determination to executing the best solution for her clients. 100% of Claudia’s legal practice is devoted to labour and employment issues.

**Representative Trials**

Represented a food-processing employer in the implementation of multiple site closures and consolidation to a single site of a unionized business.

Successfully acted for an institutional employer that accused its executives of fraud.

Successfully negotiated a first collective bargaining agreement in a difficult post-bankruptcy context, winning important concessions from the union.

**Areas of Experience**

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<td>Consultations/Risk Analysis</td>
<td>National Origin Discrimination</td>
<td>Wage &amp; Hour Claims</td>
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<tr>
<td>Employment Policy and Procedure Manuals</td>
<td>Race Discrimination</td>
<td>Religious Discrimination</td>
</tr>
</tbody>
</table>

**Representative Seminars**

* Served as Speaker/Panelist or Articles Written

- Indemnités versées à vos employés victimes d’une lésion psychologique ou de harcèlement psychologique au travail : comment s’y retrouver? (16 mai 2013) – Therrien Couture Conference series
- La notion de vie privée à l’ère du Facebook et Myspace, vos obligations auprès de vos employés (17 octobre 2013) – conf. donnée à la Chambre de commerce des maskoutains
- Les clauses restrictives dans les contrats de travail : dualité entre la protection des intérêts de l’employeur et le droit à gagner sa vie de l’employé (juin 2012) – Therrien Couture Conference series
- L’évolution des notions de vie privée et d’accès à l’information (8 mai 2012) – Canadian Institute
- Cessation d’emploi et indemnités de départ (10 novembre 2011) – Therrien Couture Conference series
- Liberté 55 60 65 70? : Défis des employeurs face à une population salariale vieillissante (20 septembre 2011) – Therrien Couture Conference series

**Education**

- Member of Barreau du Québec since 2002
- 2001, L.L.B. from Montreal University
- 1998, B.A. in Political Science from Montreal University


**Biography and Experience**

Ralph Farley has represented management in Employment and Labor Law in Quebec for the past 42 years and in most of the Canadian provinces for a good portion of that time. Most of his work has been with multinational employers, for example, airlines, broadcasting, manufacturing, educational and health institutions, having acted in relation to employment matters in relation to the purchase and sale of businesses, negotiation of collective agreements, representation before labor arbitrators, labor relation commissions, superior courts and courts of appeal. In recent years Ralph’s practice has focused more on giving advice and counsel to clients in regards to their employment and labor issues.

**Representative Trials**

Represented a manufacturing employer who successfully fought several grievances involving progressive discipline over four years for an employee who, over a period of time, resisted management authority over autonomous maintenance staff.

Succeeded in excluding several contested positions that were sought to be included in a bargaining unit for non-teaching staff of a university who claimed that they were part of management.

Succeeded in maintaining accusations of fraudulent use of time by a number of employees who were involved in the annual inventory taking for a large milling operation where management did not have direct visual proof of employee activity.

**Areas of Experience**

<table>
<thead>
<tr>
<th>Collective Bargaining</th>
<th>Investigation of Employee Complaints Seminar</th>
<th>Sexual Harassment Training</th>
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<tbody>
<tr>
<td>Employment Policy and Procedure Manuals</td>
<td>Reductions in Force</td>
<td>Wage &amp; Hour Claims</td>
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<tr>
<td></td>
<td>Sexual Harassment</td>
<td>Wrongful Termination</td>
</tr>
</tbody>
</table>

**Representative Seminars**

**Served as Speaker/Panelist or Articles Written**

- “Negotiating a Successful Termination Agreement,” October 2014
- “Review of Time Theft Arbitration Awards,” June 2012
- “Implementing an Employer Absenteeism Policy,” May 2011
- “How to Implement Progressive Discipline,” June 2010
- “Defining Quebec’s New Psychological Harassment”

**Education**

Science graduate from ACADIA University (B.Sc)

Law graduate from McGILL University (B.C.L.)

Member of Barreau du Québec since 1972
EDUCATION

It’s no secret – USLAW can host a great event. We are very proud of the industry-leading educational sessions at our semiannual client conferences, seminars, and client exchanges. Reaching from national to more localized offerings, USLAW member attorneys and the clients they serve meet throughout the year not only at USLAW-hosted events but also at many legal industry conferences. CLE accreditation is provided for most USLAW educational offerings.

A TEAM OF EXPERTS

USLAW NETWORK undoubtedly has some of the most knowledgeable attorneys in the world, but did you know that we also have the most valuable corporate partners in the legal profession? Don’t miss out on an opportunity to better your legal game plan by taking advantage of our corporate partners’ expertise. Areas of expertise include forensic engineering, court reporting, jury consultation, forensic accounting, structured settlements, discovery, cyber security and data forensics, investigation and legal animation services.

SOURCEBOOK

USLAW NETWORK offers legal decision makers a variety of complimentary products and services to assist them with their day-to-day operation and management of legal issues. The USLAW SourceBook provides information regarding each resource that is available. We encourage you to review these and take advantage of those that could benefit you and your company. For additional information, simply contact Roger M. Yaffe, USLAW CEO, at roger@uslaw.org or (800) 231-9110, ext. 1.

USLAW is continually seeking to ensure that your legal outcomes are successful and seamless. We hope that these resources can assist you. Please don’t hesitate to send us input on your experience with any of the products or services listed in the SourceBook as well as ideas for the future that would benefit you and your fellow colleagues.
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What is the value in having individual access to 4-8 highly experienced USLAW member attorneys from around the country and around the world (if necessary) roundtable specific issues you may be facing including actual cases or hypotheticals? USLAW is pleased to provide this free consultation which will give you a sense of comfort that you are managing a specific issue/case in an appropriate manner and make you aware of unforeseen roadblocks and variables that may pop up. It never hurts to phone a friend!

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USLAW regularly produces new and updates existing Compendiums providing a multi-state resource that permits users to easily access state common and statutory law. Compendiums are easily sourced on a state-by-state basis and are developed by the member firms of USLAW. Some of the current compendiums include: Retail, Spoliation of Evidence, Transportation, Construction Law, Workers’ Compensation, Surveillance, Offer of Judgment, Employee Rights on Initial Medical Treatment, and a National Compendium addressing issues that arise prior to the commencement of litigation through trial and on to appeal. Visit the Client Resource section of uslaw.org for the complete USLAW compendium library.
STATE JUDICIAL PROFILES BY COUNTY

Jurisdictional awareness of the court and juries on a county-by-county basis is a key ingredient to successfully navigating legal challenges throughout the United States. Knowing the local rules, the judge, and the local business and legal environment provides a unique competitive advantage. In order to best serve clients, USLAW NETWORK offers a judicial profile that identifies counties as Conservative, Moderate or Liberal and thus provides you an important Home Field Advantage.

USLAW DIGIKNOW

USLAW DigiKnow is USLAW’s bi-weekly digital e-newsletter featuring insights and perspectives on today’s trending legal issues. Articles and posts and are written by USLAW member attorneys who are subject matter leaders from our our nearly 20 substantive USLAW Practice Areas and the USLAW membership in general. Through USLAW DigiKnow, we share legal, legislative and jurisdictional news as well as promote upcoming USLAW events and webinars that might be of interest to you and your colleagues. It is an excellent resource to keep abreast of new case law, important verdicts and other pending legislation.

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In today's digital world there are many ways to connect, share, communicate, engage, interact and collaborate. Through any one of our various communication channels, sign on, ask a question, offer insight, share comments, seek advice and collaborate with others connected to USLAW. Please check out USLAW on Twitter @uslawnetwork and our LinkedIn group page.

USLAW MAGAZINE

USLAW Magazine is an in-depth publication produced twice annually and designed to address legal and business issues facing commercial and corporate clients. Released in Spring and Fall, recent topics have covered cyber security & data privacy, medical marijuana & employer drug policies, management liability issues in the face of a cyberattack, defending motor carriers performing oversized load & heavy haul operations, employee wellness programs, social media & the law, effects of electronic healthcare records, patent troll taxes, allocating risk by contract and much more.

USLAW EDUNET

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USLAW MEMBER AND PRACTICE GROUP ATTORNEY DIRECTORIES

Several USLAW NETWORK practice groups have compiled detailed directories of the active attorneys within their group. These directories showcase the attorneys’ specific areas of experience, education, industry memberships, published articles, and in some cases representative clients. These directories are available as downloadable PDFs.
USLAW prides itself on variety. Its 6,000+ attorneys excel in all areas of legal practice and participate in USLAW’s nearly 20 substantive active practice groups and communities including Banking & Financial Services, Commercial Law, Complex Tort and Product Liability, Construction Law, Data Privacy & Security, E-Discovery, Employment & Labor Law, Energy/Environmental, Healthcare Law, Insurance and Risk Management Services, International Business & Trade, IP and Technology, Professional Liability, Retail and Hospitality Law, Transportation and Logistics, White Collar Defense, Women’s Connection, and Workers’ Compensation. Don’t see a specific practice area listed? No worries as USLAW firms cover the gamut of the legal profession and we are sure to find a firm that has significant experience in the area of need.

The USLAW NETWORK Rapid Response App locates USLAW attorneys quickly when timeliness is critical for you and your company. Offered for Transportation, Construction Law and Product Liability, this resource provides clients with attorneys’ cell and home telephone numbers along with assurance that USLAW will be available 24/7 with the right person and the right experience. Available at uslaw.org and the USLAW 24/7 App.

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Marshall Investigative Group is a national investigative firm providing an array of services that help our clients mediate the validity of questionable cargo, disability, liability and workers’ compensation claims.

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- Pre-Employment
- Recorded Statements
- Skip Trace
- Surveillance

Matson, Driscoll & Damico is a leading forensic accounting firm that specializes in providing economic damage quantification assessments for our clients. Our professionals regularly deliver expert, consulting and fact witness testimony in courts, arbitrations and mediations around the world.

We have been honored to provide our expertise on cases of every size and scope, and we would be pleased to discuss our involvement on these files while still maintaining our commitment to client confidentiality. Briefly, some of these engagements have involved: lost profit calculations; business disputes or valuations; commercial lending; fraud; product liability and construction damages. However, we have also worked across many other practice areas and, as a result, in virtually every industry.

Founded in Chicago in 1933, MDD is now a global entity with over 40 offices worldwide.

In the United States, MDD’s partners and senior staff are Certified Public Accountants; many are also Certified Valuation Analysts and Certified Fraud Examiners. Our international partners and professionals possess the appropriate designations and are similarly qualified for their respective countries. In addition to these designations, our forensic accountants speak more than 30 languages.

Regardless of where our work may take us around the world, our exceptional dedication, singularly qualified experts and demonstrated results will always be the hallmark of our firm. To learn more about MDD and the services we provide, we invite you to visit us at www.mdd.com.
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Structured Financial Associates, Inc. was founded in 1985 and is one of the largest structured settlement companies in the industry. SFA is a member of Integrated Financial Settlements (IFS) and has more than 60 structured settlement consultants with offices in every major metropolitan area of the country. SFA’s full-service operations and support teams is comprised of veterans of the settlement industry dedicated to providing superior service to its customers throughout the United States. Our knowledge and ability to create comprehensive and tailor-made solutions makes SFA invaluable to defense clients, injured plaintiffs and their attorneys.