



Neal D Mollen

Partner, Employment Law Department
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Neal Mollen is a partner in the Employment Law Department of Paul Hastings and a co-chair of the firm's Appellate Practice Group. Neal represents employers in a full range of labor and employment law matters with particular emphasis on complex and appellate litigation and traditional labor law matters, including matters under the Railway Labor Act. He has served as special labor counsel in a number of bankruptcy proceedings, including the pending American Airlines' Chapter 11 matter. He regularly represents employers and employer associations as parties and *amici curiae* in labor and employment law matters before the Supreme Court of the United States, the federal courts of appeals and state appellate courts throughout the country. In the trial courts, Neal's practice is primarily devoted to complex, class and collective action litigation, and has particular expertise in the use of expert testimony in labor and employment cases. He also gives advice to clients on the labor, employment, and benefits law implications of corporate transactions and reductions in force, conducts internal corporate investigations, and provides guidance on collective bargaining and labor relations issues.

Recent Representations

- In re American Airlines: Trial and appellate counsel for American in its Chapter 11 proceeding seeking rejection of the company's nine collective bargaining agreements
- Christopher v. SmithKline Beecham: Counsel for GlaxoSmithKline in the Supreme Court's first significant examination of Fair Labor Standards Act exemptions in decades
- U.S. Chamber of Commerce: Counsel for the Chamber as amicus in many cases in the Supreme Court of the United States and the federal courts of appeals including Smith v. City of Jackson, Brady v. National Football League and Ledbetter v. Goodyear Tire and Rubber Co. Testified before Congressional committee on Ledbetter legislation
- Chen-Oster v. Goldman Sachs: Trial and appellate counsel in gender

Washington, D.C.

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Practice Areas

Employment Law
Employment Counseling and Preventive Advice
Litigation
Appellate Litigation
Life Sciences and Healthcare Employment Litigation
Labor/Management Relations
Workplace Retaliation and Whistleblower Defense

Admissions

District of Columbia Bar
Virginia Bar

Education

University of Richmond, School of Law, J.D. 1985
Virginia Commonwealth University, B.S. 1981

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discrimination class action

- Dukes v. Wal-Mart - Trial counsel responsible, among other things, for social science experts and class briefing
- Grosz v. Boeing - Trial and appellate counsel in gender discrimination class action

Accolades and Recognitions

- Listed by The Legal 500 for Labor and Employment Disputes (2018)
- Named American Lawyer's "Litigator of the Week" for his work in Christopher v. SmithKline Beecham
- Listed by Chambers USA as one of the preeminent employment lawyers in the nation each year since 2005
- Listed among the Best Lawyers in America and Who's Who Legal
- The Washington Post recently called him one of Washington's "SuperLawyers"

Speaking Engagements and Publications

- Editor, Employment Discrimination Law (often known as "Lindemann and Grossman")
- Contributing Author, Employee Benefits Law (ABA/BNA)
- Lectures extensively on a wide variety of labor and employment law issues

Professional and Community Involvement

- Fellow in the College of Labor and Employment Lawyers
- Member of the Virginia and District of Columbia Bar Associations

Education

- University of Richmond School of Law, J.D., 1985
- Virginia Commonwealth University, B.S., 1981

News

May 01, 2019

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2019

May 11, 2018

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2018

June 05, 2017

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Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2017

June 08, 2016

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2016

May 20, 2015

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2015

May 27, 2014

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2014

May 27, 2013

Paul Hastings Employment Practice Honored with Chambers "Award for
Excellence" and Firms Leading Practices and Lawyers Ranked in Chambers
USA 2013

March 15, 2013

Paul Hastings Achieves Jury Win for Dollar Tree

June 07, 2012

Paul Hastings Excels in Chambers USA 2012 Guide

June 10, 2011

Paul Hastings Excels in Chambers USA 2011 Guide

February 14, 2011

Paul Hastings Secures Ninth Circuit Appellate Victory on Behalf of
GlaxoSmithKline

August 16, 2010

Best Lawyers Names 91 Lawyers to 2011 Edition of Rankings

June 14, 2010

Paul Hastings Garners Top Rankings in Chambers USA 2010 Guide

January 06, 2010

Paul Hastings Selected as The American Lawyers Labor & Employment

Neal D Mollen (Continued)

Litigation Firm of the Year

June 17, 2008

Paul Hastings Attorneys Recognized as Super Lawyers and Rising Stars in Northern California, Southern California, Georgia, Illinois, New York and Washington, D.C.

June 05, 2006

Paul Hastings Practice Areas and Attorneys Earn Top Honors in Latest Edition of Chambers USA

Insights

August 01, 2018

Prior Salary in Employment Decisions: California Changes and Attempts to Clarify Recent Salary History Ban and Fair Pay Act Legislation

February 26, 2018

Supreme Court Narrows Whistleblower Protections Under Dodd-Frank

April 10, 2017

Title VII Prohibits Discrimination on the Basis of Sexual Orientation, Seventh Circuit Finds

November 28, 2016

Overtime Rule Blocked

October 03, 2016

SB 1241: California Employees May Soon Be Able to Void State Venue and Choice of Law Provisions

June 23, 2016

Maryland Follows California in Expanding Equal Pay Protections; Hints of More to Come

June 06, 2016

The Seventh Circuit Holds that Class Action Waivers in Employee Arbitration Agreements Are Unenforceable

May 25, 2016

Neal D Mollen (Continued)

EEOC Issues Final ADA and GINA Wellness Program Regulations

May 19, 2016

Department of Labor Issues Final Rule Significantly Increasing Salary
Thresholds for Overtime Exemptions

March 28, 2016

Statistical Sampling Evidence Might, or Might Not, Be Admissible in Class
Actions, U.S. Supreme Court Holds

September 02, 2015

Enlarging the Bargaining Table: The NLRB Sets Aside 30 Years of Precedent for
a Broader Joint-Employer Standard

July 02, 2015

Department of Labor Proposes New Salary Thresholds for Overtime Exemptions
and Seeks Comments on Duties Tests

June 03, 2015

"Confirmed" Knowledge of Need for Religious Accommodation Not Required
Element in Title VII Case, Says Supreme Court

April 30, 2015

Supreme Court Holds that EEOC Conciliation Efforts in Title VII Claims Are
Subject to Limited Judicial Review

April 21, 2015

EEOC Reverses Course in Proposed Wellness Program Regulations

March 26, 2015

Supreme Court Rejects EEOC Guidance on Light Duty Assignments for
Pregnant Employees

March 11, 2015

Agencies Can Revise, Or Abandon, Prior Regulatory Interpretations Without
Notice-And-Comment Rulemaking, Says Supreme Court

February 20, 2015

Employers Should Be Aware of Recent Changes and Additions to Key D.C.
Employment Laws

Neal D Mollen (Continued)

December 19, 2014

NLRB Does About-Face on Employee Right to Use Company Email System

December 11, 2014

U.S. Supreme Court Narrows Range of Compensable Activities Under FLSA

June 26, 2013

U.S. Supreme Court Adopts Elevated Causation Standard for Title VII Retaliation Claims

May 16, 2013

Employment Law Trends

January 30, 2013

Employment Discrimination Law, 5th Edition

June 26, 2012

Auer Deference Significantly Curtailed in Supreme Courts Ruling That Pharmaceutical Sales Representatives Are Exempt Outside Sales People Under FLSA

May 09, 2011

States May Not Prohibit Class Action Waivers as Part of Pre-Dispute Arbitration Agreements

April 05, 2011

United States Supreme Court Expands Retaliation Risks for Employers

March 09, 2011

An Employment Decision Can Be Discriminatory Even If The Decision-Maker Has No Discriminatory Intent, Supreme Court Rules

February 18, 2011

Ninth Circuit Finding in Pharmaceutical Sales Reps Case is a Coup for Big Pharma

March 29, 2010

EEOC Issues New Proposed Rule Regarding the RFOA Defense Under the ADEA

July 09, 2009

Neal D Mollen (Continued)

Divided Supreme Court Tackles Reverse Discrimination

June 25, 2009

Supreme Court Narrows Reach of ADEA

May 26, 2009

Supreme Court Trims Reach of Lilly Ledbetter Fair Pay Act of 2009 and Reaffirms Settled Law on Retroactive Application of Statutes

April 06, 2009

Supreme Court Holds CBA Requiring ADEA Arbitration is Enforceable

January 30, 2009

Supreme Court Expands Scope of Title VII's Retaliation Provisions . . . Again

January 28, 2009

Congress Passes Ledbetter Fair Pay Act, But Defers Consideration of Paycheck Fairness Act

October 01, 2008

President Bush Signs ADA Amendments Act of 2008 Broadening Coverage of Americans With Disabilities Act

May 23, 2008

President Signs Landmark Genetic Nondiscrimination Bill

June 21, 2007

Employers May Coordinate Retiree Health Care Benefits With Medicare

June 21, 2007

EEOC Issues Guidance on Disparate Treatment of Workers With Caregiver Responsibilities

June 07, 2007

Supreme Court Limits Charge-Filing Period for Disparate Pay Claims; Rejects "Paycheck" Rule

December 20, 2006

Second Circuit Clarifies the Analysis and Standard Governing Motions for Class Certification

Neal D Mollen (Continued)

June 29, 2006

Employer Conduct Other Than "Adverse Employment Actions" Can Lead To A Retaliation Claim, Supreme Court Holds

April 01, 2005

Plaintiffs Need Not Prove Intent In Age Discrimination Cases, Supreme Court Says

March 08, 2004

Supreme Court Rules the ADEA Does Not Bar Employers from Favoring Older Workers

March 22, 2002

U.S. Supreme Court Strikes Down DOL Regulation That Punishes Employers Who Give More Generous Leave Benefits

February 27, 2002

Supreme Court Raises Bar For Dismissing Discrimination Complaints

February 01, 2002

Maryland Opinions Clarify Meaning of Wages Under Wage Payment Act, But Raise Questions Regarding Legality of Policies that Condition Payments Upon Continued Employment

Rankings & Awards

April 26, 2019

Recognized by Chambers USA 2019

May 15, 2018

Recognized by Chambers USA 2018

June 16, 2017

Human Resource Executive Magazine - Most Powerful Employment Attorneys

June 05, 2017

Recognized by Chambers USA 2017

June 08, 2016

Recognized by Chambers USA 2016

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September 30, 2014

The Turnaround Management Association Turnaround and Transaction of the Year Awards

January 02, 2013

Law360 Awards - Top Practice Groups of the Year

June 21, 2012

The Am Law Litigation Daily, Litigator of the Week

May 06, 2010

Who's Who Legal