

**THE AMERICAN EMPLOYMENT LAW COUNCIL  
TWENTY-THIRD ANNUAL CONFERENCE**

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Upon Request to Adriana Joens ([ajoens@fortneyscott.com](mailto:ajoens@fortneyscott.com))

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*Seyfarth Shaw LLP*

Richard Ruffolo  
*United Parcel Service*

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Sally Sommers  
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Matthew Swaya  
*Starbucks Coffee Company*

Janet Thornton  
*ERS Group*

Trishanda Treadwell  
*Parker Hudson Rainer & Dobbs LLP*

Gerlind Wisskirchen  
*CMS International*

**Nancy Abell** is a partner resident in the firm's Los Angeles office. She is a trial lawyer who works exclusively in the representation of private and public employers in all aspects of employment law and litigation, including discrimination as well as wage and hour class and collective actions; trials of statutory and common law claims; appeals; Office of Federal Contract Compliance Programs systemic cases and affirmative action compliance reviews; unfair labor practice charges and other proceedings before the NLRB; organizing campaigns; labor negotiations; arbitrations; systemic charges and complaints before the EEOC, state anti-discrimination agencies, the Department of Labor and state wage and hour compliance agencies; and disability access cases under Title III and state laws. From 2000 to April 2014 she was the Global Chair of Paul Hastings' employment law practice, which has been recognized as Labor & Employment Litigation Department of the Year by *The American Lawyer* and the recipient of *Chambers USA's* 2013 Award for Excellence in Labour & Employment.

In December 2014 Ms. Abell was one of 50 lawyers recognized on *The National Law Journal's* inaugural "Litigation Trailblazers & Pioneers" list of professionals who have changed the practice of litigation through the use of innovative legal strategies. In 2010 she was named as one of the decade's 40 most influential lawyers (one of three employment lawyers) by *The National Law Journal*. In 2014 Ms. Abell was recognized by *Chambers USA* as one of the top-ranked employment defense lawyers in California and by the Legal 500 as one of America's leading employment litigators and counselors. She is a Fellow of the College of Labor and Employment Lawyers, has been named in *The Best Lawyers in America* for more than 25 years and was named UCLA School of Law Alumni of the Year for Professional Achievement.

Ms. Abell's clients include major technology companies, defense contractors, manufacturing and entertainment companies, professional firms, financial institutions, and retailers. She has successfully defeated numerous high-profile discrimination and wage-hour class actions, represented numerous leading law firms in partner and glass ceiling cases and defended members of the judiciary.

Ms. Abell has been the prevailing lead counsel in many seminal cases that have shaped employment discrimination class action law. She regularly presents training sessions for justices and judges, including the Council of Chief Judges, on employment issues.

Ms. Abell is Co-Founder and Co-Chair of the UCLA Law Women *LEAD* initiative to advance women in the legal profession, a member of the Board of Advisors of the UCLA School of Law, a member of the Advisory Board of the American Employment Law Council, and a Governor Emeritus and past Chair of the Board of Governors of the Institute for Corporate Counsel.

Ms. Abell graduated first in her class from Pitzer College of the Claremont Colleges. She graduated Order of the Coif and Order of the Barristers from the UCLA School of Law. While there, Ms. Abell was co-winner of the Roscoe Pound Moot Court Competition, a member of the National Moot Court Team and an extern clerk to the Honorable Shirley Hufstедler, United States Court of Appeals for the Ninth Circuit. Prior to studying law, she was the Affirmative Action Director of the City of Los Angeles.

## Nancy L. Abell



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**FRED W. ALVAREZ**

PARTNER

Labor &amp; Employment

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Fred Alvarez is one of the preeminent employment lawyers in the United States. His practice combines a unique blend of public service with legal profession leadership. He has an active individual and class action litigation practice devoted to defending employers in claims brought by private and governmental parties and by former senior executives. Fred has represented clients in a range of industries, including energy, retail, communications, financial services, and technology. He focuses substantial attention on strategic and compliance advice and internal investigations. His practice includes serving as a court-appointed monitor of class action decrees. He has testified before Congress on several occasions.

Appointed by President Reagan and confirmed by the Senate, Fred served in two federal government sub-cabinet positions. As Assistant Secretary of Labor, he managed the Wage and Hour Division and the Office of Federal Contract Compliance Programs. He also served as a Commissioner of the U.S. Equal Employment Opportunity Commission. He began his career as a trial attorney with the National Labor Relations Board.

Fred is consistently ranked in legal guides as among the top employment law practitioners representing employers. He is an adviser to the ALI Restatement of Employment Law and has been appointed to a variety of task forces as well as to judicial-selection committees. He is a former chair of the ABA Commission on Racial and Ethnic Diversity in the Profession and has served on the ABA Commission on Women in the Profession. Fred currently serves on the board of trustees of Stanford University and on the board of governors of Public Advocates Inc.

**EXPERIENCE HIGHLIGHTS**

Global media and technology company has decertification of state wide class action affirmed by California Court of Appeal

G6 Hospitality earns dismissal in class action suit

Marvell Semiconductor wins dismissal and summary judgment in multi-plaintiff wage and hour suit

**HONORS & DISTINCTIONS**

*Best Lawyers in America* (2007-2016), including 2015 and 2016 Northern California "Lawyer of the Year" in Labor Law — Management

Fellow, College of Labor and Employment Lawyers

One of the "Most Powerful Employment Attorneys," *Human Resource Executive* (2012-2016)

"Top 100 Lawyers in Northern California," *Northern California Super Lawyers* (2010)

Latino Business Leadership Award, San Francisco Hispanic Chamber of Commerce (2008)

President, The Bar Association of San Francisco (2000)

**LANGUAGES**

Spanish

**EDUCATION**

Stanford University (J.D. 1975; B.A. in Economics with honors 1972)

**BAR ADMISSIONS**

California

**GOVERNMENT SERVICE**

Assistant Secretary of Labor, U.S. Department of Labor (1987-1989); Commissioner, U.S. Equal Employment Opportunity Commission (EEOC) (1984-1987); and Trial Attorney, National Labor Relations Board (1976-1980)

## Mary Dunn Baker, Ph.D.



Dr. Mary Dunn Baker, Managing Director at ERS Group, is a labor economist specializing in statistical and economic analysis for all aspects of employment discrimination matters. She conducts analyses to determine how the outcomes of employment decision-making processes (e.g., hiring, promotion, termination and pay) relate to demographic group status (e.g., gender, race/ethnicity and age). She is also involved in a number of wage and hour cases analyzing issues such as misclassification, off-the-clock work and time-shaving.

Dr. Baker has given expert testimony in more than 60 cases in federal courts and other judicial settings. Among these cases are *EEOC v. CRST Van Expedited, Inc.*; *Smith, et al., v. City of Jackson, Mississippi Police Department*; *Eurioste et al., v. Continental Airlines, Inc.*; *American Association of University Professors v. University of Cincinnati*; *McClain, et al., v. Lufkin Industries, Inc.*; *Satchell, et al., v. FedEx Express*; *Serrano, et al., and Avalos, et al., v. Cintas Corporation*; *Thompson, et al., v Northrop Grumman Ship Systems, Inc.*; *Powers and McCarthy, et al., v. U.S. Department of Transportation* and *EEOC v. BMW Manufacturing Co., LLC*.

She also designs programs to proactively monitor the outcomes of selection and compensation systems and works with federal government contractors to prepare for OFCCP audits and defend against notices of violation. On numerous occasions, she has been invited by organizations such as the American Employment Law Council, the American Bar Association's Labor & Employment Section and EEO Committee, the American Association for Affirmative Action and various Industry Liaison Groups to give lectures, conduct workshops and participate in panel discussions about the use of economics and statistics in employment discrimination and wage and hour cases.

Dr. Baker has been employed by ERS Group since 1986. Prior to joining ERS Group, Dr. Baker served as a member of the economics faculty at Auburn University at Montgomery. She has also served as an adjunct professor at Florida State University. Dr. Baker received her Ph.D. in Economics from Florida State University in 1986.



William C. ("Cory") Barker is a General Attorney for AT&T Services, Inc. He is responsible for management and oversight of employment law class and collective action claims throughout the United States. He also advises internal clients regarding policy issues associated with threatened or pending litigation. Prior to joining AT&T, Mr. Barker spent over sixteen years in private practice. His private practice experience was focused on representing employers in a wide variety of industries in class and other complex employment litigation.

Mr. Barker is a frequent speaker and writer on employment law and complex litigation topics, including wage and hour issues, class and collective action procedural issues, and electronic discovery. He was the Associate Editor of the Fourth Edition of "Employment Discrimination Law" by Barbara Lindemann and Paul Grossman and a Chapter Editor for the Class Action Chapter of the Fifth Edition. Mr. Barker is active in a number of bar associations and was Chair of the Labor & Employment Section of the Atlanta Bar. Mr. Barker was selected to The Best Lawyers in America© 2014 in the field of Litigation - Labor and Employment.



## Bernard J. Bobber



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**MILWAUKEE, WI 53202-5306**

Bernard J. ("Bud") Bobber is a partner and litigation lawyer with Foley & Lardner LLP. Although he maintains his office in Milwaukee, Mr. Bobber represents employers before federal and state courts and administrative agencies throughout the country in all areas of employment law, with particular focus on wage and hour, trade secrets/noncompete, employee benefits and employment discrimination matters. Mr. Bobber has extensive experience in the defense of class action cases. He also routinely represents clients in labor arbitrations and in unfair labor practice proceedings before the National Labor Relations Board. Mr. Bobber is vice chair of the firm's national Labor & Employment Practice and co-chair of the Trade Secret/Noncompete Specialty Practice.

Mr. Bobber also provides both organized and union-free employers with employment and labor law advice, and provides assistance with problem prevention. For example, Mr. Bobber drafts employment agreements and company policies with confidentiality, non-competition and other restrictive covenants for employers to use with key employees. He also counsels employers on reductions and reorganizations, harassment issues, disability accommodation, problematic terminations, collective bargaining strategy, and a host of other work place issues that require thoughtful analysis and practical application of the legal rights and obligations of employers.

Mr. Bobber is an experienced trial lawyer, having tried cases before juries and judges in federal courts in Illinois, Wisconsin, New York and Missouri, as well as in state courts in Wisconsin and Illinois. Additionally, he has tried well over 100 arbitration cases. He also has argued appeals before the United States Courts of Appeals for the Seventh, Sixth, Tenth, Third and Second Circuits. From 2001 through 2008, Mr. Bobber has served as a co-coordinator of the firm's Litigation Department Training Program. In that role, Mr. Bobber had responsibility for the training of the firm's litigation associates, numbering approximately 150, in the areas of trial advocacy and related litigation skills.

In addition to his litigation and counseling work for clients, Mr. Bobber rounds out his practice by frequently speaking and teaching on employment and labor law topics. For example, for over nine consecutive years, Mr. Bobber has been invited by the largest employer organization in Wisconsin

and Illinois to give the keynote address on overall employment law developments at its annual employment law update seminar conducted for its member organizations.

### **Recognition**

Mr. Bobber's abilities and professionalism have been observed and acknowledged by others as he has been Peer Review Rated as AV® Preeminent™, the highest performance rating in Martindale-Hubbell's peer review rating system. The publisher that conducts the review process explains that the rating awarded to Mr. Bobber confirms "preeminent legal ability," and reflects his "very high professional ethics." Similarly, *Chambers USA*, a company based in London that reviews and rates American lawyers and publishes its ratings for European and American businesses, rated Mr. Bobber to be one of the top labor and employment attorneys in the state of Wisconsin. *Chambers* confirmed that top rating in each of its 2003-2015 publications. Mr. Bobber is also listed in *The Best Lawyers In America*®, and *Who's Who Legal USA – Management Labour & Employment 2006*. He was also selected for inclusion in the 2005-2014 *Wisconsin Super Lawyers*® lists.\*

### **Education**

Mr. Bobber is a native of Oak Lawn, Illinois, a near suburb of Chicago. He received his J.D. from Northwestern University School of Law in 1987, where he was elected to the Order of the Coif distinction for graduating in the top ten percent of his class. He earned his bachelor's degree in economics from the University of Illinois in 1984. He also is a proud alumnus of Quigley Preparatory Seminary High School on Chicago's south side.

### **Admissions**

Mr. Bobber is licensed to practice in the states of Wisconsin and Illinois, and is admitted to the bar of the United States Supreme Court, and numerous federal appellate and trial courts.

### **Professional Memberships**

Mr. Bobber is a member of the American Bar Association (both its litigation section and labor and employment law section), the State Bar of Wisconsin, and the Milwaukee Bar Association.

### **Firm Leadership**

In 2009, Mr. Bobber was appointed by Foley's CEO to chair the firm's Professional Development Committee. Mr. Bobber also currently serves on Foley's National Pro Bono Committee. He previously served on Foley's Recruiting Committee from 1997 to 2004, and has been especially active in minority hiring efforts.

### **Affiliations and Community Engagement**

He served on the board of directors for the Girl Scouts of Milwaukee Area for six years, in addition to other community involvement such as his work on United Way Campaigns.

### **Aside from the Law**

Mr. Bobber lives in Mequon, Wisconsin with his wife, Joyce, and their three children.

### **Publications and Presentations**



- Presenter, MRA Employment Law Update: Federal & Wisconsin, "Employment Law Year in Review" (February 20, 2015)
- Contributor, *The Law Guide - Employee Relations Law for Wisconsin Employers*, annual employment law treatise, published by MRA - The Management Association, Inc.
- Co-author, "A New Day for Non-Competes in Wisconsin," Foley & Lardner LLP *Legal News Alert: Labor & Employment* (July 2009)
- Presenter, Nestle Purina Petcare Co. HR Manager Conference, "Labor and Employment Law Issues In Turbulent Times" (July 2009)
- Presenter, "Employment and Labor Law Trends" (July 2009)
- Presenter, Foley & Lardner LLP 2009 Employment Law Update, "Key Employment Law Developments From 2008 (And Beyond)" (March 2009)
- Presenter, Foley & Lardner LLP 2009 Employment Law Update, "Key Employment Law Developments From 2008" (February 2009)
- Presenter, MRA 21st Annual Federal and Wisconsin Employment Law Update (January 2009)
- Presenter, NewsFeed - Foley's Quarterly Food Industry Web Conference Series, spoke on probable labor and employment changes following the November 2008 election: a revolutionary change to labor organizing, new employment discrimination protections for employees, potential new wage rights (May 2008)
- Author, "Title VII Prohibits Retaliation, Even Against Relatives and Associates," Foley & Lardner LLP *Employment Law Update* (April 2008)
- Presenter, Foley & Lardner LLP 2008 Employment Law Update, "Employment Law Developments from 2007" (February 2008)
- Author, "The Job Candidate Has A Noncompete – Now What?" Foley & Lardner LLP *Employment Law Update* (September 2007)
- Presenter, NewsFeed - Foley's Quarterly Food Industry Web Conference Series, "Labor & Employment Update: Food Manufacturers Face a Slew of Class Actions Seeking Wages" (April 2007)
- Presenter, Foley & Lardner LLP Employment Law Update 2007 (February 2007)
- Presenter, 19th Annual Federal and Wisconsin Employment Law Update (January 2007)

\*The Illinois Supreme Court does not recognize certifications of specialties in the practice of law and no award or recognition is a requirement to practice law in Illinois.

**THEODORE (TED) BORROMEIO**  
ASSISTANT GENERAL COUNSEL, EMPLOYMENT AND BENEFITS LAW  
McKesson Corporation

**McKESSON**  
*Empowering Healthcare*



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**Ted Borromeo** leads the employment and benefits law group at McKesson Corporation, a Fortune 14 drug distribution and healthcare technology solutions company with over 43,000 employees and \$135B in revenue. With the recent acquisition of Celesio, McKesson's global employee headcount and revenue are now approximately 80,000 and \$180B. Ted has 35 years of employment and labor law experience representing employers, almost all in-house at Fortune 200 companies in distinct industries. In 2009 he was inducted as a Fellow in the College of Labor and Employment Lawyers.

Prior to McKesson, Ted was the Vice President of Employment and Benefits Law at Sun Microsystems, Inc., where he managed a global team of attorneys, and was recognized with the company's corporate Leadership Award for innovation, integrity, courage, pace and collaboration. Earlier in his career Ted was Labor and Employment Counsel at Kaiser Aluminum and Chemical Corporation, and Labor Counsel at Lockheed Missiles & Space Company. Ted received his law degree from U.C. Berkeley Boalt Hall School of Law, and his undergraduate degree magna cum laude from San Francisco State University.

Ted is active in professional and social service organizations: as an Executive Committee member of the Labor and Employment Section of the Bar Association of San Francisco; as co-chair of the Labor and Employment Committee of the San Francisco chapter of the Association of Corporate Counsel; and as a Board and HR Committee member of Catholic Services CYO for San Francisco, Marin and San Mateo. Ted is a frequent panel speaker for continuing legal education programs, including for the American Bar Association; California State Bar; International Bar Association; SF Bar Association Labor Section; National Employment Law Council; California Minority Counsel Program; National Asian Pacific American Bar Association, and others.

# Morgan Lewis



## **MICHAEL S. BURKHARDT** **PARTNER**

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**Philadelphia** Phone **+1.215.963.5130** Fax **+1.215.963.5001**

1701 Market St. \\ Philadelphia, PA 19103-2921 \\ United States

Michael S. Burkhardt represents employers in a wide range of labor and employment disputes, including employment discrimination class actions, systemic discrimination investigations, and multiplaintiff litigation. He handles FLSA and state wage and hour actions, as well single-plaintiff disability, sex, age, and race discrimination claims. He also represents clients in whistleblower and wrongful discharge claims. Michael has experience in all areas of employment litigation and counseling, particularly EEOC systemic investigations, class action litigation, noncompetition litigation; and compensation, promotion, and hiring analyses.

Michael is the co-leader of the firm's systemic employment litigation practice, and represents employers across the US in systemic discrimination investigations and litigation. He represents employers in state and federal court through trial and at the appellate level in litigation matters, including noncompete injunction matters, whistleblower litigation, wellness program EEOC ADA litigation; age, EPA, and FLSA collective actions; and single-plaintiff discrimination claims.

Michael also counsels clients performing pay equity analyses; hiring, termination, and promotion analyses; testing and disparate impact analyses; policy audits; and diversity analyses.

Michael speaks and publishes on a range of employment topics, such as the use of statistical evidence in employment discrimination cases, affirmative action, and electronic interaction in the workplace. He was a contributing author and editor of "The Duty to Bargain," Chapter 13 in Hardin, *The Developing Labor Law* (Chicago, Il.: BNA Books, 1995, 1996 Supp.), and is a contributing editor to the *Pennsylvania Chamber of Business and Industry Labor Report*.

### **AWARDS AND AFFILIATIONS**

Noted in *The Legal 500* for Labor and Employment Litigation (2014)

### **ADMISSIONS**

- > New Jersey
- > Pennsylvania

## **CLERKSHIPS**

- › Clerkship to Judge Ronald Buckwalter of the US District Court for the Eastern District of Pennsylvania

## **EDUCATION**

- › Saint Joseph's University, 1990, B.A.
- › University of Michigan Law School, 1992, J.D.

## **SECTORS**

- › Life Sciences
- › Technology

## **SERVICES**

- › Labor, Employment & Benefits
- › Systemic Employment Litigation
- › Employment Counseling
- › Trade Secrets, Proprietary Information & Noncompetition/Nondisclosure Agreements
- › Wage and Hour Litigation & Counseling
- › Whistleblowing & Retaliation
- › Life Sciences Transactions

## **REGIONS**

- › North America

**MARK CODD**



Mark Codd is responsible for providing HR support to Publix's 1,100 stores and support locations. He is responsible for the Labor Relations Department, the Survey Office, and he also serves on a number of strategy teams as an HR Generalist.

Mark has over 25 years of HR management experience with particular emphasis on employment, labor and employee relations. Mark joined Publix Super Markets in 1998 and prior to joining Publix worked at H.B. Zachry Company, a large international general contractor.

Mark graduated from the University of Texas at San Antonio with both an MBA, and a Bachelors degree in HR. He is also currently in his third year attending classes for Doctoral studies in psychology at Nova Southeastern University.

Mark is also in his eleventh year serving as an Adjunct Professor of the Graduate HR Program for Webster University. Mark is also actively involved in numerous charitable, professional and industry committees and Boards.



**TERENCE G. CONNOR**

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**Experience:**

2006-present

Partner and Special Counsel at Hunton & Williams LLP in Miami, representing employers in employment litigation in the state and federal courts and counseling related to those matters; co-head of the Labor & Employment team until retirement from the partnership.

1979-2006

Founded the Labor & Employment practice for Morgan Lewis & Bockius in Miami; representing employers in employment litigation, including class actions, arbitration and related counseling; managing partner of Miami office; member of the firm Governing Board.

1976-1979

Labor Relations Counsel in house at National Airlines, Inc. in Miami; handled pattern & practice discrimination matter with EEOC; negotiated system wide conciliation agreement; supervised outside counsel in litigation matters; handled labor arbitrations under numerous collective bargaining agreements.

1973-1976

Trial Counsel, U.S. Department of Justice, Civil Rights Division, Employment Section; handled desegregation and pattern & practice cases against public & private employers including several state police agencies; member of task force detailed to establish EEOC litigation team when Title VII was amended to give the agency litigation authority previously held by Justice.

1968-1973

Judge Advocate, Captain U.S. Air Force: served mainly as defense counsel in numerous courts martial and administrative boards in Denver, Southeast Asia, Tacoma, Washington and at the Pentagon; counsel to commanders on discipline and related issues.

**Education:**

Georgetown University Law Center: LL.M. Labor 1975  
Seton Hall University Law School: J.D. 1967  
Georgetown University College of Arts & Science: A.B. 1964

**Memberships:**

College of Labor & Employment Lawyers: fellow since 2000  
American Employment Law Council  
Academy of Florida Management Attorneys: charter member  
Alumni Board: Georgetown University Law Center  
Board of Visitors: Seton Hall University Law School  
American Bar Association: Labor and Employment Section-EEO Committee  
Florida Bar Association: Labor & Employment Section – Past Chair

**Recognition:** Best Lawyers in America  
Chambers & Partners: Tier One recognition 2003-15  
Martindale Hubbell AV  
International Who's Who

**Other:**

Principal author: *The Consideration of Arrest & Conviction Records in Employment Decisions: A Critique of the EEOC Guidance*, 43 Seton Hall Law Review 971 (2013); recipient of the Burton Award for Distinguished Writing in Law 2014.

Co-author, EEOC guidance on criminal convictions and employer duty of care in negligence. Which prevails?, Thomson Reuters News & Insight, October 12, 2012.

Adjunct faculty: University of Miami School of Law – Employment Law

Adjunct Lecturer on Arbitration:

University of Tartu, Estonia 2008

Palacky University, Olomuc, Czech Republic 2010

University of Pecs, Hungary 2012

# GIBSON DUNN

Catherine A. Conway



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Cathy has sealed her reputation as a leading labor and employment litigator with more than 25 years trial experience representing major companies in high-stakes employment cases. Her practice focuses on complex employment litigation, including class actions with an emphasis on wage and hour litigation trials. She has trial experience in state and federal litigation, including wage and hour claims, employment discrimination, sexual harassment, wrongful discharge, unfair competition, protection of employer trade secrets and unfair business practice litigation under California Business and Professions Code Section 17200. Cathy has advised boards of directors in many confidential investigations and represents a large variety of employers, including national retail companies, insurance companies, Internet companies, manufacturers, banks, investment banking and financial services firms, national restaurant chains, oil companies and law firms.

Cathy joined Gibson Dunn in April 2012.

Cathy has been recognized as a leading employment lawyer by *Chambers USA: America's Leading Lawyers for Business* in 2009-2015. She is also recognized by her peers as one of *The Best Lawyers in America* in the area of Employment Law. The *Daily Journal* named her as one of the Top Labor and Employment Lawyers in California in 2009-2013 and one of the Top Women Lawyers in 2012 and 2014. Cathy also received the California Lawyer of the Year award from *California Lawyer* magazine in the employment law category in 2010.



# Kevin Covert



## VP & Deputy General Counsel-HR Corporate Law Law



Kevin M. Covert is the Vice President and Deputy General Counsel for Human Resources at Honeywell International Inc. In this role, he leads a department of over 15 legal professionals, with responsibility for all worldwide legal matters (including litigation, compliance and corporate transactions) relating to labor, employment, employee benefits and compensation. He came to Honeywell in 1998 and has been in his current role since 2003. Kevin is a graduate of Rider University (BS—Finance), Rutgers University School of Law (J.D.), New York University (LL.M. in Taxation), and the Wharton School of Business at the University of Pennsylvania (MBA—Major in Finance).

Kevin lives in Philadelphia with his wife, Amy, and two young children. He is a board member of the ERISA Industry Committee (Chair, Legal Committee) and the American Benefits Council. He is a graduate of Honeywell's Executive Development Program and is Six Sigma Green Belt Certified.



**Melanie Crowley, Partner**  
**Mason Hayes & Curran**

Melanie is a partner on our Employment and Benefits Team. Her diverse practice covers the full spectrum of employment law issues, both for employers and employees, as an advisor to clients on complex non-contentious workplace issues and as an experienced litigator before all employment related fora. Melanie is the go-to employment lawyer for some of Ireland's biggest domestic and multi-national companies and employers including the Legal Aid Board, the Health & Safety Authority, Facebook, Twitter, arvato, Activision, Zenimax, Yahoo!, accenture and Western Union.

Melanie has advised many large companies either entering the Irish market for the first time or increasing their market presence and on all matters relating to their workforces, often involving hundreds of employees. She assists clients in drafting bespoke employment contracts, agreements and HR policies and procedures. She also provides on-going support to HR managers in relation to the management of day to day disciplinary issues, the handling of employee related complaints, internal reorganisations and rationalisations, terminations and transfer of undertakings.

Melanie is the External Examiner in Employment Law for the Law Society of Ireland. She is also entrenched in the delivery of training on Employment Law to trainee solicitors in the Law Society and participants in the Law Society's Advance Diploma in Employment Law.

#### **Authorship:**

Melanie has contributed to several international publications such as the Irish chapter of the *International Expatriate Employment Handbook*, the Irish chapter of *EU and International Employment Law*, the Irish chapter of *Employment and Labour Law – Jurisdictional Comparisons* and the Irish chapter of *Restrictive Covenants and Trade Secrets in Employment Law – An International Survey*.

#### **Memberships:**

Law Society of Ireland  
International Labor Law Section of the American Bar Association (ABA).  
Co-Chair of the International Labor Law Subcommittee of the Employment Rights and Responsibilities Section of the ABA.  
American Employment Law Council (AELC)  
European Employment Lawyers Association (EELA)  
Employment Law Association (UK)  
Employment Law Association of Ireland (ELAI)

## Dennis P. Duffy

Partner

### Houston

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"'Walking encyclopedia' Dennis Duffy is well regarded for his management defense expertise in a broad range of matters, from discrimination to wrongful termination and whistle-blower retaliation claims."

— *Chambers USA 2014*

Dennis Duffy concentrates exclusively on representation of management in all aspects of labor and employment law matters. Client responsiveness and thorough preparation are the hallmarks of Dennis's practice, as Dennis ensures that he is available to his clients, responding quickly, with a thorough approach when addressing their workplace challenges.

Dennis is Board Certified in labor and employment law by the Texas Board of Legal Specialization, a fellow in the College of Labor and Employment Lawyers, and ranked in Chambers USA as a "Leading Lawyer." Dennis is the author of the "Ethics and Professionalism Handbook for Labor and Employment Lawyers" (13<sup>th</sup> Ed. 2015)

### Services

- Employment Litigation
- Appellate and Major Motions
- Employment Counseling
- Wage and Hour
- Noncompete and Trade Secrets

### Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern, Southern, Eastern and Western Districts of Texas
- U.S. District Court, Northern, Central and Eastern Districts of California
- Texas
- California

### Education

- J.D., University of Virginia School of Law, 1982
- A.B., Princeton University, 1979

### Recent Experience

- Lead trial counsel in retaliation, discrimination and breach of contract case brought by former outside counsel for leading seismic services company claiming status as employee. Obtained defense verdict on all issues following a two-week jury trial.
- Obtained summary judgment in multi-count federal gender discrimination and retaliatory discharge claims against a leading water technology company. Obtained permanent injunction in a parallel state court action against the same plaintiff arising from misappropriation of confidential information.
- Lead counsel in FLSA nationwide putative collective action case against a leading information technology company. Defeated conditional certification of class and successfully obtained order referring remaining claims of named plaintiffs to binding arbitration.

### Recognition

- Chambers USA: Labor & Employment in Texas (2011 to 2015)
- *International Who's Who Legal: Management Labor and Employment* (2013 to 2015)
- *The Best Lawyers in America*® (2009 to 2015)
- *Human Resource Executive* "Nation's Most Powerful Employment Attorneys—Top 100" (2009 to 2015)
- Texas "Super Lawyer" (2008 to 2015)





## Hope B. Eastman

Hope B. Eastman is Co-Chair of the [Employment Law](#) Group.

Ms. Eastman has more than 30 years experience representing a variety of businesses, trade associations, and non-profit organizations in all areas of employment law, including age, gender, race, and disability discrimination; sexual and other harassment; wage and hour matters; and non-competition disputes. A significant portion of the practice involves representing employers before the EEOC, the OFCCP, the Department of Labor, other federal agencies, and in federal and state court. She is also a mediator focusing on employment disputes.

According to Chambers and Partners USA, Ms. Eastman “is recognized as a talented player in labor and employment law. She enjoys a fine reputation for her wide-ranging and successful representation of employers from various industries.” Chambers also reported that Ms. Eastman “is praised for her ‘strategic and analytical approach.’ She is experienced in a broad range of labor and employment matters, but is particularly commended for her success in employment litigation defense.”

Ms. Eastman’s practice also focuses on helping employers develop regulatory-sensitive employment policies for recruitment, selection, promotion, discipline, and termination of employees, and on evaluating and advising them with regard to major changes planned for their workforces. Throughout her career, she has been directly involved in the shaping of federal employment law, both before Congress and with the Executive Branch.

### Hope Eastman

*Principal*

(301) 951-9326

(301) 654-7354 fax

[heastman@paleyrothman.com](mailto:heastman@paleyrothman.com)

### Education

Harvard Law School (J.D.)

### Bar Admissions

Maryland

California

District of Columbia



Employment Law & Litigation



## Hope B. Eastman

As a mid-sized regional firm, Paley Rothman has received national rankings in the prestigious annual *US News-Best Lawyers* rankings of law firms. Paley Rothman's Employment Law group was one of seven firms with offices in Maryland, selected as a 2015 "Best Law Firm," for the third year in a row, with *national* rankings (Tier 1 or 2) in Employment Litigation. All of the other firms are well known national and international firms with between 250 and 900 lawyers in multiple offices.

Paley Rothman also was one of twelve firms to receive a national ranking for Employment Law–Management (Tier 3). Again, the other firms had between 250 and 2500 lawyers, with multiple offices around the country. The Employment Law group received similar recognition locally, earning a Tier 1 ranking in Washington, D.C. for Litigation–Labor & Employment and a Tier 2 ranking for Employment Law–Management.

Active in professional organizations, Ms. Eastman is the Chair of the Board of Directors of the American Employment Law Council (AELC), a national invitation-only organization for experienced, high-level management employment counsel, both in-house and outside counsel. She is the past President of The College of Labor and Employment Lawyers and previously served as a member of the Governing Council of the American Bar Association's Labor and Employment Law Section.

Ms. Eastman has been recognized for her accomplishments. In addition to Chambers USA, she has been selected by *Washingtonian Magazine* as one of the top employment lawyers in the DC area. She has also been listed in the 2006-2016 *Best Lawyers in America*, The International Who's Who of Management Labour and Employment Lawyers for 2006-2015, the Maryland Super Lawyers for 2007-2015 in the area of employment litigation defense and Washington D.C. Super Lawyers for 2007-2015. She has also been listed as one of the Top 25 Women Lawyers in the State of Maryland and as one of Maryland's Top 100 Women.

Ms. Eastman graduated cum laude from Harvard Law School. She is a member of the Bars of Maryland, California and the District of Columbia and is admitted to practice before various state and federal courts, including the Supreme Court of the United States.

**Gary D. Eisenstat**  
Figari + Davenport, LLP  
901 Main Street, Suite 3400  
Dallas, TX 75202  
phone: (214) 939-2012  
[gary.eisenstat@figdav.com](mailto:gary.eisenstat@figdav.com)

Gary Eisenstat is a board certified labor and employer lawyer and a partner in the Dallas litigation boutique of Figari + Davenport, LLP. He has been with the firm for nearly 30 years. Mr. Eisenstat defends and tries commercial, as well as labor and employment cases, in federal and state courts and in arbitration proceedings throughout Texas and the southwest. His practice also includes appearance before various federal and state governmental administrative agencies and tribunals. He has extensive experience representing management in all aspects of traditional employment law (including claims for FLSA violations, discrimination, wrongful termination, sexual harassment, and retaliation), as well as covenants not to compete, theft or misappropriation of trade secrets, unfair competition claims, and both partnership and agency disputes. He also represents clients in NLRB proceedings and in labor arbitrations. He counsels employers in pre-litigation labor and employment matters, including class and collective action avoidance. Mr. Eisenstat also represents a variety of clients in complex commercial disputes and has been a certified mediator since 2000.

Mr. Eisenstat is a Fellow of the College of Labor and Employment Lawyers. He has been named to both the 2015 Top 100 Lawyers in Texas by Texas Super Lawyers and the Best Lawyers in Dallas by D Magazine in 2014 and 2015. Mr. Eisenstat has been listed in The Best Lawyers in America under Labor and Employment Law every year since 2008, and been named a Texas Super Lawyer continuously from 2003 by Texas Monthly magazine. Since 1997, he has co-authored the Annual Survey of Texas Law – Texas Civil Procedure, which is published in the SMU Law Review. Mr. Eisenstat is a Fellow of the Dallas Bar Foundation, and a member of the College of the State Bar of Texas. He is also a frequent continuing education speaker to both lawyers and other professionals on a variety of subjects.

Before practicing law in Dallas, Mr. Eisenstat earned his B.S. in Business Administration from the University of Colorado in 1982 and his J.D. from the Boston University School of Law in 1985.

Mr. Eisenstat is a Vice President of the Dallas Holocaust and Human Rights Museum and the immediate past President of the Dallas Region of the American Jewish Committee.

# David S. Fortney

**FORTNEY SCOTT**  
ATTORNEYS AT LAW



**Practice Areas:**

Employment Law, Labor Law, and Litigation

**Admitted to Practice:**

Commonwealth of Pennsylvania

District of Columbia

Supreme Court of the United States

Various U.S. Courts of Appeals and U.S. District Court

**Education:**

Duquesne University School of Law, (J.D., 1980)

The Pennsylvania State University, (B.A., 1977)

**Professional Activities:**

Fellow, College of Labor and Employment Lawyers

American Bar Association - Equal Employment Opportunity Committee, Chair Government Liaison

National Advisory Committee for Labor Provisions of U.S. Free Trade Agreements

Secretary of Labor's Committee on the Future of the Workplace for the President's Council on the 21st Century Workforce

Federalist Society Former Chair, Labor and Employment Committee

Society for Human Resource Management (SHRM)

Mr. Fortney is a co-founder of Fortney & Scott LLC, a Washington, D.C.-based law firm, counseling and advising clients on the full spectrum of workplace-related matters, including employment discrimination and labor matters, compliance programs, government contracting, executive employment and compensation, and developing strategies for avoiding or responding to workplace-related crises. Mr. Fortney has a broad-based practice representing and counseling employers in employment and labor matters, including wage and hour matters, government enforcement agencies' audits and regulatory matters, judicial proceedings, Equal Employment Opportunity requirements, federal contractor's affirmative action and non-discrimination obligations, collective bargaining and union organizing, and workplace health and safety. Mr. Fortney is a Fellow in the College of Labor and Employment Lawyers; he co-chairs the American Bar Association's Federal Legislative Development Committee; and, he is a frequent lecturer at professional conferences. Fortney & Scott, LLC has been recognized as a leading management employment law firm in the prestigious Best Law Firms survey for 2011-2015 by U.S. News & World Report and Best Lawyers for Washington, D.C.

Mr. Fortney's wage and hour practice includes counseling clients with respect to policies and procedures to ensure compliance with the minimum wage and overtime obligations under the Federal Fair Labor Standards Act (FLSA) and state wage and hour laws, including the proper classification of positions as exempt or non-exempt, overtime practices for non-exempt employees, compensation practices for exempt employees, and time and record keeping procedures; conducting preventive compliance audits; and advising and representing clients facing audits by the U.S. Department of Labor's Wage and Hour Division. Additionally, Mr. Fortney established and co-chairs the Practising Law Institute's nationally acclaimed annual wage and hour seminar in New York, and has been doing so since 2010.

Before co-founding the firm, Mr. Fortney previously served as the chief legal officer of the U. S. Department of Labor in Washington, D.C. during President George H. W. Bush Administration. As Acting Solicitor of Labor, he was responsible for enforcing over 140 laws regulating the nation's workplaces and managing an agency with 800 attorneys and support staff. He advised Secretaries of Labor Elizabeth Dole and Lynn Martin and the Department of Labor agencies on a broad range of legal, policy, legislative, regulatory, and enforcement issues. The major Department of Labor agencies Mr. Fortney represented included the Wage and Hour Division, the Office of Federal Contract Compliance Programs (OFCCP), Occupational Safety and Health Administration (OSHA), and Mine Safety and Health Administration (MSHA), among others.

Mr. Fortney has been widely recognized for his professional accomplishments, including being named one of the leading employment lawyers in Washington, D.C. by the Chambers USA survey of America's Leading Lawyers for Business in all years from 2005 through present. He was selected for inclusion in the 2009 to present editions of The Best Lawyers in America, Washington D.C.'s, Washington D.C.'s Best Lawyers and Super Lawyers. Mr. Fortney was also awarded an AV rating (the highest level) by Martindale-Hubbell.

Mr. Fortney is a frequent lecturer and writer on employment-related topics, including appearances on CNN, CBS and Fox News. Mr. Fortney is the co-editor of a monthly newsletter, the Federal Employment Law Insider, Chapter Eight of The Family and Medical Leave Act (2006) published by BNA Books, co-author of the Military Leave Compliance Kit (2001), published by M. Lee Smith Publishers, and lead author of the Guide to Employee Leave (1997), published by Warren, Gorham & Lamont. Mr. Fortney received his B.A. from The Pennsylvania State University and his J.D. from Duquesne University School of Law.

**Paul Grossman** is a partner in the Employment Law practice of Paul Hastings and is based in the firm's Los Angeles office. Mr. Grossman represents major private employers in all aspects of employment law, including class action, wage and hour, wrongful discharge, discrimination, sexual harassment, and whistleblower cases. He is the general counsel of the California Employment Law Council (CELC), an organization of approximately 65 of California's largest employers. Its mission is the development of moderate employment law through amicus briefs, education, and legislative activities.

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### Accolades and Recognitions

- The *International Who's Who of Business Lawyers* on three occasions in the last ten years, most recently in 2010, rated Mr. Grossman as the "leading lawyer in the world for management labor and employment expertise." *Who's Who* also has found for numerous consecutive years that Paul Hastings has the world's strongest management employment practice.
- In its most recent 2015 edition, *Chambers USA* placed Mr. Grossman in its "Band 1" for California employment litigation. As it has done for many consecutive years, *Chambers USA* has continued to rate Paul Hastings as the sole occupant of its "Band 1" – as having the best employment litigation practice in California.

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### Speaking Engagements and Publications

- Mr. Grossman is the co-author of Lindemann, Grossman and Weirich *Employment Discrimination Law*, the official book of the American Bar Association in its field – the fifth edition was released in 2013. It has been cited on multiple occasions by the U.S. Supreme Court and the courts of every circuit and is generally regarded as the principal publication in its field.

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### Education

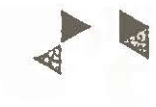
- Yale Law School, J.D., 1964 (member, board of editors, *Yale Law Journal*)
- Amherst College, B.A., 1961

### Paul Grossman



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**MARSH & MCLENNAN**



**John Hamlin**  
**Marsh & McLennan Companies**  
**New York**

John Hamlin is Chief Employment Counsel and leads the Employment Law Group for Marsh & McLennan Companies, Inc., one of the world's leading professional services firms with over 57,000 employees in more than 100 countries. The firm's operating companies include Marsh, Mercer, Guy Carpenter, and Oliver Wyman. Prior to joining Marsh & McLennan, John was Of Counsel with the law firm of Paul, Hastings Janofsky & Walker LLP. While in private practice, he represented employers in all aspects of labor and employment law, before various state and federal courts and administrative agencies, and provided advice on an array of personnel-related issues.

John is a fellow of the College of Labor and Employment Lawyers. He has published various articles on employment law and has presented at numerous seminars on assorted employment-related topics. In 2014 John was selected as one of The Legal 500's GC Powerlist "Corporate Counsel 100: Rising Stars," which recognizes leading in-house lawyers for innovation, quality and excellence. In June he was selected by the International Law Office and the Association of Corporate Counsel as the recipient of the 2015 ILO Global Counsel Award for Individual Employment Lawyer.

John has a law degree with honors from the University of Connecticut School of Law, where he was Editor-in-Chief of the *Connecticut Journal of International Law*. After law school, he served as a Law Clerk to the Honorable B. Avant Edenfield, Judge of the United States District Court for the Southern District of Georgia in Savannah.

## James R. Hammerschmidt

James R. Hammerschmidt is a principal of the firm and Co-Chair of the firm's Employment Law practice group, as well as a member of its Litigation and Appellate practice groups, whose practice includes a wide range of commercial, corporate and employment counseling and litigation.

His general civil litigation and appellate practice experience includes matters involving real estate, land development, breach of contract, trusts and estates, construction, shareholder disputes, business disputes, consumer protection law, RICO, conspiracy and defamation among many others.

Mr. Hammerschmidt has equally extensive experience representing and counseling clients on employment law issues. He represents clients in federal and state court, as well as before agencies such as the EEOC, Department of Labor and local and state human rights commissions and labor departments, involving claims arising under Title VII, ERISA, FLSA, FMLA, ADA, ADEA, Wage Payment and Collection Law and Wage and Hour Law statutes. He counsels clients on and litigates a wide range of employment issues such as breach of contract, wrongful termination, trade secret claims and non-competition and non-solicitation agreements. In addition to litigation, he provides daily advice to clients dealing with difficult employees and employee discipline, and routinely assists clients in developing and implementing employment policies and practices, drafting employee manuals and preparing employment agreements. Mr. Hammerschmidt has been recognized for his outstanding work in employment law with his inclusion in the 2016 *Best Lawyers in America* list, the Maryland Super Lawyers list (2014-2015) and the Washington D.C. Super Lawyers list (2014-2015).

As a mid-sized regional firm, Paley Rothman has received national rankings in the prestigious annual *US News-Best Lawyers* rankings of law firms. Paley Rothman's Employment Law group was one of seven firms with offices in Maryland, selected as a 2015 "Best Law Firm," for the third year in a row, with *national* rankings (Tier 1 or 2) in Employment Litigation. All of the other firms are well known national and international firms with between 250 and 900 lawyers in multiple offices.



### James Hammerschmidt

*Principal*

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### Education

Saint Louis University  
School of Law (J.D.)

Washington University in  
St. Louis (B.S.B.A.)

### Bar Admissions

Maryland

District of Columbia

U.S. District Courts for  
Maryland and District of  
Columbia



Employment Law & Litigation



## James R. Hammerschmidt

Paley Rothman also was one of twelve firms to receive a national ranking for Employment Law–Management (Tier 3). Again, the other firms had between 250 and 2500 lawyers, with multiple offices around the country. The Employment Law group received similar recognition locally, earning a Tier 1 ranking in Washington, D.C. for Litigation–Labor & Employment and a Tier 2 ranking for Employment Law–Management.

An active participant in the local legal community, Mr. Hammerschmidt served as Chairman of the Board for the Federal Bar Association’s Maryland Chapter, on the Council for the Maryland State Bar Association’s Employment Law Section, on the Board of the Federal Bar Association’s Labor and Employment Section and the Maryland State Bar Association’s Special Committee on *Voir Dire*. He is also a member of the Litigation and Employment Law Sections of the American Bar Association, a past Chair of the Federal Bar Association’s Labor and Employment Law Section, a past Co-Chair of both the Employment Law Section and the District Court Mediation Program of the Bar Association of Montgomery County and a two-time member of the Judicial Panel Selection Committee of the Bar Association of Montgomery County. He has written articles on employment law topics for the *Washington Business Journal*, *Business Gazette* and Maryland’s daily legal publication, *The Daily Record*. He is also a contributing editor to the American Bar Association’s Employment Discrimination Law (3d Ed.) and the American Bar Association’s Annual Developments in Business and Corporate Litigation in addition to speaking on all aspects of employment law.

His community involvements include a *pro bono* membership on the Board of Directors of the Lubuto Library Project, a 501(c) (3) organization working to build children’s libraries and create educational opportunities for children affected by HIV/AIDS in Africa. He also served as Board Counsel to the Board of Trustees for the Green Acres School.

After obtaining his B.S.B.A. from Washington University in St. Louis, Mr. Hammerschmidt graduated *cum laude* from Saint Louis University School of Law in 1993. While attending law school, he served as Executive Editor of the Public Law Review, Co-Editor-in-Chief of the American Bar Association’s *Fidelity and Surety Law* publication and a member of the school’s trial advocacy team while also receiving a Certificate in Labor and Employment Law. As a result of his achievements and service in law school, he was nominated to the Alpha Sigma Nu National Honor Society. Prior to joining Paley Rothman, he spent four years in the General Counsel’s Office of the Manville Personal Injury Settlement Trust, where he last served as Assistant General Counsel.

**Ms Ming Henderson**  
**Partner**



Ming is a Partner in the International Labor & Employment practice of Seyfarth Shaw (UK) LLP's London office and has over 20 years of experience as an employment lawyer. Ming is admitted in both France and the UK. Before joining Seyfarth Shaw, Ming worked as the in-house employment counsel for a global software and hardware company covering Europe, Middle-East and Africa (EMEA). She was also previously Head of the EMEA Employment Law Practice for a global financial institution in London and worked 12 years in Paris in private practice. With a unique combination of in-house and private practice experience, Ming specialises in multi-country employment law transactions for global companies. Ming has considerable knowledge in cross-border employment laws, including in the context of corporate restructuring, mergers and acquisitions, global changes to terms and conditions, collective consultation with unions and employee representatives and mass redundancies.

Seyfarth Shaw (UK) LLP  
London  
[mihenderson@seyfarth.com](mailto:mihenderson@seyfarth.com)  
+44 207 753 2553



## Lynne C. Hermle

Partner, Employment Law  
Silicon Valley  
(650) 614-7422  
lchermle@orrick.com

### Related Practice Areas

- Employment Issues Litigation and Representation
- Resolving Class Actions and Other Major Employment Disputes
- Wage-and-Hour

### Education

- J.D., University of California, Hastings College of the Law, 1981
- B.A., *magna cum laude*, Physical Anthropology, University of California, Santa Barbara

### Honors

- Senior Editor, *Hastings Law Journal*
- Top 75 Women Litigators, *Daily Journal*
- Top 500 Lawyers and 500 Leading Litigators, *Lawdragon*
- One of two top employment defense lawyers in the Bay Area, *The Recorder*
- California's Top Women Attorneys, *The Recorder*
- America's Top Fifty Women Litigators, *National Law Journal*
- Ranked in the top 25 of the *Euromoney* The Best of the Best USA 2007 (Labor and Employment)
- 2007 Leading Employment Lawyer, *Chambers USA*, cited as "a fantastic lawyer and fabulous litigator."
- 2008 The Best Defense, Top 10 Leaders of the Pack, *Human Resource Executive*

Lynne Hermle, a Silicon Valley employment partner, is consistently recognized one of the best employment lawyers in the country. She has a long track record of jury trial wins as well and has consistently defeated certification in class actions. *Chambers USA* has described her as "a fantastic lawyer and fabulous litigator." She has been named as one of the two best employment defense lawyers in the Bay Area and one of California Top Women Attorneys (by *The Recorder*); as one of the Top Ten Leaders of the Pack in America (by *Human Resource Executive*); in the Top 25 of The Best of The Best USA (by *Euromoney*); one of America's Top 50 Women Litigators (*National Law Journal*); and one of America's Top 500 Lawyer and Top 500 Leading Litigators (*Lawdragon*).

Lynne has special expertise in the retail and tech industries. In wage-and-hour class actions, she has represented employers which include Apple, The Gap, Sears, Burlington Coat Factory, Gymboree, Spencer's Gifts, Banana Republic, Old Navy, Williams Sonoma and Pottery Barn Kids, and Morgan Stanley, bucking the trend and consistently defeating class certification or obtaining summary judgment.

Some of her more notable engagements include the following cases.

- **Class Actions.** Lynne has represented several large employers in wage-and-hour class actions, including The Gap, Blockbuster and Burlington Coat Factory. Bucking the legal tide, she has defeated class certification in statewide wage-and-hour class actions for Banana Republic, Old Navy, Pottery Barn Kids and Burlington Coat Factory and has had other cases dismissed on summary judgment and other grounds.
- **Discrimination.** In the high-profile trial of *Maghribi v. Advanced Micro Devices*, Lynne obtained a quick defense verdict for her client, AMD. Plaintiff, a senior Arab Muslim executive, sought US\$200 million in lost compensation in the form of lost salary, bonuses and stock options, and sought emotional distress damages, punitive damages and attorneys' fees in a case alleging post-September 11th discrimination. After a several-week trial, the jury returned in less than two hours with a defense verdict.
- **Inland Container Corp.** In *Thrush v. Inland Container Corp.*, Lynne obtained directed verdicts for Inland Container on disability



discrimination, intentional infliction of emotional distress and related claims after several weeks of a federal jury trial.

- **City of Tracy.** In *Vizza v. The City of Tracy*, Lynne obtained directed verdicts for the City of Tracy and two individual defendants on all nine claims brought by the City's former Director of Public Works, including constitutional and common law claims, after five days of jury trial in federal court.
- **IBM.** In *Pi v. IBM*, Lynne represented IBM in a hard-fought jury trial alleging claims of retaliation for sexual harassment complaints. After several weeks of trial, the jury returned a defense verdict on all claims.
- **Varian.** In *Kern v. Varian Associates, Inc.*, Lynne obtained dismissal of all wrongful discharge claims asserted by plaintiff David Kern, and then obtained a verdict of more than US\$3.5 million on Varian's cross-claim for trade secret theft. Mr. Kern subsequently served time in a federal prison for that theft.

Lynne serves as an Early Neutral Evaluator for the Northern District of California and has been appointed by that court to serve as a mediator in a complex class action. In addition to training and counseling employers, she teaches classes on trial advocacy and substantive employment topics.

Before coming to Orrick, she was in house counsel for AT&T, where she handled employment matters for a several state region.

#### **Admitted in**

- California

#### **Memberships**

- The College of Labor and Employment Lawyers
- State Bar of California

#### **Publications**

- "Three Employment Developments Coming at You Fast and Thoughts for Dealing with Them," *Daily Journal*, August 12, 2010
- "How class actions can help kids," *The Recorder*, August 2, 2010
- "Risking Liability? Legal Challenges to Diversity Programs," *For The Defense*, May 2010
- "The A-List: What companies should expect from their outside employment counsel," *GC California*, July/August 2009
- "Danger Ahead: A brief guide to minimizing the risk of employment claims," *GC California*, April 2009



**Jane Howard-Martin**

ASSISTANT GENERAL COUNSEL  
TOYOTA MOTOR SALES, U.S.A., INC.

Jane Howard-Martin is Assistant General Counsel for Toyota Motor Sales, U.S.A., Inc. ("TMS") and manages the Labor and Employment group in TMS's Legal Department. She also manages the Immigration and Benefits practice.

Prior to joining Toyota in 2003, Howard-Martin was a partner with Morgan, Lewis and Bockius LLP in their Los Angeles and Pittsburgh offices, and previously was a partner at Kirkpatrick & Lockhart in Pittsburgh, Pennsylvania.

Howard-Martin has been featured in a number of publications and symposiums. She authored a column on employment issues for USA Today.com, a treatise on Title III of the Americans with Disabilities Act, and served on the Editorial Review Board of the Pennsylvania Labor Letter. Howard-Martin also appeared as a panelist on MSNBC's "Today in America" on the issue of sexual harassment.

Howard-Martin earned a Bachelor of Arts from Harvard University in 1979, and received her juris doctorate degree from Harvard Law School in 1982.

She lives in Los Angeles with her husband, Gus Martin, who is on the faculty at California State University, Dominguez Hills.

# Jocelyn Hunter

Jocelyn Hunter is the Vice President and Deputy General Counsel – Merchandising, Supply Chain, Intellectual Property, International, Employment Law & Benefits at The Home Depot. Ms. Hunter has been a member of The Home Depot Legal Department since 1997 serving in roles of increasing responsibility.

In her current role, Ms. Hunter has responsibility for Home Depot's worldwide Benefits, Employment, Supply Chain, International, Merchandising, Intellectual Property and Regulatory legal matters. She is the leader of the Company's cross-functional team charged with responding to data breaches and identity theft issues. She is also the Secretary to the Compensation Committee of the Home Depot's Board of Directors with responsibility for related governance and legal issues. Home Depot has more than 350,000 associates and more than 2,000 locations enterprise-wide.



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## ***Education***

Duke University Law School  
J.D., 1987

Duke University  
B.A., 1984

## ***Professional Associations***

Board of Directors of the Alliance Theatre  
Company

Board of Directors of the Atlanta History  
Center

Board of Directors of the American  
Employment Law Council

Fellow of the College of Labor and  
Employment Lawyers

Duke Law Alumni Association Board of  
Directors

Member of the Duke Law Center for Judicial  
Studies

Recipient of 2013 Georgia Multicultural  
Leadership Award





**Teresa J. Hutson**

Microsoft Corporation

Assistant General Counsel, Global Employment and Migration Group

Teresa J. Hutson leads the global employment and immigration team at Microsoft. In her role, Teresa advises management and human resources professionals regarding key cross-border programs and policies, covering a range of issues including global mobility, strategic workforce planning, external staff, employee privacy, cross-border M&A deals, employee representation, background checks and compliance programs, and cross-border reductions in force.

Prior to joining Microsoft, Teresa worked at Paul Hastings LLP in San Francisco. While in private practice, Teresa handled wage & hour class actions and individual suits regarding discrimination, sexual harassment, wrongful termination, retaliation, disability accommodation and compliance matters for a variety of clients including UPS, Target, Wal-Mart, UBS, Safeway, Microsoft, Bechtel, and Amgen.

Teresa received her law degree from Cornell Law School and her bachelor's degree from Syracuse University.

**T. WARREN JACKSON**

Senior Vice President and  
Associate General Counsel

T. Warren Jackson is senior vice president and associate general counsel of DIRECTV. He is responsible for general litigation, labor and employment law matters, executive compensation, benefits, and compliance programs.

Jackson has three decades of service at DIRECTV and Hughes Electronics, Inc., having joined Hughes (then parent company of DIRECTV) in 1984. Previously he was an employment lawyer in the Los Angeles office of O'Melveny & Myers.

In 2003, Jackson was elected as a Fellow of the College of Labor and Employment Lawyers. He currently serves on the Legal Committee of the California Employers Group and on the boards of the Constitutional Rights Foundation, the Riordan Programs at UCLA Anderson and the Ronald Reagan UCLA Medical Center Board. He has served two terms on the Cornell University Council (2005-2009 and 2011-2015).

From 1994 to 1996, he served on the Los Angeles Civil Service Commission (appointed by Mayor Riordan), whereupon he was then appointed to the Los Angeles Police Commission, serving from 1996-2001; and as a vice president on both Commissions. From 1992 to 1999, he served two four-year terms on the California Fair Employment and Housing Commission (appointed by Gov. Pete Wilson). He was also a deputy general counsel to the William Webster Commission, which reviewed and reported on the Los Angeles Police Department's performance during the April 1992 civil disturbance in Los Angeles. Jackson was appointed to the California Workforce Investment Board by Gov. Gray Davis in April 2003 and was reappointed by Gov. Arnold Schwarzenegger in 2005, serving until 2010.

In 1991, Jackson was named In-House Counsel of the Year by the John M. Langston Bar Association, of which he is a past member of the Board of Directors. He has been active in local and national bar associations, including multiple speaking engagements at the American Bar Association's Annual Meeting, and as trustee of the Los Angeles County Bar Association.

Jackson holds bachelor's degrees in Economics and History from Cornell University and a J.D. from Harvard Law School. He has also completed the Executive Management Program at UCLA, and the Cornell University Human Resource Executive Development Program.

Originally from Philadelphia, Jackson is based at DIRECTV's El Segundo, Calif. headquarters.



**W. CARL JORDAN**  
PARTNER, LABOR & EMPLOYMENT

Carl Jordan has more than 40 years of experience representing employers in a broad range of employment, ERISA, and labor-related trial and appellate matters. He regularly counsels clients concerning their most important and sensitive employment issues.






Carl has extensive experience advising and defending employers with respect to ERISA, FLSA, and discrimination matters involving class and systemic issues, whistleblower matters including under Sarbanes-Oxley and Dodd Frank, mandatory dispute resolution programs, and internal investigations concerning systemic and highly sensitive matters.

Carl has been recognized as a leading employment and labor practitioner. *Chambers USA* has described Carl as being held "in high esteem for his knowledge of all facets of labor and employment work", as "equally comfortable in big-ticket litigation or in the boardroom" and as continuing to "carve out a place for himself at the leading edge." *Human Resource Executive* and *LawDragon* recently named him "one of the most powerful employment attorneys in America."

Carl also serves as the firm's General Counsel.

## Contact Details

### Houston

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- ▶ **Super Lawyers (Thomson Reuters) Names 66 Vinson & Elkins Attorneys to the 2015 Texas Super Lawyers List**  
September 8, 2015
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## Carl's Practices

- ▶ **Labor**
- ▶ **Whistleblower Counseling & Defense**
- ▶ **Internal Investigations**
- ▶ **ERISA & Employee Benefits Litigation**
- ▶ **Appellate**
- ▶ **Class Actions & Multi-District Litigation**

## Education

- Harvard Law School, J.D. *with honors*, 1974
- Baylor University, B.A. *with honors*, 1971
- Admitted to practice: Texas, 1974; United States Supreme Court; U.S. Courts of Appeal for the Third, Fourth, Fifth, Ninth, Tenth, and Eleventh Circuits; U.S. District Courts for the Northern, Southern, and Eastern Districts of Texas

## Recognition

- *Chambers USA*, Labor & Employment (Texas), 2003–2015; Senior Statesman in Labor & Employment (Texas), 2014 and 2015
- *The Best Lawyers in America*® (Woodward/White, Inc.), labor and employment law, 1989–2015 ("Lawyer of the Year," 2011)
- *Human Resource Executive*, one of the Top 10 Employment Lawyers in America, 2008
- *The International Who's Who of Business Lawyers*, labor and employment, 1997–2009
- *Who's Who Legal* (Law Business Research

## Experience Highlights

- Represented a major energy company in litigation involving severance pay and executive compensation claims by numerous former officers and managers displaced as the result of a merger
- Represented a national insurance company in an age discrimination and fraud lawsuit brought by several former officers displaced as a result of a nationwide reorganization
- Represented an international construction company in the jury trial of a sexual harassment lawsuit (jury verdict for the employer)
- Represented a major oil-refining company in arbitration of random drug testing issues in several states (obtained awards upholding validity of testing program)

## Additional Experience

- Represented major corporations in several public policy wrongful discharge litigations, including trials, brought by former executive and professional employees alleging they were discharged for refusing to engage in illegal activities
- Represented clients in connection with numerous class action employment discrimination lawsuits involving issues of disparate treatment and disparate impact, including trials on the merits and negotiation of consent decrees
- Represented clients in collective actions under Fair Labor Standards Act
- Assistance to clients concerning the development of dispute resolution programs and defense before courts of such programs
- Represented clients in OFCCP glass ceiling reviews and defense of affected class discrimination findings
- Represented clients in several administrative proceedings involving claims under federal whistleblower statutes, including the Sarbanes-Oxley Act
- Conducted numerous sensitive investigations for Boards of Directors, CEO's, and General Counsels of major clients

## Insights

### Insights of W. Carl Jordan

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Ltd.), Texas, management labor and employment law, 2007 and 2008

- Legal Media Group's (*Euromoney's*) *Guide to the World's Leading Labor and Employment Lawyers*, 2004
- Selected to the Texas Super Lawyers list, *Super Lawyers* (Thomson Reuters), 2003–2015
- Selected to the Top 100 Houston Region Super Lawyers list, *Super Lawyers* (Thomson Reuters), 2003–2005
- *The National Law Journal*, one of "The Best Employment Litigators in the Nation," 1992

### Activities

- Conference Chair and Director: American Employment Law Council, 1998–1999 and 1999–present
- Member: Labor and Employment Section, and Section's Committee on Equal Employment Opportunity Law, American Bar Association (various leadership positions)
- Member: Texas Board of Legal Specialization, Labor and Employment Law Advisory Commission, 2001–2006 (Chair: 2005–2006)
- Fellow: American College of Labor and Employment Lawyers



# DANNY KAUFER

## Partner

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F 514.954.1905

Montréal;

[DKauffer@blg.com](mailto:DKauffer@blg.com)

Labour and Employment

Litigation and Arbitration

### Education / Bar Admissions

LL.B., McGill University, 1978

B.C.L., McGill University, 1977

Québec, 1979

### Professional Involvement

Member, American Bar Association

Member, Canadian Association of  
Counsel to Employers (CACE)

Member, Canadian Bar Association

Member, International Bar Association

Member, National Retail Federation

Member, The College of Labor and  
Employment Lawyers

Member, U.S. Chamber of Commerce

### Community Involvement

Co-President, Hadassah WIZO Golf  
Tournament

## EXECUTIVE SUMMARY

Mr. Kauffer focuses his practice on labour and employment law. He is widely recognized for his expertise in negotiation and arbitration and has been involved in many high-profile certification matters. He represents employers before federal and provincial authorities as well as before various arbitration boards across Canada.

Mr. Kauffer has spoken extensively at events hosted by the American Bar Association's Labour and Employment Section, more specifically its International Labour and Employment Committee, of which he is immediate past Management Chair. He is also a member of the Planning Committee for the Section's Equal Employment Opportunity (EEO) Committee of the American Bar Association's Labour and Employment Law section.

Mr. Kauffer is a Fellow of the College of Labor and Employment Lawyers.

Mr. Kauffer has taught labour law and contract administration at McGill University's Faculty of Management and is on the board of editors of the Federated Press journal *Management Rights*.

## PUBLICATIONS & PRESENTATIONS

- Speaker, "Free Trade Agreements in International Law," American Employment Law Council (AELC), October 2015 (Ojai, California).
- Speaker, "Cross-Border Performance Management Issue," International Bar Association Annual Conference, October 2015 (Vienna, Austria).
- Speaker, "The Rights of Unions and Other Representatives," Employment Lawyers Association-ABA, September 2015 (London, United Kingdom).
- Speaker, "Tough Topics – Labour," Canadian Association of Counsel to Employers (CACE), September 2015 (Halifax, Nova Scotia).
- Speaker, "Enforcing Trade Agreements: Jordan FTA, NAFTA and Beyond," American Bar Association (ABA), May 2014 (Tel Aviv, Israel).
- Speaker, "Employment Responsibilities," International Financial Law Review (IFLR), European In-house Counsel Summit, Chair of the Panel,

January 2013 (London, United Kingdom).

- Speaker, "The Patriots Act: How Far does it Extend?," U.S. Chamber of Commerce, Labour Relations Committee Meeting, November 2012 (Washington, D.C.).
- Speaker, "Managing in a Multinational Workforce in a Global Marketplace," American Bar Association, Section of Labor and Employment Law, November 2012 (Atlanta, Georgia).
- Speaker, "Employment Agreements and Restrictive Covenants (non-competes, confidentiality, intellectual property assignments) for use in the U.S. and internationally," American Employment Law Council (AELC), October 2012 (Greensboro, Georgia).
- Speaker, "The Recent Canadian Law Changes and its Effect on the Retail Sector: Spam Legislation," National Retail Federation, October 2012 (Dallas, Texas).
- Speaker, "Getting the Deal Done in the Age of the Internet," Canadian Association of Counsel to Employers, September 2012 (St. John's, Newfoundland).
- Speaker, "What makes Canada a "leader" in Labor and Employment," National Finance Employers Law Council, June 2012 (New York City, NY).
- Speaker, "Multinational Employment Relations in a Mid-size Country; Canada and the Global Marketplace," American Bar Association, May 2012 (Paris, France).
- Speaker, "Canadian Law update," U.S. Chamber of Commerce, May 2012 (Washington, D.C.).
- Speaker, "International Employment Law," National Retail Federation, April 2012 (Longboat Key, Florida).
- Speaker, "Track II - Give me your lunch Money! Dealing with Bullies in Today's WorkPlace," American Bar Association, March 2012 (San Francisco, California).
- Co-author, *Even More Questions Frequently Asked in Québec Labour & Employment Law*, Thomson Carswell, Toronto, 2008.
- Co-author, *More Questions Frequently Asked in Québec Labour & Employment Law*, Carswell, Toronto, 2005.
- Co-author, *14 Questions Frequently Asked in Québec Labour & Employment Law*, Carswell, Toronto, 2002.
- Co-author, *Québec Labour & Employment Law: Frequently Asked Questions*, Carswell, Toronto, 2002.
- Co-author, *Between Canadian Broadcasting Corporation, and Canadian Media Guild (Local 213 of the Newspaper Guild): Grievance of Denis-Martin Chabot: Grievance Arbitration*, 1995.

## RANKINGS & RECOGNITIONS

- Recognized in the 2015 edition of *Chambers Global – The World's Leading Lawyers for Business* (Employment & Labour).



- Recognized in the 2016 edition (and since 2011) of *The Best Lawyers in Canada*® (Labour and Employment Law).
- Recognized in the 2014 edition of *Who's Who Legal: Canada* (Management Labour and Employment).
- Recognized in the 2015 and 2013 editions of the *Canadian Legal Expert*® Directory (Employment Law, Labour Relations).
- Recognized in *The International Who's Who of Management Labour & Employment Lawyers 2013* (Among the top ten international labour and employment attorneys in the world).
- Recognized in the 2014 edition (and since 2005) of *Who's Who Legal* (Labour and Employment Law).
- Fellow at the College of Labor and Employment Lawyers.

## ABOUT BORDEN LADNER GERVAIS LLP

Borden Ladner Gervais LLP (BLG) is a leading, national, full-service Canadian law firm focusing on business law, commercial litigation and arbitration, and intellectual property solutions for our clients. BLG is one of the country's largest law firms with more than 725 lawyers, intellectual property agents and other professionals in five cities across Canada. We assist clients with their legal needs, from major litigation to financing to trademark and patent registration.



## Allan G. King

Co-Chair, Class Actions Practice  
Group  
Shareholder

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## Overview

Allan G. King is a shareholder and co-chair of the Littler Mendelson's Class Action Practice Group, and is a frequent speaker on continuing legal education programs. He combines his expertise in employment law with his prior experience as a labor economist to handle statistical issues that typically arise in class action and "pattern and practice" cases.

## Education

J.D., University of Texas School of Law, 1986, *With Honors*  
Ph.D., Cornell University, 1972  
M.S., Cornell University, 1969  
B.A., City College of New York, 1967

## Recognition

- Named, The Best Lawyers in America®, 2008-2016
- Named, Super Lawyer, Texas, *Super Lawyers*, 2006-2011
- Chancellor-At-Large, *University of Texas School of Law*
- Order of the Coif
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*



## American Employment Law Council Twenty-Third Annual Conference, October 21-24, 2015



Jeffrey S. Klein is chair of Weil's Employment Litigation Practice Group. For more than 30 years, Mr. Klein has represented employers in all aspects of labor and employment relations law, including defending companies in complex employment discrimination claims (race, sex, age, national origin and disability), wage and hour claims, ERISA and related employee benefits litigation matters, and trade secrets and restrictive covenants litigation, including in the class action, investigation, arbitration, trial, and mediation contexts. He also counsels boards of directors, special committees, and senior executives of public companies with respect to internal investigations.

Mr. Klein's long-standing partnerships with leading global companies put him at the forefront of leading employment and labor law issues, including class and agency discrimination matters, wage & hour disputes, whistleblower and restrictive covenant matters, and more. Recent notable experience includes defending Sterling Jewelers in a 44,000-plaintiff class arbitration involving discrimination claims, which, if certified, would be the largest employment class case in the United States; and representing Merrill Lynch and Bank of America in a suite of high-profile race discrimination cases brought by financial advisors. Mr. Klein also serves as go-to counsel for major, industry-leading corporations such as MasterCard Worldwide, Kraft Heinz, Tiffany & Co., Godiva Chocolatier, Hudson's Bay Company, UnitedHealth Group, and Under Armour, among others, for their employment and labor needs, including counseling on non-competes, hiring practices, crisis management and more.

Mr. Klein is also a highly-sought after sports attorney and player agent with experience representing athletes, sports organizations and front-office personnel, as well as major corporations and celebrities, with respect to a variety of challenging legal issues relating to the sports industry. He has been called to take a front seat in many high-profile sports law representations, including litigation, contract negotiations, licensing, and endorsement agreements on behalf of numerous professional athletes and management personnel, sports broadcasters, entertainers, players associations, and sports entities. For example, Mr. Klein represented Jim Harbaugh, former head coach of the San Francisco 49ers NFL football team, in connection with his employment search and ultimately his signing with the University of Michigan to lead its college football team – obtaining what has been reported to be among the highest value contracts ever for a college coach.

Outside of his active practice, Mr. Klein is a regular speaker at leading industry conferences, including the annual Workshop on Employment Law for Federal Judges, and is the author of numerous articles, including a bi-monthly column for 20 years for the *New York Law Journal* concerning current developments in employment law. He also serves as pro bono outside counsel to the Public Art Fund.

On account of his wide-ranging expertise and thought leadership, clients, colleagues, and industry publications alike have long-recognized Mr. Klein as among the leading lawyers in the U.S. by publications including *Chambers USA*, *Human Resources Executive*, *Legal 500*, *Best Lawyers*, and *Lawdragon*, among others.



## Elaine Drodge Koch

Partner, Kansas City

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edkoch@bryancave.com

<b>PRACTICE AREAS</b>	Labor and Employment; Class and Derivative Actions; Commercial Litigation; Internet & New Media; Retail
<b>ADMISSIONS</b>	Kansas, 1989; Missouri, 1988; Texas, 1984
<b>EDUCATION</b>	Columbia University, J.D., Harlan Fiske Stone Scholar, 1984; University of Tennessee, B.A., summa cum laude, 1980

Elaine Koch has more than 30 years' experience as a trial lawyer. Her practice focuses primarily on employment litigation, civil rights litigation and business torts, in addition to counseling clients on employment issues. She has tried a wide variety of jury trials in state and federal court. She has also tried arbitrations, bench trials, and the largest individual taxpayer case in the history of the United States Tax Court. Her litigation experience includes contract disputes, class actions, employment litigation, business torts, products liability, and civil rights litigation. Ms. Koch served as the Global Leader of the Labor and Employment Group at Bryan Cave for eight years. She is a national speaker on employment law and litigation techniques, served on the editorial board of the *Practical Litigator*, and has been an active member of the American Bar Association, serving in a number of national leadership roles in the Labor and Employment Section and frequently speaking at national meetings. She was awarded the David Dixon Award for outstanding achievement in appellate advocacy, the KCMBA President's Award for founding an internship program for inner city youth, the Hon. H. Michael Coburn Community Service Award by Legal Aid of Western Missouri, and was inducted as a Fellow in the College of Labor and Employment Lawyers. Ms. Koch has been repeatedly named by the *Kansas City Business Journal* as one of the "Best of The Bar" in the Kansas City area, and she has been repeatedly named a "Super Lawyer" in Kansas and Missouri (including "Top 50 Women" in Kansas and Missouri). Ms. Koch has also been named by *USA Chambers* as a leader in Labor and Employment. She has also been selected by the *Kansas City Business Journal* to the Women Who Mean Business group and by the *Kansas City Magazine* as one of the city's Influential Women.



## Publications

Quoted in *Women Rainmakers: Roadmap to Success*, November 2014

## Professional Affiliations

- Nelson Atkins Museum Business Council, Co-Chair, Executive Committee
- The Pembroke Hill School, Board of Trustees, Treasurer, Executive Committee
- Member of the Board of Directors of the Kansas City Bar Foundation
- ABA Sections of Labor and Litigation, the Missouri, Kansas, Texas, and Kansas City Metropolitan Bar Associations
- Women Lawyer's Association
- *The Practical Litigator*, National Editorial Board Member
- Former Co-Chair with Judge Fernando Gaitan of the UMKC Law School Minority Affairs Committee
- Former Regional President and member of the Executive Committee of the NCCJ
- Former Chair of the Western District of Missouri Federal Practice Committee (Advisory Committee to the Court)

**BRYAN CAVE LLP**

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HONG KONG IRVINE JEFFERSON CITY KANSAS CITY LONDON LOS ANGELES MIAMI NEW YORK PARIS PHOENIX  
SAN FRANCISCO SHANGHAI SINGAPORE ST. LOUIS WASHINGTON MILAN, *Affiliated Firm*





**NANCY LEE**

Nancy Lee is a VP in Google's People Operations organization where she manages teams responsible for Global Diversity & Inclusion, HR Integrity (Compliance) and Governance, and K-12/Pre-University Programs.

Nancy joined Google in June 2006 as Employment Counsel in Google's Legal Department and transitioned into a People Operations leadership role in August 2010 to head the Product Management HR Business Partner and Staffing teams.

Prior to joining Google, Nancy managed commercial litigation and employment law for Providian Financial Corporation, which was acquired by Washington Mutual Inc. in October 2005. Before joining Providian, she was an associate in the San Francisco office of Orrick, Herrington & Sutcliffe LLP. With over 14 years of experience as a practicing attorney, both as in-house counsel and in private practice, and as a leader in the People Operations function at Google, Nancy brings deep expertise on people and strategy issues.

Nancy received her law degree from UC Berkeley Boalt Hall School of Law and her undergraduate degree from UC Davis.

## Lori E. Lightfoot

### Partner

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Chicago

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Lori Lightfoot is a trial attorney, investigator and risk manager.

**Civil Litigation:** She has extensive experience in every facet of complex commercial litigation in areas ranging from breach of contract and business tort claims; franchisor/franchisee disputes; foreclosure actions and other real estate related litigation; and products liability actions. Lori also has litigated or otherwise resolved disputes concerning employment discrimination, particularly class actions or those involving senior executives. Lori regularly advises clients on avoidance of and preparation for potential litigation.

**Criminal and White Collar Matters:** Lori also regularly advises clients on a range of complex criminal law, state and Federal False Claims Act investigations and suits, as well as other matters stemming from federal, state or local grand jury investigations or investigations by federal, state or local inspectors general. These client engagements have included internal investigations, preparation of and defending witnesses in interviews with the investigative bodies, compliance with document subpoenas and litigation.

Lori also has direct experience in designing and implementing internal and external messaging strategies for clients.

**Other Experience:** includes advising on all facets of the federal Disadvantaged Business Enterprise (DBE) rules and regulations as well as related state and local programs. Lori has served as an expert witness on these matters. She has advised clients on a variety of other matters such as internal compliance, risk management, corporate governance, procurement processes, disciplinary systems, ethics.

#### **Firm Responsibilities:**

- Advisor to Mayer Brown's General Counsel and Management Committee
- Co-Chair, Committee on Diversity and Inclusion
- Action Group Leader, Commercial Litigation Action Group

Both as a civil litigator and as Assistant US Attorney in the Criminal Division of the US Attorney's Office, Northern District of Illinois (1996–2002), Lori has tried over 20 federal and state jury and bench trials. She has also argued cases in state and federal appellate courts, and she has successfully conducted numerous internal investigations on range of issues and precipitated by both internal and external factors. In addition, Lori has considerable experience in instituting risk-management and compliance

practices.

**Government Experience:** From 2002 to 2005, Lori worked with the City of Chicago as Interim First Deputy Procurement Officer, Department of Procurement Services (DPS); General Counsel and Chief of Staff, Office of Emergency Management and Communications (OEMC); and Chief Administrator, Office of Professional Standards (OPS) of the Chicago Police Department. At OPS, Lori managed a 100-person office of civilian investigators charged with investigating police-involved shootings, allegations of excessive force and other misconduct alleged against Chicago police officers. She also coordinated joint investigations with state and federal criminal authorities and facilitated the implementation of new compliance and risk-management systems that included redesign of the disciplinary processes for sworn and civilian members, creation of a management intervention program for problem employees, and targeted tracking of litigation costs associated with complaints against department members.

During her service as Interim First Deputy Procurement Officer of the city's Department of Procurement Services, Lori conducted an across-the-department reorganization and reform of DPS business practices. She was responsible for redesigning Chicago's minority and women business enterprise program; streamlining the annual \$2 billion procurement process; developing training curricula for internal and external use; and creating and implementing vendor and buyer accountability measures.

As Chief of Staff and General Counsel for Chicago's Office of Emergency Management and Communications, Lori oversaw the City's 9-1-1 emergency and non-emergency call systems, emergency response operations, homeland security initiatives and related technologies. She also developed management accountability metrics for each OEMC operational unit. Highlights of her OEMC experience include managing the recovery of the city's 9-1-1 system following a catastrophic crash and serving as point person for recovery efforts during and following natural disasters, such as large scale fires and weather-related emergencies.

Lori has been associated with Mayer Brown since 2005 and, previously, between 1990 and 1996. Earlier, she served as Law Clerk to The Honorable Charles Levin, Michigan Supreme Court (1989–1990).

## Representative Experience

- **Federal Grand Jury Investigation.** Served as lead counsel for senior construction company executive in a criminal investigation initiated by a whistleblower pursuant to the federal False Claims Act which alleged fraud in major government infrastructure projects spanning a decade. After a two year investigation, government declined prosecution.
- **Federal and Inspector General Investigation.** Assisted clients in managing a General Services Administration Inspector General and Department of Justice investigation stemming from a whistleblower FCA suit which alleged fraudulent billing in connection with a GSA schedule contract. After a multi-year investigation, case settled civilly with no criminal charges.
- *State of Illinois, ex rel. Schad, Diamond & Shedden, Pc. V. The Nautilus, Inc.* Lead counsel in resolving a FCA claim brought by a purported whistleblower against an internet retailer for allegedly fraudulent tax practices.
- *McReynolds v. Merrill Lynch.* Served as a lead counsel in defending an international financial services provider in a class action lawsuit filed in the Northern District of Illinois, in which the putative class alleges race discrimination in hiring, promotion and retention.

- *Offutt v. Doctor's Associates Inc.* Lightfoot served as one of the lead counsel in representing franchisee controlled advertising fund in contractual dispute against the Subway quick service restaurant franchisor in federal court proceeding that resulted in a bench trial and then eventual settlement.
- *Art's Rental, et al. v. Bear Creek Construction, et al.*, Lightfoot serves as the litigation lead for a large international bank in a \$80 million foreclosure action pending in Ohio state court which involves over 100 parties.
- *State v. Planey, et al.*, Lightfoot won the acquittal of a police officer in the Circuit Court of Cook County, Criminal Division, who was charged with aggravated battery and other charges stemming from an off-duty incident with civilians.
- *United States v. Veysey*. Served as one of the lead AUSAs in the investigation, charging, trial, conviction and sentencing of a complex insurance and mail fraud prosecution of a serial arsonist and murderer. Following conviction, the defendant received a 110-year sentence that was upheld on appeal.
- *United States v. Baxter International*. Participated in the defense of a large international medical devices, pharmaceuticals and biotechnology company against federal prosecution for alleged violations of the anti-boycott statute.
- *United States v. Jones, et al.* Served as one of the lead AUSAs in the investigation, charging, trial, conviction and sentencing of a Chicago City alderman and associate for bribery and extortion.
- *Hastert v. Board of Elections*. Participated in the successful litigation of the 1990 Illinois Congressional redistricting plan before a three judge panel on behalf of the Illinois Republican Congressional delegation. This litigation led to establishment of the first majority Latino Congressional district in Illinois.
- *U.S. v. Donaldson, et al.* Served as lead AUSA in the prosecution of multiple defendants in a Medicare fraud case involving the submission of fraudulent billings for purported mental health treatments of elderly nursing home patients.
- *Gilfand, et al v. Planey, et al.* Following a two-week jury trial in federal court, successfully defended clients in a section 1983 action which also included various state law claims.

## Education

- The University of Chicago Law School, JD, 1989
- University of Michigan, BA, with honors, 1984
- American University, 1983; Additional coursework

## Admissions

- Illinois, 1989

## Activities

- Taught trial advocacy at various law schools and bar association-sponsored seminars
- Lectured on ethics and discipline at the Chicago Police Academy, the Police Executive Institute, and to City of Chicago employees as part of basic procurement training
- Sits on Boards of directors of several not-for-profit civic and charitable organizations.



## News & Publications

- "Mayer Brown partners Lori Lightfoot and Audrey Harris featured in *GIR's* "Women in Investigations 2015", 8 April 2015
- "Minority Powerbrokers Q&A: Mayer Brown's Lori Lightfoot," Law360, 15 January 2015
- "DA: Lodi Police Officers Justified in Killing Mentally Ill Army Vet," The Sacramento Bee, 30 December 2014
- "Newsday," BBC World Service, 26 November 2014
- "Ferguson Officer Compared Brown to Hulk Hogan," Bloomberg, 25 November 2014
- "Most US Police Shootings are not Prosecuted," Associated Press, 24 November 2014
- "Ferguson Police Officer Avoids Charges as Protests Erupt," Businessweek, 24 November 2014
- "Experts: Ferguson Video of Witness Raising Hands Could Bolster Argument Brown was Surrendering," US News & World Report, Associated Press, 12 September 2014
- "Securities Investigations: Internal, Civil and Criminal," Book, August 2014
- "New Policy On Recording Statements Is Major Shift For DOJ," Law360, 2 June 2014
- "US Department of Justice Announces New Policy to Record Statements," Legal Update, 29 May 2014
- "Securities Investigations: Internal, Civil and Criminal," Book, August 2013
- "Mayer Brown partner Lori Lightfoot named to *The Network Journal's* "25 Influential Black Women in Business" list for 2014," 14 March 2014
- "Securities Investigations: Internal, Civil and Criminal," Practising Law Institute, August 2012
- "Successful Pro Bono Defense of Police Officer Accused of Battery," 17 June 2009
- "Facilitating Success - DBE Administrators, Vendors Must Have Solid Relationships," Article, 1 June 2009
- "Credit Market and Subprime Distress: Responding to Legal Issues," Practising Law Institute, November 2008

## Events

- Good Deals Gone Bad - Frequently Litigated Contractual Provisions in Transactional Documents, 25 June 2014
- Whistleblowing and the Supreme Court's Ruling in *Lawson v. FMC LLC*— What Outside Consultants, Firms and Subcontractors Need to Know Now?, 4 June 2014
- Global Sourcing and Technology Changes: Reboot Your Sourcing Strategies, 8 May 2014
- Northwestern Law's Women's Leadership Committee Symposium: "Do Nice Girls Get the Corner Office?", 10 February 2014
- White Collar Crime + Corporate Governance Conference, 18 April 2012
- Black Women Lawyers' Association 25th Anniversary Summit, 12 April 2012 - 14 April 2012
- Staying Ahead of the Revolution: What's Next for Social Media?, 20 March 2012 - 21 March 2012
- Expanding Challenges Facing US Accounting Firms – New York, 16 June 2011
- Managing the Early Stages of Commercial Litigation: Critical First Steps – Whom to Notify When: What Notifications Might Be Required, 4 November 2010

## Attorney Bio

Leah C. Lively

**Leah C. Lively**

Shareholder

[leah.lively@ogletreedeakins.com](mailto:leah.lively@ogletreedeakins.com)**Location:**Portland (Office: 503-552-2142, Fax: 503-224-4518)**Education:**

J.D., Northwestern School of Law of Lewis &amp; Clark College, 1996

B.S., *with honors*, California Polytechnic State University at San Luis Obispo, 1993**Practice Areas:**Employment Law, Class Action, Wage and Hour, Ethics Compliance, Investigations and Whistleblower Response, Retail, Drug Testing

Leah C. Lively exclusively defends employers from claims of harassment, discrimination, retaliation, wrongful discharge, and wage and hour violations. Leah represents and advises employers of every size, including Fortune 100 companies, non-profit organizations, and locally-owned businesses. Leah appreciates that a client's needs must be assessed and responded to on an individual basis to ensure efficient and effective representation.

Leah is an experienced trial attorney having tried more than 40 jury trials in multiple states and jurisdictions during her career. In addition to her expertise in defending single-plaintiff employment claims, Leah has significant experience defending wage and hour claims, including class actions. Leah acted as lead defense counsel in a putative wage/hour misclassification class action in Oregon and co-managed the defense of a 40,000 putative class-member case for a national restaurant chain in California. Leah is one of very few lawyers nationwide to have defended a wage and hour collective action to a jury.

Following a defense verdict on behalf of a real estate development/investment firm, in a race discrimination and retaliation case in the Eastern District of Pennsylvania, the presiding federal magistrate, Jacob P. Hart, described Leah as "everything a good litigator should be. She was completely prepared on every issue, clear and convincing to the jury[.]"

Leah is recommended by *Chambers USA* for Labor and Employment (2008-2014), *Best Lawyers in America* for Labor and Employment (2011-2014), *Super Lawyers* for Labor and Employment (2011-2014) and is AV Preeminent Peer Review rated in Martindale-Hubbell.

**Admitted to Practice:**

Oregon  
California  
Idaho  
Washington  
Alaska

**Honors and Awards:**

- *Chambers USA* (2008-2014)
- *Best Lawyers in America* (2011-present; 2015 Portland OR Litigation - Labor and Employment "Lawyer of the Year")
- *Super Lawyers* (2011-2015)
- AV rated by Martindale-Hubbell



## DONALD R. LIVINGSTON

AKIN GUMP, WASHINGTON, D.C.

Donald R. Livingston represents large employers in all aspects of civil rights and employment discrimination law, with an emphasis on complex employment litigation, and representations before the EEOC. Since joining Akin Gump in 1993, he has served as defense litigation counsel in numerous fair employment class actions and EEOC pattern or practice cases, including *Gutierrez v. Hooters, Inc.*, which *The Washington Post* termed EEOC's "biggest defeat." Mr. Livingston recently represented the Freeman Company in the first case to test the EEOC's 2012 policy guidance on criminal and background checks, as well as testing the boundaries of Title VII of the Civil Rights Act of 1964. *The Wall Street Journal* covered the decision, stating that Freeman defeated "one of the [EEOC's] most high-profile crusades."

### Practice & Background

Mr. Livingston is a former general counsel of the U.S. Equal Employment Opportunity Commission (EEOC), where he was responsible for the federal government's enforcement of Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Age Discrimination in Employment Act and the Americans with Disabilities Act.

Mr. Livingston is a member of the American Bar Association (ABA), and serves as the co-chair of the EEO Committee of the ABA's Labor & Employment Section. He was chairman of the Labor and Employment Law Section of the Georgia Bar in 1986, and served on the Section's executive board from 1983 to 1987.

Mr. Livingston previously served as co-chair of the firm's labor and employment practice.

Mr. Livingston is the author of *EEOC Litigation and Charge Resolution* (BNA 2d. ed. 2014), a treatise covering all aspects of attorney interactions with the EEOC. In addition, he has written numerous articles and spoken extensively on employment discrimination. He has contributed to *Employment Discrimination Law* (Lindemann & Grossman) and *Sexual Harassment in Employment Law* (Lindemann & Kadue).

In 2003, Mr. Livingston was elected to the College of Labor and Employment Lawyers.

### Awards & Accolades

- *Who's Who in American Law, Who's Who in America*
- *The International Who's Who of Business Lawyers*
- *The International Who's Who of Management Labour & Employment Lawyers*
- *Chambers USA: America's Leading Lawyers for Business* — labor and employment
- Washington, D.C. *Super Lawyers* (2007-2015)
- The Nation's Most Powerful Employment Attorneys, *Lawdragon* and *Human Resources Executive* (2011-2015)
- 500 Leading Lawyers in America, *Lawdragon* (2007)
- *The National Law Journal's "Who's Who of Employment/Labor Lawyers"* —July 1997.



**Kathleen K. Lundquist, Ph.D.**, is a nationally-recognized organizational psychologist who testifies frequently as an expert witness in employment discrimination class-action lawsuits for both defendants and plaintiffs. As a result of class-action settlements, she also serves as a court-appointed expert in diversity measurement and the design and implementation of legally defensible human resources processes for organizations such as Morgan Stanley, Bank of America, Dell, Sodexo, The Coca-Cola Company, Abercrombie & Fitch, Ford Motor Company and the Federal Bureau of Investigation. She has also been court-appointed as a Monitor and as a Special Master in the resolution of litigation—roles most often performed by attorneys. Dr. Lundquist has been appointed by the U.S. State Department to serve a three-year term as a member of the Examiner's Board for the Foreign Service.

Dr. Lundquist is president and CEO of APTMetrics, Inc., an international firm which consults with Fortune® 100 employers on the design and implementation of HR processes. In consulting with clients, she recommends proactive measures to improve the fairness, validity and legal defensibility of HR processes before they are challenged. Her clients range from multinational corporations in the finance, pharmaceutical, aerospace, telecommunications and technology fields, to government and nonprofit employers.

She is a former research associate with the National Academy of Sciences, a fellow in psychometrics with the Psychological Corporation, and a summer research fellow with the Educational Testing Service.

She is a frequent presenter at the Society for Industrial and Organizational Psychology, the American Bar Association's Equal Employment Opportunity Committee and the American Employment Law Council. Kathleen is a recipient of the National Association of Women Business Owners Connecticut Woman Business Owner of the Year Award.

In 2008, Kathleen was named in Diversity Executive Magazine's feature on "Who's Who in Diversity and Inclusion." She is a recipient of the "2010 Champions of Diversity" Award from DiversityBusiness.com. She is also the recipient of the Hartford Business Journal's 2010 Diversity Policy/Advocacy-Individual Award. She is a member of the Corporate Circle for the National Council for Research on Women and sits on their board of directors.

**Heather Morgan** is the Global Chair of the Paul Hastings Workforce Data and Technology practice, a partner in the Employment Law department, and is based in the firm's Los Angeles office. Ms. Morgan represents employers in all aspects of employment law, with an emphasis on defending "high stakes" class actions and other complex litigation. She devotes a significant portion of her practice to helping employers develop or revamp personnel policies, build "best practices," and ensure compliance with federal and state laws and regulations impacting recruitment, hiring, promotion, compensation, performance evaluation, termination, affirmative action compliance, voluntary diversity programs, succession planning, and other personnel practices. In particular, she has significant experience partnering with employers who seek to design improved and compliant personnel processes through a transition to new or upgraded workforce-related software and HR technologies, including advising on steps to ensure compliance with multi-jurisdiction privacy, e-signature and data retention requirements. Ms. Morgan's practice also includes a special focus on the development and analysis of statistics used in case defense, to conduct preventative, privileged diagnostic reviews of employers' personnel practices, and to develop diversity metrics.

## Heather A. Morgan



Partner, Employment Law Department  
 515 South Flower Street  
 Twenty-Fifth Floor  
 Los Angeles, CA 90071  
 T: 1(213) 683-6188  
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[heathermorgan@paulhastings.com](mailto:heathermorgan@paulhastings.com)

### Recent Representations

- Regularly defends employers in litigation and agency enforcement actions, with an emphasis on high stakes discrimination class actions. The Sixth Circuit Court of Appeals affirmed denial of class certification in one such case—a nationwide hiring discrimination lawsuit against Cintas Corporation.
- Defended and successfully resolved a race discrimination class action against a large healthcare employer.
- Defended and successfully resolved an alleged multi-state race discrimination class action against a large employer in the retail industry (no class certification).
- Defended and successfully resolved a threatened nationwide race discrimination class action against a large technology industry employer (no class certification).
- Advised hospitality industry employers on employment law issues implicated in the opening of and mass hiring at several new hotel and casino properties in various U.S. jurisdictions (3,000 to 10,000+ new employees at once).

### Speaking Engagements and Publications

- Regular ABA guest speaker on systemic "pattern or practice" discrimination claims, e-discovery, and workforce-related technology law issues
- Associate Editor, Workplace Data: Law and Litigation (BNA); co-author of Chapter 11, "Online Social Media and Earlier 'New Technology' in the Employment Context"

### Professional and Community Involvement

- Co-chair, American Bar Association's Technology in the Practice & Workplace Committee, Labor & Employment Law Section
- Member, Board of Governors of the Institute for Corporate Counsel

### Education

- University of California at Los Angeles School of Law, J.D., 1994
- University of Wisconsin Madison, B.A. (with distinction), 1988



## James J. Murphy

**Shareholder** Washington D.C.

202-263-0178

[james.murphy@ogletreedeakins.com](mailto:james.murphy@ogletreedeakins.com)



Jim Murphy is Co-Chair of the firm's Defense Contracting Industry practice group. He has over 20 years of experience providing advice and representation to management clients in the defense, shipbuilding, technology, automotive, and entertainment industries. As a former corporate counsel, Jim worked side-by-side with business leaders for many years and understands the importance of delivering solutions that are practical and workable.

Mr. Murphy's practice covers legal advice on human resources and labor strategy, compliance with federal and state employment laws, and litigation and arbitration of workplace disputes. Jim advises management clients on an array of issues, including workplace discrimination, employee relations, executive separations, workforce restructuring, diversity initiatives, wage and hour matters, arbitration programs, data privacy, and cross-border employment assignments. Jim also assists clients with respect to federal ethics compliance. He has deep experience with the rules governing the recruitment and employment of government officials and the acceptance of gifts and travel by executive and legislative branch personnel.

From 2005 to 2015, Mr. Murphy was the chief labor and employment counsel for General Dynamics Corporation, a global defense company with over 90,000 employees worldwide. From 2002 to 2005, he practiced labor and employment law at Northrop Grumman Corporation, where he was the lead labor and employment counsel for Northrop Grumman Mission Systems. Previously, he was in private practice in the Washington office of an international law firm, where he advised and represented clients in collective bargaining, Department of Labor investigations, NLRB hearings, union organizing campaigns, labor arbitrations, and wage and hour litigation.

Mr. Murphy is a frequent speaker and panelist at conferences for in-house counsel and human resources professionals and formerly served as an Advisory Board Member for ACC Docket magazine.

### Admitted to Practice

- Massachusetts
- District of Columbia

### Education

- J.D., *cum laude*, Catholic University School of Law
- A.B., College of the Holy Cross

**TERRENCE H. MURPHY**

Terrence H. Murphy is a Shareholder in the Pittsburgh, Pennsylvania office of Littler Mendelson, P.C. He represents employers in class and individual employment discrimination actions, OFCCP matters and wrongful discharge claims, and wage-hour collective and class actions, and also in National Labor Relations Board proceedings, collective bargaining and labor arbitration. He has had extensive jury trial experience and substantial experience in litigation with the Equal Employment Opportunity Commission.

Mr. Murphy is admitted to practice in Pennsylvania and New York, before multiple federal appellate and district courts. He is a member of the American Bar Association's Labor and Employment Law Section, and its Equal Employment Opportunity Committee, and the Litigation Section. He also is a member of the New York State Bar Association's Section on Labor and Employment Law.

Since 2004, *Chambers USA* has identified Mr. Murphy as one of the Pennsylvania's leading employment lawyers for business. Since 2006, his peers have selected him to be included in *The Best Lawyers in America*. He is a Fellow in the College of Labor and Employment Lawyers and is listed in *The International Who's Who of Management Labour and Employment Lawyers*. He is a recognized author, commentator and lecturer on workplace issues. He has published articles in the *University of Pittsburgh Law Review*, the *Syracuse Law Review* and the *Labor Law Journal*. He is co-author of the *Employment Law Deskbook for Human Resources Professionals* (West Group, 2001 and 2005). He has been a chapter editor and a senior editor of *Employment Discrimination Law* (BNA). He received his B.A. from the University of Rochester, his M.S. from Cornell University and his J.D. from the University of Pittsburgh School of Law.



**Mark A. Nordstrom**

**"Mark"**

*Senior Counsel - Labor and Employment Law  
Corporate Legal Staff  
Fairfield, CT*

Mark graduated from Colgate University in 1973, obtained a Master's Degree in Public Administration from S.U.N.Y and graduated from Albany Law School, where he was a member of the Albany Law Review. After law school, he served as Labor Counsel for GE's Lighting Business in Cleveland, Ohio, in 1985 and 1986. After that, he left GE to work at McCarter & English in Newark, NJ. In 1989, Mark joined GE's Corporate Legal Staff. Mark presently serves as Sr. Counsel – Labor and Employment Law with global responsibility for the legal aspects of GE's human resource policies and practices. Mark also leads GE's global practices pertaining to Human Rights. Mark is Chairman of the Pro Bono Partnership, on the Board of the American Employment Law Council, and is a member of the UN Global Compact Human Rights Working Group.

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**Robert O'Hara is the Vice President of Employment Law & Global HR Compliance at United Technologies Corporation (UTC) in Hartford, Connecticut.**

**Bob has full functional responsibility for all employment-related cases at UTC and is responsible for Global Human Resource Compliance for 225,000 employees operating in 162 countries.**

**Bob leads the Equal Employment Opportunity and Affirmative Action Planning processes at UTC and maintains close working relationships with the Legal and Global Compliance functions while playing a significant role in the broader enterprise-wide risk management and compliance function.**

**Bob joined UTC in 2001 at Pratt & Whitney as an Assistant Counsel and was promoted to Director of EEO & Employment at UTC Corporate in 2006.**

**Prior to joining UTC, Bob spent 13 years at the National Security Agency in a number of intelligence positions, including more than two years in the White House as the chief intelligence analyst on the National Security Council, and assignments in the Pentagon with the Office of the Secretary of Defense and Chairman of the Joint Chiefs of Staff, and the US Treasury Department.**

**Upon earning his law degree, he joined Day, Berry & Howard in Hartford, Connecticut as a Trial Attorney in their Commercial Litigation and Bankruptcy practice.**

**Bob received a Bachelor of Arts degree in History and English from Walsh University, North Canton, Ohio, a Master of Science in Strategic Intelligence from the Joint Military Intelligence College, and a Juris Doctor from Georgetown University Law Center both in Washington, DC.**

**Bob is also currently the Chair of the Equal Employment Advisory Council, in Washington, the premier organization representing the interests of US federal contactors in the nation's capital.**



## Anthony J. Oncidi

*Proskauer Rose LLP*  
 2049 Century Park East, 32nd Floor  
 Los Angeles, CA 90067-3206  
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 aoncidi@proskauer.com

Anthony J. Oncidi is a partner in the Firm and the Chair of the Labor and Employment Department in the Los Angeles office. Tony represents employers and management in all aspects of labor relations and employment law, including litigation and preventive counseling, wage and hour matters, including class actions, wrongful termination, employee discipline, Title VII and the California Fair Employment and Housing Act, executive employment contract disputes, sexual harassment training and investigations, workplace violence, drug testing and privacy issues, Sarbanes-Oxley claims and employee raiding and trade secret protection. A substantial portion of Tony's practice involves the defense of employers in large class actions, employment discrimination, harassment and wrongful termination litigation in state and federal court as well as arbitration proceedings, including FINRA matters.

Tony is recognized as a leading lawyer by such highly respected publications and organizations as the *Los Angeles Daily Journal*, *The Hollywood Reporter*, and *Chambers USA*, which gives him the highest possible rating ("Band 1") for Labor & Employment and ranks him as a leading lawyer in his field who is "credible and confident" and who provides "spot-on service" with "know-how and the ability to get to the point quickly." He is ranked as one of the "Nation's Top 100 Most Powerful Employment Attorneys" (*Human Resource Executive*) and one of the "Top 10" employment defense attorneys in California/"Top 5" in Los Angeles, "Top 100 lawyers in California" (*Daily Journal*) and one of the top 100 "power lawyers" (*The Hollywood Reporter*). He was selected by his peers throughout the United States to be a Fellow in the prestigious College of Labor and Employment Lawyers. Additionally, he has received the highest Martindale-Hubbell rating ("AV"), indicating "very high to preeminent legal ability and very high ethical standards as established by confidential opinions from members of the Bar."

Tony also is a regular commentator on employment-related issues for public radio station KALW-FM in San Francisco and has been a featured guest on Fox 11 and CBS News in Los Angeles. He has been interviewed and quoted by leading national media outlets such as *The National Law Journal*, *Bloomberg News*, *The New York Times*, *The Wall Street Journal*, CBS News, and *Newsweek* and *Time* magazines. Tony is a frequent speaker on employment law topics for large and small groups of employers and their counsel, including the Society for Human Resource Management ("SHRM"), PIHRA, the National CLE Conference, the Employment Round Table of Southern California (Board Member), the Council on Education in Management, the Institute for Corporate Counsel, the State Bar of California, the California Continuing Education of the Bar Program and the Los Angeles and Beverly Hills Bar Associations. He has testified as an expert witness regarding wage and hour issues as well as the California Fair Employment and Housing Act and has served as a faculty member of the National Employment Law Institute. He has served as a party-selected arbitrator in an employment discrimination matter.

Tony is the author of the treatise titled *Employment Discrimination Depositions* (Juris Pub'g 2015; www.jurispub.com), co-author of *Proskauer on Privacy* (PLI 2015) and, since 1990, has been a regular columnist for the official publication of the Labor and Employment Law Section of the State Bar of California as well as the *Los Angeles Daily Journal*.

Tony is an appointed Hearing Examiner for the Los Angeles Police Commission Board of Rights and has served as an Adjunct Professor of Law and a guest lecturer at USC Law School and at UCLA Law School.

He received his Bachelor of Arts degree, *cum laude*, Phi Beta Kappa, from Pomona College, and his Juris Doctor degree from the University of Chicago Law School. He is a member of the State Bar of California and is admitted to practice before the U.S. Court of Appeals for the Ninth Circuit and all U.S. District Courts in California.

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## Eric Reicin

*Vice President, General Counsel & Corporate Secretary*

Eric Reicin serves as Vice President, General Counsel, and Corporate Secretary for the global organization MorganFranklin Consulting, LLC. He serves as Chief Legal Officer and leads the Corporate Investigations & Dispute Solutions consulting practice. Eric fulfills multiple internal and external roles and is also responsible for leading the Contracts department.

Prior to joining MorganFranklin, Eric most recently served as Senior Vice President and Deputy General Counsel at Sallie Mae, one of the country's largest lenders. He spent 14 years working in senior legal roles at Sallie Mae, partnering with the executive business team. Eric gained valuable expertise providing strategic and operational legal advice to the company and several subsidiaries. He led a team of attorneys and professionals based in six cities and led the bankruptcy litigation operations group. As Deputy General Counsel, Eric served as the company's chief litigation, labor and employment, collections, government contracts, and intellectual property attorney. As leader of the legal risk mitigation group, he was responsible for managing legal support to several subsidiaries, the Board of Directors Audit Committee, and the Sallie Mae Political Action Committee (PAC), and he provided secondary legal support to other subsidiaries, mergers and acquisitions (M&A), and board governance.

Eric is active in the legal community and he has worked closely with in-house counsel at Fortune 500 companies nationwide. In October 2014, he completed a six-year term on the global board of the Association of Corporate Counsel (ACC), which has a presence in

80 countries. Eric previously served as president of the Washington Metropolitan Area Corporate Counsel Association (WMACCA), the largest regional in-house bar association. He currently serves on the advisory boards of the Georgetown University Law Center Corporate Counsel Institute and the American Employment Law Council (AELC). Eric also serves as the 2015 management chair of the American Bar Association Section of Labor and Employment Law Annual Meeting, and he is a Fellow of the American Bar Foundation. Eric is the immediate past management chair of the American Bar Association Section of Labor and Employment Law EEO Committee, and he recently served on the faculty of the Virginia State Bar Professionalism Course.

Earlier in his career, Eric was a litigator at law firms in Washington, D.C., and Chicago. He received his Juris Doctor degree from the University of Illinois College of Law and his Bachelor of Arts degree in economics and political science from the University of Michigan.

### Contact Information:

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"What drew me to MorganFranklin was the strong culture and the quality and character of the firm's people. Creative, adaptive, nimble, flexible, innovative, responsive—these are all terms that clients use when describing MorganFranklin. I enjoy being part of an organization that delivers this level of quality and hands-on service."



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## **Michael Reiss**

Partner - Seattle, Washington Office

### **Areas of Practice**

Employment, Litigation

### **Representative Experience**

Litigated jury and non-jury cases on behalf of large and small employers in Washington, Oregon, California and elsewhere throughout the United States  
Lead counsel in state-wide and nationwide race discrimination, sex discrimination and wage-and-hour class actions  
Served as court-appointed Special Master in nationwide Title VII race discrimination class action  
Mediator in numerous employment cases pending in state and federal courts

### **Prior Experience**

Law professor, University of Southern California Law Center, 1968-79  
Regional Attorney, U.S. Equal Employment Opportunity Commission in Seattle, 1979-86

### **Trial Advocacy Teaching and Training**

Instructor in Trial Advocacy, University of Washington School of Law; Program Director, Team Leader and Faculty, National Institute for Trial Advocacy (NITA); Trial skills instructor, Washington State Bar Association and similar organizations

### **Representative Clients**

American Red Cross, ARCO, AT&T, Bank of America, Boeing, Denny's, Entercom, Home Depot, NFL, Nissan, Paccar, The Seattle Times, Seattle Seahawks, Teledesic, University of Puget Sound, and Virginia Mason Medical Center

### **Publications and Presentations**

Lectured and written extensively in the area of employment discrimination law  
Principal contributor, Lindemann & Grossman, *Employment Discrimination Law*  
Frequent speaker on employment law and employment litigation topics

### **Recognition and Memberships**

Fellow, College of Labor & Employment Lawyers  
Top 10 Defense Wins of 2005 for *Williams v. The Boeing Company* by *The National Law Journal*  
Named as one of the "Best Lawyers in America" in Labor and Employment Law by *Woodward/White*, 1993-2008  
Named one of The Nation's 50 Most Powerful Employment Attorneys in *Human Resource Executive* magazine in a list prepared by *Lawdragon*  
Named as one of "America's Leading Business Lawyers" by *Chambers USA*, 2003-2006  
Selected to "Super Lawyers," *Washington Law & Politics*, 1999-2008  
Lawyer Representative to the 9th Circuit Judicial Conference  
American Employment Law Council, Advisory Board  
National Employment Law Institute, Advisory Board  
National Institute for Trial Advocacy, Program Director

### **Education**

J.D., Yale Law School, 1968  
▪ Editor, *Yale Law Journal* and Order of the Coif  
B.A., high honors, Harvard College, 1965



## EMPLOYEE AND LABOR RELATIONS



**Jim Rowader**  
**Vice President and General Counsel**  
**Employee and Labor Relations**

Jim leads a department of more than 70 team members, including 20 attorneys, 10 paralegals and more than 40 HR professionals responsible for all labor and employment litigation, ER/LR strategy, HR Compliance, HR legislative strategy, and field investigations.

Jim began his career with Target in 1994 as Employee Relations Counsel. He has held various positions within Employee Relations and Labor Relations and was promoted to his current position in September, 2008. Prior to Target, Jim was an attorney for the National Labor Relations Board in Detroit, and subsequently for a Twin Cities law firm. Jim is currently a Board member of the Hispanic National Bar Association's Legal Education Fund and is also a member of the Minnesota Hispanic Bar Association. Jim also serves as a Board member of the Minneapolis United Youth Soccer Club.

### **Education**

**Undergraduate:** University of Illinois, BA, Political Science

**Graduate School:** University of Michigan Law School, Juris Doctor

## Christian J. Rowley

San Francisco Office  
(415) 544-1001  
crowley@seyfarth.com



### *Areas of Practice*

Labor & Employment  
Wage & Hour Litigation

### *Experience*

Christian Rowley is a partner in the Wage & Hour Litigation Practice Group in Seyfarth Shaw's San Francisco office and Chair of the San Francisco Labor & Employment Group and of the firm's California Employment Law Practice Group. Mr. Rowley represents employers in employment matters, including complex wage and hour class actions, and multi-plaintiff discrimination and harassment cases, before state and federal courts throughout the United States, the EEOC, and various state agencies. He also advises management in traditional labor matters, including organizing campaigns, labor arbitrations, NLRB cases, and collective bargaining negotiations, and he assists companies in designing, negotiating, and implementing executive employment and separation agreements, compensation structures, reductions-in-force, and human resources policies and procedures.

He is a frequent lecturer at public and private seminars nationwide on labor and employment issues, and has published numerous legal articles, including the introductory chapter in *Wrongful Employment Termination Practice* (CEB 1997), a premier reference on California's wrongful termination laws.

Prior to joining Seyfarth Shaw, Mr. Rowley practiced labor and employment law at law firms in Boston, Massachusetts and in San Francisco, California. He also served as law clerk to then-Chief Justice Michael D. Zimmerman of the Utah Supreme Court.

### *Education*

J.D., University of Utah College of Law (1993)  
Order of the Coif; Editor, Utah Law Review; National Moot Court Board & Team; William H. Leary Scholar; Outstanding Scholastic Achievement Award; Legal Writing & Research Teaching Assistant

B.S., University of Utah (1990)

### *Admissions*

California

Massachusetts

Utah

### *Accolades*

Recognized as a leading lawyer for Labor and Employment in California in the 2009, 2014 & 2015 *Chambers USA: America's Leading Business Lawyers*, in which he was described (in 2009) as having "a rising profile for contentious employment matters and traditional labor work." Similarly, in 2015 *Chambers* stated: "Christian Rowley is well regarded for his traditional labor space as well as his ability to resolve large class actions. Clients praise Rowley as "extremely responsive" noting: "You always know where you stand."

Richard M. Rufolo, Vice President, United Parcel Service

Rick Rufolo is the Labor and Employment and Litigation practice group coordinator for the UPS Legal Department. Mr. Rufolo manages attorneys with responsibility for Employment Litigation, Labor Negotiations and Arbitrations, Employee Benefits and Pension/401(k) and Commercial and General Litigation practice areas at UPS.

He has been employed at UPS for 27 years. In addition to several assignments in the Legal Department, Mr. Rufolo has held positions in the real estate, asset acquisitions and procurement functions.

Mr. Rufolo is a member of the UPS Diversity & Inclusion Advisory Council and is a member of the board of directors for the Truancy Intervention Project and the Atlanta Legal Aid Society. He also serves on the advisory boards of the American Employment Law Council, the Boys & Girls Clubs of Fulton County and Life Teen Covecrest.

He received his undergraduate degree from Old Dominion University and his law degree from the Seton Hall University School of Law. Rick, his wife Gina and their four kids reside in Dunwoody, Georgia.





Bill Sailer is Senior Vice President & Legal Counsel for Qualcomm Incorporated, where he has handled a wide variety of legal matters for the company, including employment law, litigation and ethics and compliance matters. Prior to joining Qualcomm, Mr. Sailer was a partner at Gray Cary Ware & Freidenrich. In 2011, Mr. Sailer was elected as a Fellow of the College of Labor & Employment Lawyers.

Bill has served in leadership positions in numerous business and charitable organizations, including:

**Professional Organizations**

- The Association of Corporate Counsel (Director, Executive Committee);
- San Diego Chapter of the Association of Corporate Counsel (President/Director)
- The California Employment Law Council (President/Director)
- State Bar of California Labor & Employment Law Section (Executive Committee);
- San Diego Chapter of the Industrial Relations Research Association (President)
- San Diego County Bar Association Labor & Employment Law Section (Chair)
- San Diego Convention & Visitor's Bureau (General Counsel)
- J. Clifford Wallace Inn of Court (Founding Master/Executive Committee)

**Community Organizations**

- The Legal Aid Society of San Diego (President/Director)
- The San Diego County Bar Foundation (Director/Executive Committee)
- Rady Children's Hospital Foundation of San Diego (Chair/Director)
- Rady Children's Hospital (Trustee)
- Voices for Children (Director/Executive Committee)
- The National Conflict Resolution Center (Director/Executive Committee)
- The Junior Seau Foundation (Director/Executive Committee)
- Kids Included Together, Inc. (Director/Executive Committee)

Mr. Sailer Chairs the Qualcomm Pro Bono Program and has thrice been awarded the Wiley E. Manual Award by the State Bar of California for his pro bono work, as well as thrice receiving the San Diego Volunteer Lawyer Program's Distinguished Service Award. He was also recognized as the "Corporate Lawyer of the Year" by the San Diego Chapter of the Corporate Counsel Association.

Mr. Sailer has spoken and written widely on employment law and anti-corruption issues. He has authored many publications including the treatise California Employment Litigation: Strategies and Tactics for Lexis Law Publishing. He served on the Editorial Review Board for the Matthew Bender Periodical California Employment Law Bulletin. He is also contributing author and consultant to the CEB treatises, Advising California Employers and Employment Law Compliance for New Business. In addition, Mr. Sailer has served as a guest lecturer for the University of San Diego Law School, California Western School of Law, San Diego State University and the San Diego State University College of Extended Studies.

Mr. Sailer graduated from Swarthmore College with Honors in Economics. He received his J.D., *cum laude* from the University of Michigan Law School.

## Karen G. Schanfield

**SHAREHOLDER**  
**Fredrikson & Byron, P.A.**

kschanfield@fredlaw.com  
612.492.7357



Karen advises and represents employers on a broad range of workplace matters, including harassment, discrimination, non-compete agreements, retaliation, whistleblower claims, accommodation, down-sizing, leaves of absence, wage and hour compliance and union issues. Her clients include publicly traded companies, non-profit organizations, government entities and executives. Karen serves as national labor and employment counsel for companies with operations in several states.

Karen has handled several high profile matters, including the investigation of top public officials for alleged sexual harassment, the termination of executives for illegal conduct, and whistleblower claims. Her expertise includes leaves of absence, wage and hour issues, harassment, discrimination, disability and religious accommodation, retaliation, non-compete agreements, executive agreements and compensation, whistleblower claims and union matters.

Karen has over twenty-five years' experience working with health care providers, clinics, hospitals, long-term care facilities and other health care organizations. She has drafted and enforced physician employment and separation agreements and provides counsel on employment matters unique to the health care setting, such as HIPAA violations and the use of EMR. Karen also works closely with colleges and universities, advising on the denial of tenure and promotion, termination of faculty appointments, academic freedom claims and student matters.

Karen is a certified arbitrator and mediator. She has decided and helped parties resolve workplace issues involving claims of discrimination, harassment, retaliation, FMLA and other leave of absence issues, whistleblower claims, defamation, and wage and hour disputes.

### **EDUCATION**

- University of Minnesota, J.D., *cum laude*, 1978
- University of St. Thomas, M.A., *with honors*, 1972
- University of Minnesota, B.A., *magna cum laude*, 1971

### **BAR ADMISSIONS**

- Minnesota, 1978
- U.S. District Court, District of Minnesota, 1978
- U.S. Court of Appeals, Eighth Circuit, 1979

### **HONORS**

- *Best Lawyers'* "Lawyer of the Year" in Minneapolis Employment Law - Management, 2016
- *The Best Lawyers in America*, Employment Law – Management, Labor Law - Management, 2011-present
- Fellow, College of Labor and Employment Lawyers
- Member, American Employment Law Council
- Labor and Employment Law Specialist, certified by the Minnesota State Bar Association
- *Chambers USA: America's Leading Lawyers for Business*, Minnesota-Labor & Employment, multiple years
- *Minnesota Super Lawyers*, Super Lawyer-Employment & Labor, multiple years
- *Minnesota Super Lawyers*, "Top 50 Women in Minnesota," multiple years
- *Minnesota Super Lawyers*, "Top 40 Labor and Employment Law Attorneys," multiple years
- *Law and Leading Attorneys*, multiple years
- *Martindale-Hubbell*, AV Preeminent® Peer Review Rated, multiple years
- Minnesota State Bar Association, North Star Lawyer, 2013



## **Juana Schurman**

### **Senior Vice President Legal at Oracle, Compliance Officer North America & Canada**

Senior Vice President and Associate General Counsel managing global team with worldwide responsibility for employment law issues in a diverse and complex organization of approximately 130,000 employees in over 50 countries. Regional Compliance Officer for North America and Canada.

Specialties: Experience in a multitude of employment law issues including those related to wage and hour, discrimination, trade secrets, incentive plans, investigations, mergers and acquisitions, stock options, reductions in force, cross border claims, immigration, ERISA, change in control plans, works councils, noncompete agreements and OFCCP audits.

Joined Oracle in 1989 from Pillsbury Winthrop (formerly Pillsbury Madison & Sutro)

**Sally M. Sommers**  
**The Western Union Company**  
**Englewood, CO**  
**(720) 332-5236**

**Associate General Counsel,**  
**Global Employment, Benefits and Labor Law Group**

Sally Sommers is an Associate General Counsel and leads the Global Employment, Benefits and Labor Group for The Western Union Company which provides legal support for approximately 10,300 employees in 57 countries in the areas of employment, labor, compensation and benefits. Prior to the spin-off of Western Union from First Data Corporation in 2006, Ms. Sommers led the Global Employment, Benefits, and Labor Law Group of First Data Corporation, consisting of approximately 30,000 employees in 50 countries.

Previous experience includes 20 years as a business and employment attorney in various leadership roles for Chevron Corporation, as well as clerkships for the Missouri and Colorado Court of Appeals.

Ms. Sommers earned her B.A., *cum laude*, from the University of Notre Dame and graduated from the Saint Louis University School of Law.

## Biography, Carrie Dove Storer



Carrie Storer is Senior Vice President in the legal department of Discovery Communications, a publicly-traded media company reaching more than 150 billion cumulative subscribers in over 200 countries. Discovery has more than 130 television networks worldwide, led by the flagship Discovery Channel, with 7,000 employees in more than 40 countries.

Carrie's portfolio includes heading the global employment law team, serving as Discovery's corporate compliance officer, and leading Human Resources for Discovery's in-house production studios. On a day-to-day basis, Carrie handles a broad range of matters, including executive compensation, contract negotiations, talent issues and internal investigations. Carrie joined Discovery in September 2008 as Discovery was completing the transaction to become a public company.

Carrie graduated from Georgetown University Law Center in 1994 and spent three years on active duty with the U.S. Army JAG Corps. Carrie also practiced as an employment litigator in several large law firms and worked as in-house employment counsel for The Dow Chemical Company for six years.

Carrie lives in Kensington, Maryland, with her husband and two children.



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SHAWNA M. SWANSON has been practicing employment law in California since 1993, when she graduated with honors from Harvard Law School. She began her legal career with Sidley & Austin in Los Angeles, and in 1996 joined Fenwick & West LLP in Palo Alto. In 2000, Ms. Swanson became a partner with Fenwick & West and in 2002 she started up the firm's employment Law practice in its growing San Francisco office. Ms. Swanson served as Hiring Partner, Associate Review Chair, and a member of the Diversity Counsel.

While handling all aspects of employment law, Ms. Swanson's representation of her largely technology-based clients focused on trade secret litigation and wage and hour class actions. She also conducted hundreds of training sessions on sexual harassment and managing within the law, handled several high profile sexual harassment matters, and spoke regularly on employment law topics with organizations including the National Employment Law Institute.

In 2006, Ms. Swanson left law firm practice to become Vice President, Counsel for The Walt Disney Company and in 2012 was promoted to Associate General Counsel. She serves as employment counsel for all businesses across the Disney family of companies, including Walt Disney Studios, Parks & Resorts, ABC, ESPN, Disney Consumer Products, Marvel and most recently Lucasfilm. Ms. Swanson serves as chief counsel to the Executive Vice President and Chief Human Resources Officer and provides employment advice, manages litigation, and handles executive employment agreements across the Disney enterprise.

Ms. Swanson has tried many employment cases to verdict, including while at Disney – co-chairing (with outside counsel) a sexual harassment case, which resulted in a unanimous defense verdict.



**Matthew E. Swaya**  
Senior Vice President  
Chief Ethics and Compliance Officer  
Business Ethics and Compliance  
Labor and Employment, and EEO Initiatives

Matthew E. Swaya, Chief Ethics and Compliance Officer, joined Starbucks Coffee Company in 1997. He has led the Employment Practice Group, the Litigation Practice Group responsible for non employment litigation and the Commercial Practice Group, responsible for supporting the company's major business transactions and contracts with suppliers, vendors and business partners.

In his role as Starbucks CECO, Matt sets the vision and direction for the ethics and compliance function, working with senior leaders and the Audit & Compliance Committee of the Board of Directors to align on strategies in support of the company's values. Starbucks Business Ethics and Compliance is comprised of partners (employees) across the globe working to promote ethical business practices and support Starbucks culture and values. Matt and his team develop and implement programs and initiatives such as risk assessments; enterprise policy management; training; reporting; conducting investigations; consulting with leaders and managing the company's legal and regulatory risks.

In addition to leading Starbucks Business Ethics and Compliance Team, Matt serves as the senior vice president and principal lawyer for Starbucks global labor and employment matters (litigation and counseling) and is the primary lawyer to, and member of, the Partner Resources Leadership Team. Matt is also a leader in Starbucks Department Law and Corporate Affairs.

Matt is an elected Fellow of the College of Labor and Employment Lawyers, Class of 2009.

Prior to joining Starbucks, Matt was a partner at Lane Powell, LLP in Seattle, Washington. Previously, he worked as a director, Labor Relations for both Pan American World Airways and Trans World Airlines in New York. Matt obtained his Bachelor of Science degree in Industrial and Labor Relations from Cornell University and earned his Juris Doctorate degree from Brooklyn Law School.

**About Starbucks**

Since 1971, Starbucks Coffee Company has been committed to ethically sourcing and roasting the highest quality *arabica* coffee in the world. Today, with stores around the globe, the company is the premier roaster and retailer of specialty coffee in the world. Through our unwavering commitment to excellence and our guiding principles, we bring the unique *Starbucks Experience* to life for every customer through every cup. To share in the experience, please visit us in our stores or online at [starbucks.com](https://www.starbucks.com).

Dr. Thornton, a Managing Director of ERS Group, joined the firm in 1986. She is a labor economist specializing in the analysis of employment and credit decisions and has testified as an expert witness in Federal court, state court and administrative hearings. She has prepared economic and statistical analyses involving allegations of gender, race, ethnicity, and age discrimination in a variety of employment practices including selection, termination, and compensation, as well as Fair Labor Standards Act compliance. Dr. Thornton has performed analyses for employers both proactively and in response to litigation and OFCCP audits.

In addition to her research of labor economics, Dr. Thornton has also studied customer characteristics as they relate to the ability to obtain credit and their effect on the terms of credit transactions, and has also been retained as an expert witness in voting rights matters.

Some of the matters in which Dr. Thornton has been involved are: *Bowen, et al. v. Washington Suburban Sanitary Commission, et al.*, *The Equal Rights Center v. Richman Property Services, Inc., et al.*, *Rhodes, et al. v. Cracker Barrel*, *McDermott, et al. v. Cracker Barrel*, *Rodriguez, et al. v. Ford Motor Credit*, and *Crum, et al. v. State of Alabama*.

Dr. Thornton has been an adjunct professor of quantitative methods and statistics at Florida State University. She has also published in the *Journal of Legal Economics* and the *Journal of Forensic Economics* and co-authored a chapter in the anthology [Developments in Litigation Economics](#). Dr. Thornton is often asked to speak before legal, human resources, and corporate groups. Dr. Thornton holds doctoral and master's degrees in economics from the Florida State University. She also has a bachelors' degree from the University of Central Florida in economics and political science.





**Trishanda Treadwell**

Trish Treadwell is a partner with Parker Hudson Rainer & Dobbs LLP's Litigation and Employment practice group. She represents clients in state and federal courts in commercial litigation, primarily including employment and franchise law disputes, but also including UCC and other banking litigation and general complex commercial litigation and arbitration.

Trish provides counseling, general advice, and litigation representation on a panoply of employment-related issues. Trish represents clients before the Equal Employment Opportunity Commission, the Georgia Department of Labor, and FINRA, as well as in state and federal courts. Representative engagements include claims for discrimination and retaliation based on age, gender, race, religion, and disability; breach of employment agreements; alleged violations of federal and state wage and hour and leave laws; and advice regarding employment handbooks, policies, trade secrets, non-competes and other restrictive covenants, and executive and employee agreements. Trish is actively engaged in the legal community as both a speaker and writer at various industry and bar association conferences and seminars.

As part of her franchise law practice, Trish represents and advises franchise systems in the hotel and quick-service restaurant sectors among others. She has represented franchisors in actions to enforce franchise agreements against franchisees, in actions by third parties asserting employer-based and other vicarious liability claims against the franchise system, and in more complicated matters involving system-wide class actions and RICO claims. The recent movements by the NLRB to try to designate franchisors as responsible for franchisees' employees have created an interesting intersection for employment and franchise law practices, and Trish is uniquely positioned to provide counseling and representation on that issue.

Trish graduated with honors from Atlanta-based Oglethorpe University with a Bachelor of Arts in English. She recently concluded her eighth and final year (for now) as a member of the Board of Trustees for the University. After a three-year stint teaching, Trish attended and graduated with honors from Georgia State University College of Law. She currently serves on her law school alma mater's Board in addition to service on the Board and Executive Committee of the non-profit Trees Atlanta and on the Advisory Council for the Atlanta Legal Aid Society. Trish is also the new president of the national leadership organization, the Leadership Institute for Women of Color Attorneys.



## Dr. Gerlind Wisskirchen

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### Focus

Gerlind Wisskirchen is a specialist lawyer in the area of labor and employment law with a special focus on advising international corporations. The excellence of her advice lies in her profound understanding of the business environments of her clients and her strategic, precise, clear recommendations. She and her team are performance-driven and strive to forge workable and strategic business solutions to real-world problems so that clients can achieve their business objectives. Part of this advice is project management, i.e. understanding the relevant factors, defining the goals, selecting the best methods and tools, and on precise implementation of the set objectives. Gerlind Wisskirchen advises multinational corporations notably on the issues of reorganization, national and international labor and employment law and compliance. She provides support to management – as a strategic advisor or member of the supervisory/advisory board – from the HR and labor and employment law perspective when business plans and strategies are being developed.

In a globalized world in which national borders are increasingly diminishing and corporations are facing global challenges, she has particular expertise in cross-border projects like business reorganizations (outsourcing, off-shoring), compliance issues, cross-border compensation programs, cross-border audits and internal investigations, board level co-determination, matrix structures of multinational corporations, the European works council, the implementation of codes of conduct and whistleblowing systems, the posting of employees and data privacy protection issues. She developed the "EU Labor & Employment Law Navigator", a comparative analysis of the labor and employment law systems in Europe.

Gerlind Wisskirchen is a regular moderator and panelist at national and international conferences on the legal issues of international HR management and on issues of cross-border Labor and employment law, like, for example at the International Bar Association, the American Bar Association and the American Employment Law Council. She is a lecturer for the MBA program "International Human Resources Management" at Cranfield University, UK, one of the leading European business schools. She has published numerous articles in German and English.

### Resume

Studied law at the University of Bonn, the University of Lausanne, Switzerland and Georgetown University, USA. PhD in 1993 on "Indirect Discrimination in Employment (Disparate Impact Cases): USA – Europe". Student and graduate scholar of Konrad-Adenauer-Stiftung. Worked for two U.S. law firms (1991-1992, 1995) and for the international department of the German Treasury (1995-1998). Joined the law firm in 1998 to strengthen the international section of the labor and employment law team.

### Languages

German, English, French

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