



→ Jonathan E. Clark

Partner

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Jonathan Clark is a partner in the Labor and Employment Practice Group in the firm's Dallas office.

Areas of Practice

Jonathan knows that no two cases are the same and that the key to effective representation is found through personal commitment and business insight into each matter he handles. He believes that the best way to accomplish this is with a deep and thorough understanding of the facts and circumstances surrounding each client's case, and of the impact the case can have on the client's overall business performance and goals. This approach allows him to craft effective strategies throughout the litigation process that meet each client's needs. His experience and insight related to complex commercial and labor and employment litigation can provide value to clients involved in any stage of the litigation process, including case management, complex discovery, motion practice, depositions, hearings and trials.

Jonathan regularly litigates on behalf of employers in both state and federal court, and in jurisdictions across the country. His former representation includes both single-plaintiff and class-action cases. Additionally, Jonathan understands the value of alternative dispute resolution; he has achieved positive results for clients in mediation and arbitration proceedings. Moreover, he knows that the best client results often come from preventing litigation altogether. With this in mind, Jonathan often counsels employers in such crucial areas as employee handbook development and workplace policies and procedures, and he oversees highly sensitive internal workplace investigations.

Over the course of his career, Jonathan has honed his skills in numerous practices areas critical to the labor and employment space, including:

- harassment;
- retaliation discrimination on the basis of age, sex, race, orientation, gender identity, national origin and disability;
- FLSA and state-law wage and hour claims;
- Worker Adjustment and Retraining Notification (WARN) Act violations;
- enforcement of non-competition agreements;
- drafting and editing employee handbooks;
- workplace investigations; and
- responses to EEOC charges.

Along with counseling and litigating on behalf of clients with labor and employment needs, Jonathan is experienced in business and commercial litigation matters. In these cases, he achieved successful outcomes for clients seeking to enforce contracts, protect confidential business information and trade secrets, enforce fiduciary obligations and minimize company liability. Importantly, Jonathan's deep understanding of how complex commercial cases proceed allows him to provide counsel to clients in the areas of document collection and preservation and electronic discovery; which can result in more accurate litigation budgeting and can limit unnecessary and avoidable discovery-related litigation costs.

And when a resolution is reached, Jonathan understands the absolute necessity of drafting iron-clad settlement agreements that protect each clients' interests moving forward in the months and years after litigation has ended.

Honors

Ones to Watch – Labor and Employment, *Best Lawyers*, 2021-2024

Articles

- How SCOTUS 'Shook the Rails' on State Court Jurisdiction
The Texas Lawbook, 07.12.2023
- Justices' Jurisdiction Ruling Could Increase Business Liability
Law360, 06.02.2022
- OSHA Emergency Temporary Standard Survival Guide
12.22.2021

Corporate & Securities Law Blog Posts

- "Texas Revolution: State Legislature Creates New Business Court System to Handle Significant Commercial Disputes," July 28, 2023

Labor & Employment Law Blog Posts

- "FTC Votes to Ban Noncompete Agreements," April 24, 2024
- "Supreme Court Eases Burden for Title VII Plaintiffs Challenging Transfer Decisions," April 19, 2024
- "Fifth Circuit Upends 30 Years of Title VII Precedent, Making it Easier for Employees to Bring Discrimination Claims," August 21, 2023
- "Missed Assignments: The Importance of Assignability Clauses in Restrictive Covenant Agreements," February 21, 2023
- "What Employers Need to Know in a Post-Dobbs Landscape," August 3, 2022
- "OSHA Emergency Temporary Standard Survival Guide," December 22, 2021
- "COVID Confusion: Texas Governor Issues Executive Order Effectively Banning Vaccine Mandates," October 14, 2021

- "New Texas Law Expands Employee Rights and Employer Liability for Sexual Harassment Claims," September 2, 2021
- "Go Home, Dallas: County Enacts 'Shelter in Place' Order in Wake of Pandemic" March 23, 2020
- "Title VII Reversal: Fifth Circuit Holds No Transgender Protections Under Civil Rights Statute," June 26, 2019
- "EEOC Data Confirms #MeToo's Impact: Six Keys for Employers in the Wake of This Powerful Cultural Moment," October 31, 2018
- "Uber Drivers' Class Action Lawsuit Hits Permanent Red Light," April 24, 2018
- "Texas Federal Court Rules That Anti-Discrimination Statute Protects Transgender Individuals," April 19, 2018

Trade Secrets Law Blog Posts

- "Signed, Sealed, Delivered? Fifth Circuit Finds Sealing of Sensitive Information Requires Far More Than a Protective Order," May 9, 2022
- "Protecting Trade Secrets During An Acquisition: Showing Off The Goods Without Giving Away The Store," June 1, 2020

Media Mentions

Builder Ends EEOC Suit Accusing it of Firing White Worker
Law360, 04.16.2024

Sheppard Mullin Team Receives Litigator of the Week Honor in Falcon Healthcare Case
ALM, 01.12.2024

Speaking Engagements

"Should I Stay or Should I Go: Drafting and Enforcing Non-Competition and Non-Solicitation Restrictions in Texas," The Virtual HRSouthwest Conference, October 7, 2020

Events

The FTC's Rule Banning Noncompetes is Final: What Do We Do Now?
Webinar, 05.07.2024

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes
Webinar, 06.22.2022

Do We Still Have A Deal? An Overview of Force Majeure and "Impossibility" In Texas Contracts
Webinar, 03.26.2020

Cross-Examining the Plaintiff in Employment Harassment and Discrimination Cases
Strafford Webinar
08.21.2019

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes
Strafford Webinar
12.04.2018

Workplace Religious Accommodations: Practical Guidance for Employers
Clear Law Institute Webinar
05.29.2018

Podcasts & Webinars

The FTC's Rule Banning Noncompetes is Final: What Do We Do Now?
05.07.2024

Do We Still Have A Deal? An Overview of Force Majeure and "Impossibility" In Texas Contracts
03.26.2020

Practices

Discrimination, Harassment, and Retaliation

Handbooks and Personnel Policies

Harassment Investigation and Training

Labor and Employment

Labor and Employment Counseling

Labor and Employment Litigation

Litigation

Unfair Competition and Trade Secrets

Wage and Hour Class Actions

Wage and Hour Regulations

Education

J.D., Texas A&M University School of Law, 2009, Dean's List

B.A., Southwestern University, 2004

Admissions

Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Western District of Texas