



→ Jonathan Stoler

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Jon Stoler is a partner in the Labor and Employment Practice Group in the firm's New York office and former Global Practice Group Leader, serving in this role from 2010 through the end of 2023. During his 14 year tenure, Jon was responsible for doubling the size of the practice group, growing it into one of the largest management-side labor and employment practices in the world. Today, Jon leads the practice group's international labor and employment platform, representing multi-national clients around the globe in a variety of litigation and transactional matters.

Areas of Practice

Jon's practice encompasses a wide range of labor and employment matters, including the defense of single plaintiff and class action discrimination, non-competition and trade secret matters, employment contract, whistleblower, sexual harassment, wrongful discharge, wage/hour claims and related claims. Jon is also frequently called upon to lead high-stakes internal investigations and compliance inquiries for U.S. and foreign corporations worldwide.

Jon regularly represents clients in labor and employment litigations in federal and state courts, in arbitrations before the American Arbitration Association and the Financial Industry Regulation Authority, and in proceedings before various administrative agencies, including the Equal Employment Opportunity Commission, the U.S. Department of Labor and state agencies throughout the United States. He also represents clients in collective bargaining negotiations, labor arbitrations and all stages of the labor election process, including election campaigns and hearings before the National Labor Relations Board.

Jon regularly counsels both domestic and international clients regarding the preparation and administration of personnel policies and provides advice to clients regarding reductions-in-force, discipline and discharge, employee disability and leaves of absence issues. He also advises management on the labor aspects of mergers and acquisitions and the extraterritorial application of U.S. laws.

Jon is published and quoted frequently on a variety of employment law issues in major academic and business publications such as the *National Law Review*, *The New York Law Journal*, *The Metropolitan Corporate Counsel* and *Employment Law 360*, and is a frequent speaker at national and international programs.

Honors

Best Lawyers in America, *Best Lawyers*, 2024

Leading U.S. Corporate Employment Lawyers, *Lawdragon*, 2015-2024

Labor and Employment Star – Northeast, *Benchmark Litigation*, 2020-2023

Jon led the Sheppard Mullin team, which was recognized in the *Financial Times* 2019 North America Innovative Lawyer Report, for a joint project with Syndio to address and remediate workplace pay disparities.

Annual Gala Honoree for Exceptional Pro Bono Service, Brooklyn Bar Association's Volunteer Lawyers Project, 2018

Nation's Most Powerful Employment Attorneys, *Human Resource Executive*, 2015-2019

Jon has consistently been recognized by *The Legal 500* as among the best labor lawyers in the U.S.

New York Super Lawyer, *Super Lawyers*, 2013-2022

Experience

Representative Clients

Ares Management: Jon leads a global team that represents Ares on its employment law matters throughout the world.

BSE Global/The Brooklyn Nets: This client regularly looks to Jon to represent it in a variety of employment litigation and counseling matters.

Excel Sports Management: Jon lead a litigation team that secured a preliminary appellate injunction on behalf of this industry-leading sports management and marketing agency against a competitor and former executive, enjoining him from working at a competitor for eight months and from disclosing, using, or relying on client's confidential information and trade secrets.

Williams Sonoma: Jon obtained summary judgment and defeated motion for class certification in wage and hour class action brought by drivers hired by third-party trucking companies and providing delivery services to Williams Sonoma customers.

U.S. Bank: Jon obtained summary judgment and complete dismissal of all claims filed by a former municipal bond banker asserting unequal pay claims under the EPA, and race and gender discrimination and retaliation claims under Title VII and its state and local analogs. He has represented this client in multiple employment litigations including, but not limited to, promissory note recoupment and restrictive covenant enforcement matters.

Zeta Global: Jon prevailed on motion for summary judgment on behalf of Zeta Global in a case brought by a female sales executive alleging fraudulent representations to induce her to join the company, breach of contract relating to commission payments, gender discrimination in pay, hostile work environment, and retaliation and constructive discharge. Jon also argued against the plaintiff's appeal of the lower court's dismissal, which was affirmed by the Fourth Circuit Court of Appeals.

Tod's: Jon serves as U.S. employment counsel for this Italian-based retailer.

Israel Discount Bank: Jon obtained summary judgment in multi-plaintiff action on behalf of Israel Discount Bank resulting in dismissal of 18 causes of action alleging race, color, gender, religious and ethnicity discrimination and retaliation under Title VII, Section 1981, the New York State Human Rights Law and the New York City Human Rights Law.

TP ICAP (f/k/a Tullett Prebon): Jon obtained a complete victory in a case spanning three years against a former employee and their current employer for breach of contract, breach of fiduciary duty, and tortious interference with contract. After a 3-day arbitration, the FINRA panel awarded approximately \$2 million in damages and attorneys' fees and dismissed the employee's counterclaims with prejudice. He also obtained a complete defense verdict in a case seeking to hold TP ICAP liable for multi-million dollar bonuses claimed by risk arbitrage brokers. Jon continues to represent this client, one of the world's largest interdealer brokers, in employment matters throughout the US.

CA, Inc. (f/k/a Computer Associates): Jon successfully represented CA, Inc. in obtaining summary judgment against a former sales executive asserting claims of marital status and national origin discrimination, claims for unpaid commissions and severance, and claims for unjust enrichment and promissory estoppel.

Holsa/EXSA Americas: Jon successfully defended this client and its president against claims of pregnancy discrimination and race discrimination, obtaining a complete dismissal of all claims on a motion for summary judgment.

Mulberry: Jon serves as U.S. employment counsel for this UK-based retailer.

Orient Express Hotels/"21" Club: Jon successfully represented this client in a wage and hour collective action alleging overtime and other claims asserted under the Fair Labor Standards Act and New York Labor Law.

Sun Chemical Corporation: Jon obtained a complete dismissal of breach of contract and ERISA claims asserted by the International Brotherhood of Teamsters, saving Sun Chemical millions of dollars in potential liability.

Articles

- 10 Labor and Employment Considerations In Esports
Law360, 06.06.2019
- Remediating Risks Revealed in a Pay Equity Audit: Part III
Corporate Counsel, 04.12.2019
- Pay Equity Audits as a Risk Identification Tool: Part II
Corporate Counsel, 04.11.2019
- Recognizing and Remediating Gender Pay Equity Issues in the Workplace: Part I
Corporate Counsel, 04.10.2019
- Emerging Trends In State And Local Equal Pay Efforts
Law360, 10.22.2018
- Overcoming Confusion For Franchisors
New York Law Journal, 08.11.2014
- Developing Social Media Policies That Survive NLRB Scrutiny
New York Law Journal, 03.10.2014
- Developing Social Media Policies That Survive NLRB Scrutiny
New York Law Journal, 03.07.2014
- Fears Of A Double-Dip Recession And Managing Workforce Reductions
The Metropolitan Corporate Counsel, 11.2011
- The Social Media Revolution: Recent Developments And Guidelines For Employers To Consider
The Metropolitan Corporate Counsel, 12.2010

- New Hurdles for N.J. Employers Seeking To Comply with Paid Leave Law
Society for Human Resource Management, 01.2010
- Employers Face Crackdown On Misclassification
Employment Law360, 08.13.2009
- Federal and New York State Minimum Wage Increases to \$7.25 Per Hour on July 24, 2009; Minimum Wage for Tipped Restaurant Servers and Other Servers Increases to \$4.65
Human Resource Executive, 07.24.2009
- Some Employers Are Seeking Alternatives to Layoffs
Work force reductions are expensive and can hurt a company's future.
The National Law Journal, 04.27.2009
- New York WARN Act Goes Into Effect On February 1, 2009
01.15.2009
- ADA Amendments Act of 2008 Signed Into Law
09.25.2008
- Enforcing Restrictive Covenants in Times of Layoffs
Can employees have their cake and eat it too?
New York Law Journal, 08.11.2008
- New York Statute Bars Non-Competition Provisions in the Media Industry
08.06.2008
- Court Upholds Unequal Wage Suit Based Upon Unfair And Unequal Shift Assignments Brought By Female Server At Manhattan Restaurant
07.21.2008
- Supreme Court Affirms Right To Sue For Retaliation Under §1981
Extends Life of Plaintiff's Claim and Potential for Damages
05.27.2008
- High Court Could Reshape Employment Practices
Employment Law360, 01.15.2008
- Work Force Reductions
New York Law Journal, 08.16.2007
- Structuring Effective FLSA Audits: In-house And Outside Counsel Can Partner On Wage-and-Hour Reviews Under Fair Labor Standards Act
The National Law Journal, 05.21.2007

Global Trade Law Blog Posts

- "Dodd-Frank Whistleblower Protection: For America Only," November 13, 2013

Labor & Employment Law Blog Posts

- "FTC Votes to Ban Noncompete Agreements," April 24, 2024
- "EEOC Announces Decision to Collect 2017 Employee Pay Data, in Addition to 2018 Pay Data, by September 30, 2019," May 6, 2019

- "Employers Must Provide Pay Data to EEOC by September 30," April 26, 2019
- "Massachusetts – The Latest Jurisdiction to Update Its Pay Equity Laws," August 18, 2016
- "Second Circuit Rules that a "Bare-Bones" Complaint Rephrasing the Text of the FLSA is Insufficient to State an Overtime Claim," August 7, 2013
- "New York State Wage Theft Prevention Act Notice Requirement," January 23, 2012
- "Connecticut Becomes First State to Mandate Paid Sick Leave," July 20, 2011

Media Mentions

Litigator of the Week Runners-Up and Shout Outs
The American Lawyer, 06.03.2022

4 Key Considerations for Corporate Counsel Facing Layoffs Like Bayer, GM
Corporate Counsel, 11.28.2018

HR's #MeToo Movement
Time for New Thinking on Training
Lawdragon / Human Resource Executive, 06.2018

Brooklyn Bar Association's Volunteer Lawyers Project honors two attorneys during annual gala
Brooklyn Daily Eagle, 05.31.2018

How One Company (With Help From Sheppard Mullin) Has Raked in \$145 Million from Enforcing Its Employment Agreements
The American Lawyer, 07.26.2017

Williams-Sonoma Dodges NJ Delivery Workers' Overtime Suit
Law360, 03.17.2016

Modell's Gets Initial Nod On Overtime Settlement
Law360, 10.17.2014

Q&A With Sheppard Mullin's Jonathan Stoler
Law360, 03.27.2013

WARNing Employees
Human Resource Executive, 02.11.2009

Speaking Engagements

"Legal Issues to Consider in a COVID-19 World," Virtual Reality Location-based Entertainment Summit, October 15, 2020.

"Regulatory Update: A Review of New York State's New EEO/Anti-Sexual Harassment Laws," Goldman Sachs 13th Annual Hedge Fund HCM Seminar, New York, New York, October 3, 2018

"FLSA/Wage and Hour Issues in US Sports," Sports Lawyers Association 43rd Annual Conference, Denver, Colorado, May 19, 2017

"How the U.S. Presidential Election and the Current Economy Will Impact Labor and Employment Laws in 2013 and Beyond," Labor and Employment Year in Review, New York, New York, November 15, 2012

"Labor & Employment Law Update," New York, New York, May 9, 2012

"Labor & Employment Law: 2011 Year In Review," New York, New York, November 3, 2011

"Labor and Employment Issues Relating to the Negotiation of International Recruitment and RPO Contracts, and the Facilitation of Overseas Office Openings," APSCo-Henley Business School Executive Conference, London, England, October 7, 2011

"Labor & Employment Law Update: Spring 2011 Seminar," New York, New York, May 19, 2011

"Labor & Employment Law Update: 2010 Year in Review," New York, New York, November 10, 2010

"Labor & Employment Law Update: Leading Court Decisions and Key Legislative Developments in 2010," New York, New York, May 13, 2010

"Labor & Employment Law Update: 2009 Year in Review," New York, New York, November 5, 2009

"Labor & Employment Law Update: The First 100 Days of the Obama Administration," New York, New York, May 21, 2009

"The Perfect Storm: How the U.S. Presidential Election and Recent Economic Events Will Impact Labor and Employment Laws in 2009 and Beyond," New York, New York, November 6, 2008

"Critical Employment Law Issues to Consider In a Turbulent Economy," New York, New York, June 12, 2008

"Preventing Employment Discrimination in New York," Lorman Education Services, New York, New York, March 26, 2008

"Implementing Workforce Reductions: Strategies & Considerations," Continuing Legal Education Program, New York, New York, November 6, 2007

"New York Employment Law from A-Z," Lorman Education Services, New York, New York, December 1, 2005.

"An Overview of U.S. Labor Laws," National Car & Truck Rental Conference, Las Vegas, Nevada, September 12 – 14, 2005

"Employee Leaves of Absences: The ADA, FMLA, STD and WC Dilemma," Continuing Legal Education Program, New York, New York, September 29, 2004

"Duty of Loyalty and Non-Competition Agreements: A Discussion on Duty of Loyalty and Non-Competition Issues, with emphasis on Successor Enforcement, Temporal and Geographical Limitations and Assignability," American Bar Association's 2003 Annual Meeting, San Francisco, California, August 9, 2003

Events

Labor & Employment Law Update - Year In Review

Studio Gather 45 Rockefeller Plaza, New York, NY 10020, 11.02.2023

Sheppard Mullin's Labor & Employment Law Spring Update

The Future of Work Is Here Now

Sheppard Mullin New York Office, 05.23.2023

Here Come the Feds! Examining the FTC's Proposed Ban on Noncompetes From a Practical Perspective
Webinar, 02.09.2023

Sheppard Mullin's Labor & Employment Law Update - Year In Review

Convvene, New York, 11.08.2022

Sheppard Mullin's Labor & Employment Law Update - Year In Review

Webinar, 11.16.2021

Sheppard Mullin's Labor & Employment Law Spring Review

Webinar, 05.25.2021

Taking a Shot at COVID-19: What Employers Need to Know About Vaccinating their Workforce

Webinar, 01.14.2021

Sheppard Mullin's Labor & Employment Law Update - Year In Review

Webinar, 11.12.2020

Getting Back to Business Webinar Series (Part 2)

Planning and Best Practices for Employers in a Changed Workplace

Webinar, 05.28.2020

Getting Back to Business Webinar Series (Part 1)

Planning and Best Practices for Employers in a Changed Workplace

Webinar, 05.21.2020

Labor & Employment Law Update - Year in Review - New York

Fall 2019

Convvene, 11.14.2019

Labor and Employment Law Spring Update - New York

Spring 2019

05.22.2019

Labor & Employment Law Update - Year in Review - New York

Fall 2018

10.30.2018

Labor & Employment Law Update

New York

06.07.2018

Labor & Employment Law Update - Year in Review
New York Fall 2017
11.15.2017

Labor & Employment Law Update - New York
Spring 2017
05.23.2017

Sheppard Mullin's Fall 2016 Labor & Employment Year in Review
Grand Hyatt New York, 11.14.2016

Sheppard Mullin's Spring 2016 Labor & Employment Law Update
06.22.2016

Sheppard Mullin's Labor & Employment Year In Review
11.19.2015

Sheppard Mullin Seminar For The New York Korea Trade-Investment Promotion Agency ("KOTRA")
Protecting Your Business Interests: How to Successfully Operate a Business Under the Laws of the United States
08.28.2015

Sheppard Mullin's Spring 2015 Labor & Employment Law Update
05.05.2015

Labor & Employment Law Update - Spring 2014
06.09.2014

2013 New York Labor & Employment Year In Review
Grand Hyatt New York, 11.05.2013

2013 New York Labor & Employment Update
Grand Hyatt New York, 06.19.2013

2012 Labor and Employment Year in Review
How the U.S. Presidential Election and the Current Economy Will Impact Labor and Employment Laws in 2013 and Beyond
Grand Hyatt New York, 11.15.2012

Labor & Employment Law Update 2012
The W Hotel, New York, 05.09.2012

Labor & Employment Law: 2011 Year In Review
New York
The W Hotel, 11.03.2011

Labor & Employment Law Update - Spring 2011
Sheppard Mullin New York, 05.19.2011

Labor & Employment Law Update: 2010 Year in Review
W New York, 11.10.2010

Spring 2010 - Labor & Employment Law Update
W New York 541 Lexington Avenue (Between 49th and 50th), 05.13.2010

Labor & Employment Law Update: 2009 Year in Review
W New York, 11.05.2009

A Perfect Storm: How the U.S. Presidential Election and Recent Economic Events Will Impact Labor and Employment Laws in 2009 and Beyond
Four Seasons Hotel, New York, 11.06.2008

Critical Employment Law Issues to Consider In a Turbulent Economy
For HR Practitioners and General Counsel
Grand Hyatt New York - Park Avenue at Grand Central Terminal, 06.12.2008

Podcasts & Webinars

Labor & Employment Law Update - Year In Review
11.02.2023

Labor & Employment Update - The Future Of Work is Here Now
05.23.2023

Sheppard Mullin's Labor & Employment Law Update - Year in Review (New York)
11.08.2022

Sheppard Mullin's Labor & Employment Law Update - Year In Review
11.16.2021

Labor & Employment Spring Update
05.25.2021

Taking a Shot at COVID-19: What Employers Need to Know About Vaccinating their Workforce
01.14.2021

Sheppard Mullin's Labor & Employment Law Update - Year In Review
11.12.2020

Getting Back To Business Webinar Series: Session Two
05.28.2020

Getting Back to Business Webinar Series: Session One
05.21.2020

Practices

Affirmative Action

Discrimination, Harassment, and Retaliation
Employee Hiring/Discipline/Termination
Employee Privacy and Defamation
Employment Agreements
Handbooks and Personnel Policies
Harassment Investigation and Training
Health and Safety Regulations/OSHA
High-Technology Employment
Labor and Employment
Labor and Employment Counseling
Labor and Employment Litigation
Labor Union Management Relations
Litigation
Public Works and Prevailing Wage Law
Stock Option Litigation
Trade Secrets
Unfair Competition and Trade Secrets
Wage and Hour Class Actions
Wage and Hour Regulations
Workplace Violence
Wrongful Termination

Industries

Entertainment, Technology and Advertising
Esports & Games
Financial Services
Hospitality
Retail, Fashion & Beauty
Sports

Education

J.D., Brooklyn Law School, 1995
B.A., SUNY Buffalo, 1991

Admissions

New York

New Jersey

United States Court of Appeals for the Second Circuit

United States Court of Appeals for the Third Circuit

United States District Court for the Southern and Eastern Districts of New York

United States District Court for the District of New Jersey

United States District Court for the District of Connecticut