



→ Stephen E. Fox

Partner

2200 Ross Avenue
20th Floor
Dallas, TX 75201

T: +1.469.391.7403

F: +1.469.391.7551

sfox@sheppardmullin.com

Stephen Fox is a partner in the firm's Labor and Employment and Business Trial Practice Groups in the firm's Dallas office.

Areas of Practice

Steve has spent more than 25 years in boardrooms and courtrooms acting as a trusted advisor and litigation advocate for clients – from Fortune 500 corporations to entrepreneurs – in complicated and often high-profile business and employment disputes. Consistently recognized by peers and clients in state and national surveys as a “go-to” courtroom advocate, Steve is the only lawyer in Texas to be inducted as a Fellow into the nationally prestigious College of Labor and Employment Lawyers and selected by his peers as one of the top 100 attorneys in Texas.

Steve's advice/counseling and trial practice is focused on complex business and employment litigation. His business litigation experience includes trying cases involving:

- theft of intellectual property;
- breaches of contract and fiduciary duties;
- business torts (fraud, unfair competition and defamation);
- corporate espionage;
- whistleblowing and *qui tam* actions; and
- securities fraud.

One of Steve's cases is enshrined in the Texas Jury Trial Hall of Fame. In that case, Steve led the trial effort of a renowned computer-game developer and company executive against one of the world's largest video game publishers for breaching a stock option agreement, securing a jury verdict of \$28 million (and a judgment of \$32 million). *The National Law Journal* identified the award as one of the Top Verdicts in the country.

In the area of labor and employment law, clients look to Steve for proactive and practical recommendations to avoid litigation. But, when disagreements or disputes end up in the courtroom or in arbitration, Steve is a vigorous advocate, successfully trying cases in a myriad of areas, including:

- non-competition violations;
- trade secret theft;

- executive departures;
- wage and hour compliance and collective actions;
- corporate downsizing;
- leaves of absence (ADA and FMLA);
- sexual harassment investigations; and
- compliance with federal/state anti-discrimination and retaliation statutes.

Steve's recent defense of one of the country's largest grocery retail merchandising brokers in a wage and hour collective action helped secure *Texas Lawyer's* "Litigation Section of the Year" award. In that case, 50 former employees sought to secure collective action status to represent a class of potentially 20,000 employees. After extensive discovery and briefing, the court summarily rejected the plaintiffs' efforts to conditionally certify the class.

Steve's ability to synthesize complex facts and arguments into understandable and memorable pieces of information makes him a compelling courtroom advocate, as well as a frequent resource to print, broadcast and radio media. He often appears on local television and radio stations and is quoted or mentioned in many national publications, including *Law360*, *Washington Post*, *The Wall Street Journal*, *Dallas Morning News*, *Houston Chronicle*, *Austin American-Statesmen*, *The Bureau of National Affairs*, *The National Law Journal*, *Christian Science Monitor*, *American Way Magazine*, *Entrepreneur Magazine*, *Modern Healthcare*, *Aventura*, *Orlando Business Journal*, *Dallas Business Journal* and Fort Worth Business Press.

Honors

Best Lawyers - Hall of Fame, *D Magazine*, 2022

Lawyer of the Year (Litigation – Labor & Employment), *Best Lawyers*, 2020

Best Lawyers in America (Litigation - Labor and Employment; Commercial Litigation), *Best Lawyers*, 2006-2024

Recommended Lawyer - Labor and Employment, *Legal 500*, 2019

Cannabis Law Expert, *Databird*, 2018

Labor and Employment Star, *Benchmark Litigation*, 2019-2023

Texas Super Lawyers, *Super Lawyers*, 2003-2023

Top 100 Attorneys in Texas, *Texas Monthly*, 2014-2018

D Magazine "Best Lawyers in Dallas," 2001, 2005, 2007-2023

Experience

Collective/Class Action Matters

- *Collective action*. Led defense of market-leading grocery retail merchandising broker in wage and hour collective action brought by 50 employees who sought to secure collective action status in New Jersey to represent a class of potentially 20,000 employees based on alleged off-the-clock work (including driving commute time, time spent working in retail stores and time spent performing administrative duties before beginning of and after completion of work day). After extensive discovery and briefing, court summarily rejected plaintiffs' efforts to conditionally certify class. The case helped secure *Texas Lawyer's* "Litigation

Section of the Year” award.

- *Class action.* Lead counsel for national IT consulting services company in a California state law wage and hour class action alleging off-the-clock work violations (including driving commute time, time spent working at client locations and time spent performing administrative duties before beginning of and after completion of work day), meal and rest break period violations and under-payment of expenses. After demonstrating material differences between prospective class members (2,800 employees), case settled.
- *Collective action.* Lead counsel in defending for-profit college system in collective action brought by outside sales representatives who claimed their positions were misclassified as exempt. After convincing California court (in a parallel action) to deny class certification status on the basis that sales representatives were exempt as “outside salespersons,” Texas Plaintiff dismissed her collective action allegations. Thereafter, court granted summary judgment on Plaintiff’s claim that employer had willfully misclassified her position. Soon thereafter, case was resolved.
- *Collective action.* Led defense of nationwide mortgage broker in lawsuit brought by brokers who alleged that they had been misclassified as exempt and sought to represent class of 250 employees. After extensive discovery and submission of dispositive motion, case settled.
- *Collective action.* Lead counsel for industry leading grocery retail merchandising brokers in defense of wage and hour collective action brought by retail sales representatives who alleged that employer required them to work off-the-clock and failed to compensate them for time spent driving to and from retail stores. Employees sought to conditionally certify a class of more than 15,000 full-time and part-time employees. After extensive discovery, the court granted employer’s motion to deny conditional certification.
- *Collective action.* Lead counsel for Fortune 100 semiconductor design/manufacturing company in lawsuit brought by current and former employees who claimed they were not properly compensated for time spent donning and doffing cleanroom attire and walking to and from workstations within company’s cleanroom facilities. Plaintiffs sought to certify class of more than 8,000 employees stationed at seven plants located in four states. Court denied Plaintiffs’ motion for conditional certification, and case was resolved.
- *Class/Collective action.* Lead counsel for market-leading retail grocery merchandising broker in state law class action filed in California alleging failure to pay current and former California-based sales representatives for all hours worked by them and to reimburse them for expenses incurred in performing duties, and issued deficient wage statements to them. Plaintiff sought to represent a class of approximately 4,500 employees. After extensive discovery and employer’s submission of dispositive motion, employees agreed to resolve claims.
- *ERISA class action.* Lead counsel in defending an ERISA class action brought by two pilots of an airline who claimed that airline and its benefits consulting firm breached fiduciary duties with regard to transferring their pension plans after their former employer was acquired by another airline. Obtained summary judgment, and Fifth Circuit affirmed on appeal.
- *Collective action.* Lead counsel representing market-leading grocery retail merchandising brokers in wage and hour collective action brought in Tennessee by sales representatives who asserted claims on alleged off-the-clock work. Plaintiffs sought to conditionally certify a class of more than 15,000 full-time and part-time employees. After extensive discovery, court denied Plaintiffs’ motion for conditional certification, and Plaintiffs declined to appeal.
- *Employment discrimination class action.* Assisted in defense of a putative class action filed by former employees of Dallas’ leading newspaper who claimed that black employees were systematically denied promotions on basis of race. Court denied Plaintiffs’ motion for class certification.

- *Employment discrimination class action.* Assisted in representing market-leading technology consulting businesses in defense of class action brought by nine former employees, alleging race discrimination and retaliation. After pursuing an aggressive defense of case, court denied the plaintiffs' motion for class certification.

Trade Secret Theft/Non-Compete/Unfair Competition Matters

- *Trade secret theft.* Co-lead counsel for Fortune 50 computer/printer company in bringing hundred million dollar lawsuit against former senior-level leadership employees who, while still employed by client, covertly organized and began operating a competing business venture using client's resources, contacts and trade secrets to steal product designs, market analyses and other confidential and proprietary business information. After prevailing in jurisdictional dispute, case settled.
- *Trade secret theft.* Lead counsel for S&P 500 manufacturer of highly complex cancer detection and treatment machinery in bringing action to address theft of trade secrets by former senior-level sales executive, who downloaded thousands of electronic documents containing highly confidential sales, marketing and manufacturing information prior to departure. Obtained TRO barring executive from joining arch-competitor and, after several months of discovery, secured preliminary injunction, enjoining executive and her employer from soliciting business from customers and using client's confidential information.
- *Trade secret theft/inevitable disclosure.* Lead counsel for Fortune 500 semi-conductor design/manufacturing company in bringing state court action against senior leader responsible for developing cutting edge camera technology used in smart phones who sought to join arch-competitor in similar role. Obtained TRO and preliminary injunction against new employer and former employee prohibiting them from contacting certain customers, using client's trade secrets, and soliciting or hiring client's employees – on basis it was highly likely that former executive would use client's confidential information in performing new job. Defeated effort by California-based competitor which filed lawsuit in California seeking to enjoin enforcement of TRO against executive.
- *Inevitable disclosure.* Lead counsel for industry-leading gaming retailer in bringing action to stop company's former Chief Financial Officer from beginning work for a competing retailer in same role. Although CFO had not signed non-compete agreement preventing her from working for a competitor, obtained TRO against CFO and, thereafter, used TRO as leverage to force acceptance of limitations on executive's work activities at new employer.
- *Inevitable disclosure.* Lead counsel in bringing action on behalf of Fortune 500 electronics firm to address departure of its Chief Marketing Officer who sought to join arch-competitor in same position. Although CMO had not signed non-compete agreement, obtained TRO on basis it was highly likely that former executive would use client's confidential information in performing new job and, thereafter, leveraged TRO to obtain a settlement preventing former executive from working for competitor for a period of time sufficient to protect client's trade secrets.
- *Computer Fraud and Abuse Act; breach of fiduciary duty; breach of contract.* Led defense of one of the largest independent full-service national title insurance agencies in the country in lawsuit brought against it and four employees it hired from a competing agency. Client was accused of aiding and abetting the employees' breach of fiduciary duties based on actions that occurred prior to their departure, and of misappropriating the plaintiff-agency's trade secrets. After filing motions to dismiss the plaintiff-agency's breach of fiduciary duty, trade secret misappropriation, Computer Fraud and Abuse Act violations and breach of contract, case settled.

- *Trade secret theft/inevitable disclosure.* Lead counsel in bringing lawsuit against nine employees and their new employer after employees abruptly resigned from Fortune 500 semi-conductor design/manufacturing company to join competing company, alleging trade secret theft and contract violations. After obtaining temporary and permanent injunctions against new employer and former employees prohibiting them from contacting certain customers, using client's trade secrets and soliciting or hiring client's employees, case settled on favorable terms.
- *Trade secret theft.* Co-lead counsel for Fortune 50 computer/printer company in bringing hundred-million dollar suit against former high-level employees who, while still employed by client, covertly organized and began operating a competing business venture using client's resources, contacts and trade secrets to steal product designs, market analyses and other confidential and proprietary business information. After prevailing in jurisdictional dispute, case settled.
- *Cyberlaw/trade secret theft.* Retained by a Fortune 100 semiconductor company to serve as lead counsel to stop a former disgruntled employee who created several internet websites containing confidential information and video clips, as well as derogatory comments about the company's officers. Obtained TRO requiring employee to take down offensive websites and, thereafter, used computer forensics to obtain permanent injunction prohibiting employee from posting company information on the internet.

Discrimination/Fiduciary Duty/Breach of Contract Matters

- *Breach of contract.* Led trial effort of renowned computer-game developer and company executive against one of world's largest video game publishers for breaching a stock option agreement, securing a jury verdict of \$28 million (and a judgment of \$32 million). *The National Law Journal* identified award as one of the "Top Verdicts" in the country.
- *Breach of fiduciary duty/breach of contract.* Co-lead counsel for private equity fund and its managing principal in dispute arising out of co-partner's departure from fund. After extensive discovery and multi-week arbitration hearing, the matter was settled.
- *Section 1983.* Lead counsel in defense of action against school district, its superintendent and four other senior executives in high-profile lawsuit brought by former district employee who claimed her civil rights were violated when she was placed on paid administrative leave (and later terminated) after news accounts showed potential abuse of program she oversaw. Obtained summary judgment on eve of trial, and affirmed on appeal by Fifth Circuit.
- *Section 1983.* Lead counsel for Texas County and its commissioners in lawsuit filed by disgruntled employee who was terminated for violating county policy by campaigning for office during working hours and for threatening other employees. Employee asserted retaliation claim under Section 1983, alleging termination was based on his reports of misconduct by county officer and because he ran for public office. Court granted county's motion for summary judgment and Fifth Circuit affirmed on appeal.
- *Employment discrimination/retaliation/Section 1981.* Retained by one of Texas' largest utilities for defense of lawsuit filed by then-current African-American employee who asserted retaliation claim (under Title VII and Section 1981) for complaining about company's failure to pay for certification training even though it allegedly had done so for Caucasian employees. Obtained summary judgment.
- *Employment discrimination/retaliation.* Lead counsel in defending a county and a sitting Justice of the Peace in lawsuit filed by former employee who was terminated for poor work performance. Termination occurred after employee had filed charge of discrimination, alleging gender and age discrimination and sexual harassment. After being fired, employee asserted claims for discrimination, harassment and retaliation against the county and her supervisor – the Justice of the Peace. After successfully narrowing the scope of

the claims through summary judgment, lawsuit was settled on favorable terms.

- *Breach of contract and fiduciary duty.* Lead trial counsel in defending Fortune 100 semiconductor firm in a multi-million dollar lawsuit brought by former vendor of quartz materials used in client's manufacturing processes. Plaintiff asserted it entered into fiduciary relationship with client based on parties' course of dealing. When vendor's business collapsed because of market conditions and poor management, it sued for breach of contract and fiduciary duty. Obtained summary judgment on several claims, enabling client to settle on favorable terms.

Articles

- Are No-Poach Agreements Becoming Extinct?
Texas Lawyer, 05.20.2019
- State Laws Affecting Employers' Rights to Regulate Firearms in the Workplace
Employment Relations Today—State Regulations Update (Wiley Online), 11.2015
- NLRB Further Extends Its Reach Into Non-Unionized Workplaces with Guidance About Company Handbooks
Texas Lawyer, 06.30.2015
- No Good Deed Goes Unpunished: Document Preservation Notice May Violate SOX
Health Care Compliance Association, 06.15.2015
- DOL Releases Controversial Proposal, Signifying Regulatory Intent to Expand Fiduciary Standard
Polsinelli At Work Blog, 04.15.2015
- Prescription for Preemption: Texas High Court Strikes Down Hurdles To Arbitration In Care Provider/Patient Agreements
Texas Law Book, 04.15.2015
- Pregnant Pause: U.S. Supreme Court Reinstates Pregnancy Discrimination Suit Against UPS
Polsinelli At Work Blog, 03.31.2015
- Headscarf Headache: Supreme Court Considers EEOC's Case Against Abercrombie
Texas Law Book, 03.11.2015
- Does California's Law on Covenants Not to Compete Hurt or Help You?
Fish Litigation Blog, 08.29.2013
- Get Used to it: Recent Rulings Cement Arbitration Acceptance
Dallas Bar Association Headnotes, 02.2013
- Redefining Noncompete Clauses
Dallas Business Journal, 10.2011
- Contributing Author to national publications, *Covenants Not To Compete: State by State Survey (BNA)*; *Employee Duty of Loyalty: State by State Survey (BNA)*; and *Trade Secrets: State by State Survey (BNA)*

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
- "Fifth Circuit Upends 30 Years of Title VII Precedent, Making it Easier for Employees to Bring Discrimination Claims," August 21, 2023
- "FTC Seeks to Ban Noncompete Agreements in Employment Contracts," January 6, 2023
- "The Haunting Return of the Economic Reality Test: U.S. Department of Labor Proposes Resurrecting the Pre-Trump Era Employee/Independent Contractor Test," October 26, 2022
- "What Employers Need to Know in a Post-Dobbs Landscape," August 3, 2022
- "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
- "Are No-Poach Agreements Becoming Extinct?" August 20, 2019
- "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

- "Protecting Trade Secrets During An Acquisition: Showing Off The Goods Without Giving Away The Store," June 1, 2020

Books

Trial Techniques for the Labor & Employment Law Practitioner: Chapter 12
07.2019

Media Mentions

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

New Pay Transparency Laws Your Company Must Know
Spot on Talent, 07.24.2023

Movers & Shakers Feature
The Deal, 04.20.2018

Sheppard Mullin Opens Dallas office
World Intellectual Property Review, 04.17.2018

Sheppard Mullin Enters Texas Market With Dallas Office
Law360, 04.16.2018

Sheppard Mullin Officially Opens Dallas Office
The Texas Lawbook, 04.16.2018

Sheppard Mullin Launches Dallas Office
Texas Lawyer, 04.16.2018

5 Tips For Employers To Protect Their Trade Secrets
Law360, 03.28.2018

Texas to Take Up Employer Access to Social Media Passwords
Law360, 01.03.2013

Speaking Engagements

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes, Strafford, August 17, 2023

Oral and Written Discovery in Civil Cases: Strategies for Avoiding and Responding to Recurring Deficiencies, Strafford, May 31, 2023

Labor and Employment: Jury Shifts and the Future of Non Compete Agreements, Northern District of Texas Bench Bar Conference, April 14, 2023

2023 Employment Rights and Responsibilities Committee Midwinter Meeting, American Bar Association, March 14, 2023

Restrictive Covenant Agreements & Trade Secret Theft Litigation, National Labor and Employment Law Symposium, February 8, 2023

Cross-Examining Plaintiffs in Employment Harassment and Discrimination Cases: Strategies for Depositions and Trials, Strafford, September 8, 2022

Cross Examining the Plaintiff in Employment Cases, Strafford, August 10, 2022

Adverse Witness Depositions: Advanced Techniques in Exhaustion, Boxing-In, and Summarizing, Strafford, August 9, 2022

Age Discrimination in a New Age, ABA Employment Rights & Responsibilities Committee Midwinter Meeting, Puerto Vallarta, Mexico, March, 19 2022

Top Deposition Tactics and Techniques for the Experienced L&E Practitioner, National Labor & Employment Law Symposium, February 7, 2022

Cross-Examining Plaintiffs in Employment Harassment and Discrimination Cases: Strategies for Depositions and Trials, Strafford, August 10, 2021

Managing and Building Remote and In-Person Workforces in 2021, ACG DFW, April 20, 2021

Protecting Trade Secrets at Trial: Navigating 76(a) in the Courtroom, Dallas Bar Association, April 19, 2021

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

State Law Limitations on the Use of Non-Competition or Non-Solicitation Agreements: How Enforcement Actions are Impacted in this Ever-Changing Landscape, National CLE Conference, New Orleans, LA, November 6, 2019

Arbitration: Should I or Shouldn't I?, HRSouthwest Conference, Fort Worth, Texas, October 29, 2019

Dallas Paid Sick Time Ordinance: What Employers Need to Know, Association of Law Firm Administrators, August 27, 2019

Reasonable Accommodations of Religion in Light of \$21.5 Million Verdict Against Hotel, Clear Law Institute, April 15, 2019

Harassment and Workplace Investigations: A Series of Sticky Issues, National CLE Conference, Snowmass Village, CO, January 2, 2019

Legal Exchange, The HRSouthwest Conference, Fort Worth, TX, October 17, 2018

Clearing the Smoke: Workplace Drug Policies and Marijuana Use, The HRSouthwest Conference, Fort Worth, TX, October 17, 2018

Workplace Religious Accommodations: EEOC Guidance and Court Developments, Strafford Publications Webinar, March 28, 2018

Trial Techniques and Strategies for Litigating Damages, Trial and Appellate Advocacy Subcommittee, Employment Rights & Responsibilities Mid-Winter Meeting, Clearwater, FL, March 2018

Jury Selection in the Digital Age, National CLE Conference, Vail, CO, January 2018

Protecting Intellectual Property and Litigating Trade Secret Theft, Polsinelli's Kansas City Labor & Employment Law Seminar, Oct. 2017

Offers of Judgment in Employment Litigation, Strafford Publications Webinar, September 2017

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes, Strafford Publications Webinar, July 2017

Protecting Intellectual Property and Litigating Trade Secret Theft, Polsinelli Labor & Employment Law Seminar, Dallas, TX, May 2017

Reductions in Force: Minimizing Employer Liability for Layoffs, Rise Smart Webinar, April 2017

Arguing Discovery Motions While Considering the Consequences at Trial: Tell that to the Judge!, Trial and Appellate Advocacy Subcommittee, Employment Rights & Responsibilities Mid-Winter Meeting, Puerto Vallarta, Mexico, March 2017

Discovery Objections Under the New Federal Rules, National CLE Conference, Aspen, CO, January 2017

Protecting intellectual Property Assets Through Use of Restrictive Covenants, HR Southwest Conference, Ft. Worth, TX, October 2016

Hot Topics in Labor and Employment Law, HR Southwest Conference, Ft. Worth, TX, October 2016

Reductions in Force—Minimizing Legal Liability, HR Southwest Conference, Ft. Worth, TX, October 2016

Whistleblowers: Maintaining a Culture of Compliance (and Litigating Claims When it Fails), Polsinelli Labor & Employment Law Annual Conference, Denver, CO, September 2016

Essential Non-Compete and Trade Secret Law: A Practical Guide to Talent Management, University of Texas School of Law CLE, Dallas, TX, September 2016

The Ruby Files: The Case of the Disappearing Secrets and an independent Contractor, Polsinelli Labor & Employment Law Webinar, August 2016

Leveraging Technology in the Courtroom: Planning and Creating Winning Digital Trial Presentations, Strafford Publications Webinar, July 2016

Hot Trends in Employment Law, Business Law institute, Dallas, TX, June 2016

Defend Trade Secrets Act of 2016: Substance and Strategies, Polsinelli Labor & Employment Law Webinar, May 2016

False Claims Act for Labor & Employment and Health Care Practitioners, Polsinelli/Bennett Thrasher False Claims Act Conference, Atlanta, GA, April 2016

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes, Strafford Publications Webinar, April 2016

Best Practices for Using Experts at Deposition and Trial, Trial and Appellate Advocacy Subcommittee, Employment Rights & Responsibilities Mid-Winter Meeting, New Orleans, LA, March 2016

Best in Class Discovery Strategies for Employment Litigation, National CLE Conference, Vail, CO, January 2016

FLSA: Proposed Rulemaking and Off-the-Clock Trends, Polsinelli at the Zoo Conference, Ft. Worth, TX, November 2015

Patents Are Not For Everyone: Protecting Ideas Using Trade Secret Law Rather Than the Patent System, The Licensing Journal, November 1, 2014

Offers of Judgment in Employment Litigation: Guidance Since Genesis: Leveraging Rule 68 as a Strategic Tool to Minimize Damages and Moot Claims, Strafford Publications Webinar, Nov. 24, 2014

Legal Issues in Public Health Emergencies, Dallas Bar Association, January 20, 2015

Iqbal, Shmiqbal: Have The 'New' Pleading Standards Really Made a Difference In Employment Litigation?, Employment Rights & Responsibilities Committee Mid-Winter Meeting, March 24, 2015

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes, Strafford Publications Webinar, April 1, 2015

Fair Labor Standards Act Update: Minimizing Liability As DOL Intensifies Enforcement Efforts, Polsinelli PC Webinar, May 20, 2015

Protecting Intellectual Property in the Face of a Mobile Workforce, Polisinelli PC L&E National Conference, June 3, 2015

Protecting Intellectual Property Assets-Using and Enforcing Restrictive Covenants (Non-Compete Agreements) In Texas, Dallas HR, June 9, 2015

SOX, OSHA, and Beyond: Litigating Whistleblower Claims at the DOL, American Bar Association, Labor & Employment Section, Employment Rights & Responsibilities Committee, October 15, 2015

Investigation on Trial: Anatomy of a Good and Bad Workplace Investigation, Association of Work Place Investigators Annual Conference, October 23, 2015

Social Media in the Work Place: Have You Seen Her Twitter? Balancing Investigations and Privacy Rights, SHRM HR Southwest Annual Conference, October 26, 2015

Arbitration in the Work Place: The Good, the Bad and the Ugly, SHRM HR Southwest Annual Conference, October 27, 2015

License to Sue: How the New Texas Uniform Trade Secrets Act Adds to Your Arsenal Against Trade Secret Theft and Corporate Espionage, IP Law Section, Dallas Bar Association, December 2013.

Certification in Employment Class Claims: Leveraging Comcast and Dukes, Strafford Publications Webinar, November 2013

Offers of Judgment in Employment Litigation After the Genesis Ruling Leveraging Rule 68 as a Strategic Tool to Minimize Damages and Moot Claims, Strafford Publications Webinar, September 2013

Antitrust Update for Patents, State Bar of Texas IP Conference, Albuquerque, NM, July 2013

Jury Selection in Employment Litigation: Preparing for Voir Dire and Selecting the Best Jury for the Case, Strafford Publications Webinar, April 2013 (author and speaker)

How to Pick 'Em: Everything You Need to Know About Jury Selection, American Bar Association, Employment Rights & Responsibilities Midwinter Meeting, Miami, FL, March 2013 (author and speaker)

Business Torts Issues in an Employment Context, Texas BarCLE, Dallas, TX, October 2009

The "Cutting Edge" Employment Law Update - Don't be Caught Unaware of New Laws and Changing Judicial Directions, 2009 HR Southwest, Human Resources Conference and Exposition, Fort Worth, TX, October 2009

iPods Rock!!! Or Do They?, Overtime Risks Arising Out of the Use of Wireless Gizmos—Policy Essentials for the 24/7 Workweek, 2009 HR Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2009 (author and speaker)

Religious Discrimination in the Workplace, 2009 HR Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2009

Non-Competes, Non-Solicits, Injunctive Relief and Much More: Protecting or Pirating (Legally) Human Capital in Texas, TexasBar CLE Webcast, July 2009

An Employer's Guide to Safely Navigating Selected FLSA Issues, Employee Rights and Responsibilities Committee, 2009 Mid-Winter Meeting, Key West, FL, March 2009

ADA Amendments Act of 2008: New Litigation Threat, Stafford Publications Webinar, November 2008

Avoiding and Defending Religious Discrimination Claims in the Workplace, Stafford Publications Audiocast, October 2008 (author and speaker)

Arbitration: Still a Good Idea for Employers?, 2008 HR Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2008

On the Cutting Edge: Employment Law Update, 2008 HR Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2008

E-Discovery: What's Practical for Employers and Employees (Part I, Intermediate Level), ABA Labor and Employment Section Annual Conference, Denver, CO, September 2008

Employment Law Update for the HR Professional, Dallas Human Resource Management Association, Annual Employment Law Conference, Dallas, TX, April 2008

Idea for a Horror Film: ESI Meets the Hearsay Rule, Employee Rights and Responsibilities Committee, 2008 Mid-Winter Meeting, Dana Point, CA, March 2008

Employment Law Update for the HR Professional, Dallas Human Resource Management Association, Monthly Luncheon Meeting, Dallas, TX, November 2007

"How to Do It Right" Track: Witness Interviews and Evaluation of Evidence, ABA Labor and Employment Section Annual Conference, Philadelphia, PA, November 2007

Note to Self on Employee References: Damned if You Do and Damned if You Don't!!, 2007 HR Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2007

Shredding Documents and Keeping Secrets? It's Not Always a Bad Thing. Identity Theft Issues Employers Should Know About, Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2007 (author and speaker)

The Sheshunoff Decision: Three Different Concepts of Enforceability and Their Implications for the Future, State Bar of Texas, Dallas, TX, February 2007

New Rules for Non-Competes: The Sheshunoff Shuffle, TexasBar CLE Webcast, Austin, TX, November 2006

Reaching Employee Conduct Beyond the Workplace: What are Employers' Limits?, 2006 HR Southwest, Human Resources Conference and Exposition, Forth Worth, TX, October 2006

Use of Electronic Discovery in Non-Compete Litigation, Employee Rights and Responsibilities Committee, 2006 Mid-Winter Meeting, Puerto Vallarta, Mexico

Covenants Not to Compete in Texas and the Related Common Law Causes of Action, 13th Annual Conference on Labor and Employment Law, Austin, TX, May 2006

Events

Jury Selection in Employment Litigation: Preparing for Voir Dire, Identifying Bias, Leveraging Strikes
08.17.2023

2023 Employment Rights and Responsibilities Committee Midwinter Meeting
Use of Experts in Class/Collective Litigation
03.14.2023

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

Adverse Witness Depositions: Advanced Techniques in Exhaustion, Boxing-In, and Summarizing
Strafford Webinars
Webinar, 08.09.2022

National Labor & Employment Symposium
02.07.2022

Cross-Examining the Plaintiff in Employment Harassment and Discrimination Cases
A live 90-minute CLE webinar with interactive Q&A
Webinar, 08.11.2020

Getting Back to Business Webinar Series (Part 1)
Planning and Best Practices for Employers in a Changed Workplace
Webinar, 05.21.2020

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

Podcasts & Webinars

Getting Back to Business Webinar Series: Session One
05.21.2020

Practices

Labor and Employment
Labor and Employment Litigation
Wage and Hour Class Actions
Litigation
Alternative Dispute Resolution
Intellectual Property
Trade Secrets
False Claims Act
Technology Transactions
Class Action Defense

Industries

Artificial Intelligence
Food and Beverage
Healthcare
Hospitality

Education

J.D., University of Virginia, 1987, *Virginia Journal of Law & Politics*, Notes Editor
B.A., University of Notre Dame, 1983, *magna cum laude*, Phi Beta Kappa

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
U.S. District Court for the Eastern District of Michigan
The Court of Appeals for the Fifth District of Texas at Dallas
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Sixth Circuit