



T. HAROLD PINKLEY

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Harold is a trial lawyer and a member of the firm's Labor & Employment Practice Group. Having spent a large amount of his career on his feet in front of juries, he brings an unusually broad perspective to his work not only of counseling clients in employment matters but also of litigating cases. Harold currently spends most of his time on employment matters, but has deep experience in product liability and business litigation. He is listed by the Tennessee Supreme Court as having satisfied the requirements of Supreme Court Rule 31 as a mediator and spends an increasing amount of his time in dispute resolution.

PRACTICE AREAS AND INDUSTRY TEAMS

- Employment Litigation
- Employment Counseling
- Alternative Dispute Resolution
- Product Liability Litigation
- Appellate and Written Advocacy

EXPERIENCE

- Tried over 35 cases to jury verdicts in several states, including California, Washington, District of Columbia, Georgia, Alabama, Texas, Oklahoma, Iowa, Arkansas, and Tennessee.
- Handled approximately 100 employment cases in California, trying two to verdict. One resulted in a small plaintiff's verdict and one in a defense verdict.
- Routinely advises and counsels clients on employment issues with a particular focus on clients who have employees in California.
- On behalf of several nationally-prominent clients, litigated more than 20 wage-and-hour class and collective actions across the country, including more than 15 in California. These cases have involved as many as 1,000 class members and as few as 100.
- Handled over 100 employment cases in several other states, including Ohio, New Mexico, Colorado, Washington, Louisiana, Michigan, Minnesota, and Tennessee, trying several to verdict.
- Represented a relatively small molded-plastic product manufacturer in a nationwide property damage class action with potential damages of approximately \$9 billion dollars and achieved a very favorable result.

BAR ADMISSIONS

- Tennessee, 1982
- California, 2004
- U.S. District Courts
 - Tennessee: Eastern, Middle, and Western Districts
 - California: Northern, Central, and Southern Districts
 - Ohio: North District
- U.S. Courts of Appeals
 - 4th Circuit
 - 5th Circuit
 - 6th Circuit
 - 7th Circuit
 - 9th Circuit
 - 10th Circuit
 - 11th Circuit
- U.S. Supreme Court

DISTINCTIONS

- AV-rated, Martindale-Hubbell
- *Best Lawyers in America*[®], Litigation – Labor & Employment
- *Mid-South Super Lawyers*[®], Employment Litigation: Defense, 2013-2017

ASSOCIATIONS

- American Bar Association
- Nashville Bar Association
- Tennessee Bar Association
- Tennessee Association of Professional Mediators (TAPM)

EDUCATION & HONORS

- University of Tennessee, J.D., *with high honors*, 1981
 - Phi Alpha Delta
 - Editor, *Tennessee Law Review*
 - Member, *Order of the Coif*
 - Member, Phi Kappa Phi Honor Society
- University of Tennessee, B.A., 1979

PAPERS, PRESENTATIONS AND PUBLICATIONS

- Author, "Tennessee Employer Hit with \$425K Verdict in Whistleblower Case," *Tenn. Emp. Law Letter*, September 2016.
- Author, "2nd Circuit Adopts New Test for Determining When You May Use Unpaid Interns," *Tenn. Emp. Law Letter*, August 2015.
- Author, "Are You Ready for the New Holacracy? Update on Social Media and the Hiring Process." *Workplace*, Vol. 2014, No. 11, September 2014.
- Author, "Do You Know Your Klout Score? Social Media and the Hiring Process," *Tenn. Emp. Law Letter*, August 2014.
- Author, "Title VII Doesn't Cover Sexual Orientation...Or Does It?" *Employers and the Law: 2013 Anthology of Best Articles*, ed. George J. Siedel and John V. Siedel, Van Rye Publishing, LLC, May 19, 2014.
- Author, "Title VII Doesn't Cover Sexual Orientation...Or Does It?" *Workplace*, Vol. No. 8, September 2013.
- Author, "Travel Pay Explained: How to Avoid Legal Jams on the Federal Wage and Hour Highway," HR Hero Webinar, August 21, 2013.
- Author, "Getting a Handle on Workplace Romances," *Tenn. Emp. Law Letter*, April 2013.
- Author, "Addressing Workplace Romance Issues," *Workplace*, Vol. 2013, No. 2, March 2013.
- Author, "Mastering the FMLA, ADA and Workers' Comp Overlap: A Virtual Summit for HR Professionals", HR Hero, February 6, 2013.
- Author, "Deputy Sheriff Fails to Prove Retaliation," *Tenn. Emp. Law Letter*, February 2013.
- Author, "Here We Go Again: Dealing with Political Discussion in the Workplace," *Tenn. Emp. Law Letter*, November 2012.
- Author, "Autopsy Reveals Dead Man's Statute Still Obtuse After All These Years," *Tennessee Bar Journal*, October 2010.
- Author, "From Union Arbitration to Discrimination Rulings: The Latest on Employment Law from the U.S. Supreme Court," *Tennessee Attorneys Memo*, July 2009.
- Author, "Protecting Client Information via Rule 26(c)," Co-Author, *Proof: The Journal of the Trial Evidence Committee* 16:2 (ABA Section of Litigation Winter 2008) and reprinted in *Litigation Update* (ABA Section of Litigation March 2008).
- Author, "Advanced Depositions," July 2006.
- Author, "Annual Employment Law Update," Tennessee Bar Association, 2006.

- Author, "The Battle for the Book," *Tennessee Bar Journal*, Vol 39 18, July 2003.
- Author, "Annual Update Employment Law A-Z," December 2002.
- Author, "Defending Employment Discrimination Class Actions," *For the Defense*, October 2002.
- Author, "The Tennessee Dead Man's Statute," *Tennessee Law Review*, 1982.