

Brett E. Coburn

Partner

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Brett Coburn is a partner who concentrates his practice on employment litigation and counseling. He regularly litigates employment discrimination and retaliation cases, as well as wage and hour cases under the FLSA and various state laws. He has extensive experience litigating cases involving breach of employment contracts, violation of non-competition and other restrictive covenants, misappropriation of trade secrets, defamation, breach of employee duties, tortious interference and related customer and employee raiding claims. He also litigates cases involving claims against public accommodations under Title III of the ADA.

In addition to litigation, Brett's practice includes drafting and advising clients regarding employment agreements, restrictive covenants and separation agreements; counseling employers on compliance with federal and state employment laws; assisting employers in identifying and reducing risks associated with their hiring processes; minimizing exposure during reductions in force; assisting federal contractors in affirmative action compliance; defending against EEOC, OFCCP and U.S. Department of Labor Wage & Hour Division investigations and audits; and advising on employment-related issues arising in corporate transactions. Brett was named to *The Best Lawyers in America*® for 2018-2022 in the area of Employment Law - Management and Litigation - Labor and Employment.

Representative Experience

- Represented numerous clients, including one of the nation's largest financial institutions, a national insurance and benefits provider, a national document management company and a temporary staffing company, in collective actions filed in Florida, Georgia, Maine and Mississippi seeking unpaid overtime under the Fair Labor Standards Act.
- Obtained summary judgment in favor of a pharmaceutical bioanalytical services company in a multi-plaintiff case filed in Texas seeking unpaid overtime under the Fair Labor Standards Act.
- Represented several large corporations in lawsuits seeking to protect trade secrets from misappropriation by competitors.
- Represented one of the world's largest parcel delivery and logistics companies in defending numerous employment discrimination and retaliation lawsuits and charges.
- Represented a national fast-food restaurant company in defending numerous employment discrimination and retaliation lawsuits, as well as overseeing compliance with the nationwide settlement of a Title III ADA lawsuit seeking to make restaurants accessible to disabled patrons.
- Assisted with employment issues in a \$680 million acquisition of a specialty medical device company by a leading global provider of medical products and devices.

Publications & Presentations

Publications

- “Prescribing Paid Sick Leave—An Important Tool for Primary Care During the Pandemic,” *JAMA Health Forum*, May 21, 2020.
- “Trump’s Employment Agenda Remains Murky,” *Today’s General Counsel*, June/July 2017.
- “‘Blacklisting’ Rule Rejection May Begin Pro-Employer Trend,” *Law360*, March 28, 2017.
- “Wage and Hour Law: Compliance and Consequences,” *American Bankruptcy Institute Journal*, March 2017.
- “Department of Labor Issues Proposed Rule to Amend Overtime Regulations,” *Employee Relations Law Journal*, Vol. 41, No. 3, Winter 2015.
- “On-Call Shift Scheduling Subject to Increased Scrutiny,” *SHRM.org*, August 3, 2015.
- “Examining Wave of Employment Class Actions Under Fair Credit Reporting Act: How to Avoid Being Next Target,” *Bloomberg BNA Daily Labor Report*, July 28, 2015.
- “The Fair Credit Reporting Act Can Be a Trap,” *Entrepreneur*, May 19, 2015.
- “City, State and Federal Actions on Minimum Wage in 2014,” *Law360*, January 6, 2015.
- “Employment-Related Fair Credit Reporting Act Cases on the Rise,” *U.S. News - Best Lawyers “BEST LAW FIRMS”*, January 1, 2015.
- “A Tailored Approach to Enforcing Restrictive Covenants,” *ACC Docket*, December 2014.
- “Employment-Related Fair Credit Reporting Act Cases on the Rise,” *Employee Relations Law Journal*, December 1, 2014.
- “On Mandatory Arbitration, Proceed With Caution,” *The National Law Journal*, November 10, 2014.
- “Employer Guide to the Obama ‘Year of Action,’” *Small Business Opportunities*, October 20, 2014.
- “Obama’s ‘Year of Action’ and What it Means for Employers,” *Benefits Magazine*, Vol. 51, No. 7, July 2014.
- “EEOC Publishes Guidance on Religious Garb and Grooming Practices in the Workplace,” *Employee Benefit Plan Review*, Vol. 68, No. 12, June 2014.
- “Out-of-State Enforcement of Restrictive Covenants,” *Corporate Counsel*, May 30, 2014.
- “10 Steps to Take Before and After an Employee Lift-Out,” *Law360*, May 16, 2014.
- “U.S. Supreme Court Rules Private Contractors and Subcontractors Are Covered by SOX Whistleblower Protections,” *CBA CLE Legal Connection*, March 19, 2014.
- “Taking Stock of Ga. Restrictive Covenant Statue: Part 2,” *Law360*, August 28, 2013.
- “Taking Stock of Ga. Restrictive Covenant Statue: Part 1,” *Law360*, August 21, 2013.
- “Split on ‘Supervisor’ Resolved - But What Now?,” *Law360*, July 11, 2013.
- “Clarifying Georgia’s Covenant Law,” *Law360*, August 14, 2012.

Education

- University of Virginia (J.D., 2003)
- Princeton University (A.B., 2000)

Admitted to Practice

- Georgia

Related Services

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