



Darren Gibson

Shareholder

Co-Chair, Higher Education Industry Group

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Focus Areas

Unfair Competition and Trade Secrets

Higher Education

Litigation and Trials

Investigations

Overview

Darren Gibson is a zealous advocate and trusted advisor to private businesses and public sector employers. Darren vigorously defends his clients in restrictive covenant and trade secret litigation, discrimination and retaliation claims, and class and collective actions, among others. Darren loves the courtroom, is not afraid to take cases to trial, and regularly handles temporary injunction hearings and appeals. In addition, he conducts workplace investigations across the country, with deep experience investigating allegations against senior executives and leaders.

Darren has a particular focus representing higher education, healthcare, and financial institutions, and he serves as co-chair of Littler's Higher Education Industry Group. Darren's higher education experience includes representing universities and related individuals in employment and Title IX litigation and conducting investigations into sexual harassment and sexual misconduct under Title IX.

Darren is board certified in labor and employment law by the Texas Board of Legal Specialization. Prior to his return to private practice, Darren worked at the Attorney General of Texas, where he defended state agencies and universities in employment litigation and class actions. Before coming to Texas, Darren was a senior associate in New York City, where his practice focused on securities litigation, internal investigations, and business disputes in the accounting and financial services industries.

Selected Matters

- First chair federal jury trial victory on behalf of higher education institution defending against discrimination and retaliation claims related to termination of police officer
- Obtained arbitration award in favor of hospital and individual defendant in case brought by pharmacist under Texas healthcare whistleblower law
- Secured dismissal of individual defendant and award of sanctions against plaintiff's counsel in defamation suit pursuant to the Texas anti-SLAPP statute
- Successfully defended large online retailer in wage and hour collective action brought by delivery drivers of delivery contractor, including resolution of claims in contractor's Chapter 11 bankruptcy
- Obtained dismissal at the pleading stage of disability discrimination and section 1983 claims by dental student against dental school and dean, with the Fifth Circuit affirming on appeal

Professional and Community Affiliations

- Member, Labor and Employment Section, Texas State Bar
- Member, Labor and Employment Law Section, Austin Bar Association
- Member, National Association of College and University Attorneys
- Board Member, Austin Symphony Orchestra
- Member, Leadership Austin, Essential Class of 2018

Education

J.D., Harvard Law School, 2000, *cum laude*

B.S., University of Kentucky, 1997, *summa cum laude*

Bar Admissions

Texas

New York

Courts

U.S. Court of Appeals, 5th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, Western District of Texas

U.S. District Court, Eastern District of Texas

U.S. District Court, Southern District of Texas

U.S. District Court, Northern District of Texas

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

Publications & Press

Upcoming Changes to NIH Harassment and Hostile Work Environment Reporting Requirements

Little ASAP

July 6, 2022

Little Earns 13th Consecutive 100 Percent in 2021 Human Rights Campaign Foundation's Annual Scorecard on LGBTQ Workplace Equality

Little Press Release

January 28, 2021

Court Denies Preliminary Injunction of Title IX Effective Date

Little ASAP

August 12, 2020

Final Title IX Regulations Adopt Sweeping Changes for Handling Sexual Harassment Claims at Institutions of Higher Education

Little Insight

May 8, 2020

Little Names New Leadership to Its Affinity Groups and Diversity & Inclusion Council

Little Press Release

February 14, 2019

Sixth Circuit Provides Expansive Due Process Rights in Title IX Cases

Little Insight

September 12, 2018

Little Appoints Higher Education Industry Group Co-Chairs

Little Press Release

June 11, 2018

Supreme Court Limits Dodd-Frank Retaliation Protections to Employees who Blow the Whistle to the SEC

Little ASAP

February 23, 2018

Little Adds Shareholder Darren Gibson to Austin Office

Little Press Release

January 11, 2017

Speaking Engagements

Littler Austin's 2023 Holiday Season Lunch and Learn

Austin, TX

December 15, 2023

Multistate Remote Work: Managing Risk in the New Reality

University of Texas System 2023 Legal Conference Agenda, Austin, TX

September 21, 2023

Conducting Lawful Investigations in the Evolving Workplace

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2023

Workplace Investigations: The Dos, the Don'ts, and the What Have You Done?

April 18, 2023

Unintended Consequences: Managing Legal Risks Related to Faculty DE&I Programs

NACUA Employment CLE Conference, San Diego, CA

March 24, 2023

Littler Austin's 2022 Holiday Season Lunch and Learn

Austin, TX

December 9, 2022

Conducting Lawful Investigations in the Evolving Workplace

Littler Executive Employer Conference

May 4, 2022

Out of State Employment: The Wandering Employee

The University of Texas System Risk Management Conference

April 11, 2022

Best Practices for Compliance with Vaccine Mandates

Greater Houston Industry Liaison Group, Houston, TX

January 13, 2022

When Employees are Bad Actors: Risks and New Solutions

The University of Texas System Legal Conference

November 6, 2021

Resilience & Renewal in the Workplace: A Roadmap for Your Tomorrow

The 2021 Executive Employer Conference

May 12, 2021

Conducting Remote Investigations in the COVID-19 Era

October 27, 2020

The Revolving Door of Returning to Work in Texas

Texas Virtual Employer

August 13, 2020

Reopening Texas - Key COVID-19 Considerations and Strategies for Employers

May 13, 2020

Employment Law Hot Topics for a New Decade

Austin, TX

February 6, 2020

Employment Law Update

NACUA National Conference, Denver, CO

June 25, 2019

A New Era in Title IX Compliance: Process, Fairness and New Regulations Take Center Stage

NACUA Employment Law CLE Conference, Seattle, WA

April 3, 2019

Texas Anti-SLAPP in Employment Cases: Plaintiffs' Phantom Menace

Texas Bar Association, Advanced Employment Law CLE, Dallas, TX

January 17, 2019

From Cross Examination to Safe Harbors: A New Day In Title IX Compliance Is At Your Doorstep

Magna Online Seminar

October 30, 2018

Hospitality in the #MeToo Era: Shifting From Risk To Opportunity For A Better Work Environment

Texas Hotel & Lodging Association Annual Board Meeting, Austin, TX

June 4, 2018

Step into the Littler Lab: Conducting Lawful Investigations in the Wake of #MeToo

Littler Executive Employer, Phoenix, AZ

May 4, 2018

Texas anti-SLAPP in Employment Cases: Defendants' Superpower

Austin Bar Association, Employment Law Section, Austin, TX

March 18, 2018

A New Era in Title IX Enforcement: Understanding the Latest Changes

Magna Online Seminar

February 15, 2018

Texas anti-SLAPP in Employment Cases: Defendants' Superpower

Texas Bar Association, Advanced Employment Law CLE, Dallas, TX

January 18, 2018

Employment Law Update: Recent Developments and What's Coming Next

Austin, TX

November 9, 2017

Title IX Case Update

University of Texas System Title IX Conference, Austin, TX

November 2, 2017

Conducting Efficient, Effective, and Lawful Workplace Investigations

South Texas SHRM Conference, Victoria, TX

November 1, 2017

Underneath the Microscope: Sex Discrimination and Gender on Campus

TASA/TASB State Convention, Dallas, TX

October 6, 2017

You're Not Doing Anyone Any Favors: Bias, Credibility and Other Investigation Challenges and Pitfalls

University of Texas System, Office of General Counsel Legal Conference, Austin, TX

September 29, 2017

Conducting Efficient, Effective, and Lawful Workplace Investigations

Hill Country HR Management Association, New Braunfels, TX

August 10, 2017

Conducting Efficient, Effective, and Lawful Workplace Investigations

The 2017 Executive Employer® Conference, Phoenix, AZ

May 12, 2017

Creative Approaches to Handling ADA and FMLA Issues in the Workplace: Actions You May Not Know You Can Take

Austin, TX

April 25, 2017

You're Not Doing Anyone Any Favors: Bias, Credibility and Other Investigation Challenges and Pitfalls

NACUA Employment Law CLE Conference, Seattle, WA

March 30, 2017

LGBT Protections Under Title IX

University of Texas, Office of General Counsel Legal Conference, Austin, TX

September 14, 2015