

Edward T. Ellis

Shareholder

Co-Chair, Whistleblowing, Compliance and
Investigations Practice Group

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Focus Areas

Whistleblowing and Retaliation
Corporate Compliance and Ethics
Investigations
Litigation and Trials
Discrimination and Harassment
Unfair Competition and Trade Secrets

Overview

For over 30 years, Edward T. Ellis has defended employers in age, race, sex and disability lawsuits; whistleblower actions; and trade secret and noncompete matters. Ed has tried more than 40 cases to verdict before juries and has represented clients at hundreds of bench trials, arbitrations and administrative proceedings. He has tried federal and state court cases involving:

- The Sarbanes-Oxley Act
- Title VII of the Civil Rights Act
- The Age Discrimination in Employment Act
- The Americans With Disabilities Act
- The New Jersey Conscientious Employee Protection Act
- The First Amendment to the U.S. Constitution

He also has extensive knowledge of common law wrongful discharge cases, as well as ERISA litigation. His comprehensive range of trial experience includes appearing before federal and state courts across the country, as well as handling, and winning, the first case tried in the federal court system on Court TV.

He is the Co-Chair of Littler’s Whistleblowing, Compliance and Investigations Practice Group.

Prior to entering private practice in 1988, Ed spent five and a half years as an Assistant United States Attorney for the Eastern District of Pennsylvania. There, he handled district court and appellate civil litigation involving the United States and its agencies with a concentration in:

- Labor matters
- Employment discrimination cases
- Procurement fraud
- Government contract issues

Ed also was a staff attorney with the United States Department of Labor Office of the Regional Solicitor in Philadelphia.

Professional and Community Affiliations

- Member, Labor and Employment Section, American Bar Association

Recognition

- Named, The Best Lawyers in America®, 2007-2022
- Named, Lawyer of the Year, Qui Tam Law, Philadelphia, PA, *The Best Lawyers in America*®, 2018
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*

Education

J.D., University of Pennsylvania Law School, 1976

B.A., University of Notre Dame, 1973

Bar Admissions

Pennsylvania

New Jersey

Courts

U.S. Supreme Court
U.S. Tax Court
U.S. Court of Appeals, 3rd Circuit
U.S. Court of Appeals, 9th Circuit
Pennsylvania Supreme Court
New Jersey Supreme Court
U.S. District Court, Middle District of Pennsylvania
U.S. District Court, Eastern District of Pennsylvania
U.S. District Court, District of New Jersey

Publications & Press

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

False Claims Act Retaliation in 2021

Littler Report

July 26, 2021

Protection for Criminal Antitrust Whistleblowers Signed into Law

Littler ASAP

January 14, 2021

SEC Amends Whistleblower Award Program Rules

Littler Insight

September 25, 2020

Pennsylvania Federal Judge Finds Governor Wolf's Pandemic Restrictions Unconstitutional

Littler ASAP

September 18, 2020

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

HR Should Educate Employees About Protecting Whistleblowers' Rights

SHRM Online

October 10, 2019

Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year

Littler Press Release

August 15, 2019

Omarosa Trump Tapes Could Mean 'Open Season on Privacy Rights' in the Workplace, Attorneys Say

Law.com

August 15, 2018

Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 15, 2018

Employees Secretly Record Managers for Litigation

SHRM Online

August 8, 2018

Taking Company Documents to Support Whistleblowing - When Is 'Self Help' Unlawful?

Corporate Counsel

June 5, 2018

"Purloined Letters": Management Options When a Departing Employee Puts a Business Entity at Risk by Collecting Confidential Business or Personnel Information for Use in the Employee's Personal Litigation

Littler Report

May 14, 2018

SEC Safe Harbor Ruling for Whistleblower Puts GCs in Tough Spot

Corporate Counsel

April 6, 2018

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

Littler ASAP

February 23, 2018

Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 17, 2017

Dodd-Frank Overhaul Could Spark Rebound in SOX Whistle-Blower Cases

Bloomberg BNA

June 5, 2017

Age Discrimination Law at 50: Older and Wiser?

In House

March 21, 2017

OSHA and SEC Scrutiny of Whistleblower Treatment Expands Businesses' Civil and Criminal Liability Risks

Washington Legal Foundation

October 28, 2016

OSHA Joins the SEC in Attacking Confidentiality and Other Provisions in Private Settlement Agreements

Littler ASAP

September 19, 2016

The Best Lawyers in America® Honors More Than 180 Littler Lawyers in Its 2017 Edition

Littler Press Release

August 16, 2016

Financial Rewards Hamper Internal Wrongdoing Investigation

Corporate Secretary

June 14, 2016

SEC Report Indicates Whistleblower Program Going Strong

Littler ASAP

November 18, 2015

Whistle-Blower Who Delayed Gets Reduced \$325K Reward

Bloomberg BNA Securities Law Daily

November 5, 2015

Whistleblower Ruling Headed to High Court?

Business Insurance

October 25, 2015

Second Circuit Rules Dodd-Frank Safeguards Also Apply to Internal Whistleblowers

Corporate Secretary

September 14, 2015

Littler Attorneys Recognized in the Best Lawyers in America® 2016 Edition

Littler Press Release

August 18, 2015

SEC Continues its Efforts to Make Dodd-Frank Whistleblowing Easier

Littler Insight

August 14, 2015

Survey Roundup: Whistleblower Awards Concern Executives

The Wall Street Journal

July 31, 2015

Where the human resource worries reside

Fleet Owner

July 17, 2015

Overtime Reform, ACA, LGBT Policies Among Concerns for Today's Employers

Littler Press Release

July 14, 2015

District Court Holds False Claims Act Applies to Employee Allegedly Terminated for Engaging in Protected Activity Against Unrelated Former Employer

Littler Insight

June 11, 2015

Compliance Officer Bounties Call for Faster Internal Investigations

Corporate Secretary

April 28, 2015

NY AG Whistleblower Plan May Make SEC Up Bounty Game

Law360.com

February 27, 2015

New False Claims Act theories raise the stakes for healthcare providers

Becker's Hospital Review

January 30, 2015

5 Questions Weighing On Whistleblower Lawyers In 2015

Law360.com

January 13, 2015

Seminal Decision Could Make it Harder for Publicly Traded Employers to Defeat Sarbanes-Oxley Whistleblower Claims

Littler Insight

October 27, 2014

Will the SEC's \$30 million award encourage more whistleblowers?

InsideCounsel

September 26, 2014

A Low Note for Whistleblowers at the Second Circuit

Corporate Counsel

August 19, 2014

Littler Attorneys Included in the Best Lawyers in America© 2015 Edition

Littler Press Release

August 18, 2014

Littler Employer Survey Highlights Whistleblowing Concerns, Regulatory Enforcement

Xpert HR

July 18, 2014

"Pay Me, Or Else...": California Court Rules Employee's Pre-Litigation Qui Tam Threat is Extortionate

Littler Insight

July 1, 2014

Avoiding Discrimination in a Multigenerational Workforce

Corporate Counsel

June 23, 2014

2nd Circ. May Create Split On Dodd-Frank Whistleblower Shield

Law360.com

June 17, 2014

5 Questions To Ask Before Suing Over Whistleblower Theft

Law360.com

May 21, 2014

4th Circ. SOX Ruling A Rare Employer Win On Causation

Law360.com

May 15, 2014

Warning to Rainmakers in Private Law Firms and Accounting Firms: SOX Now Says, 'Don't Shoot the Messenger'

Bloomberg BNA Corporate Law & Accountability Report

May 9, 2014

High Court Extends Sarbanes-Oxley Whistleblower Law to Most Employees

TLNT

April 4, 2014

Court Decision Could Advance Compliance at Private Companies

Corporate Counsel

March 18, 2014

Court: Fund Whistleblowers Shielded By SOX

Fund Action

March 10, 2014

Supreme Court extends SOX whistleblower protections to private firms

Corporate Secretary

March 6, 2014

Supreme Court's First Sarbanes-Oxley Decision Promises Expansion of Coverage to Most Privately Held Businesses

Littler Insight

March 6, 2014

High Court Extends Employee Whistle-blower Protections

Society for Human Resource Management (SHRM)

March 5, 2014

Supreme Court 6-3 Says SOX Section 806 Protects Employees of Private Contractors

Bloomberg BNA Daily Labor Report

March 4, 2014

Sarbanes-Oxley whistle-blower rules apply to private firms: High court

Business Insurance

March 4, 2014

High Court Ruling To Spur Rise In SOX Whistleblower Cases

Law360.com

March 4, 2014

Justices Expand Corporate Whistleblower Protection

National Law Journal

March 4, 2014

Doral Ruling Shows SOX's Teeth Getting Sharper

Law360.com

February 24, 2014

Doctor's High-Court Plea Tests Whistleblower Protections

Law360.com

February 14, 2014

Supreme Court decisions may affect compliance

Corporate Secretary

December 30, 2013

Whistle-blower tips, complaints increase 7.9% in 2013: SEC

Business Insurance

November 19, 2013

SEC Whistleblower Program Gaining Momentum

Law360.com

November 18, 2013

Deciding whistleblower law's limits

Corporate Secretary

November 18, 2013

High Court Thinking On 1st SOX Whistleblower Case

Law360.com

November 15, 2013

\$14M SEC Whistleblower Award Is Just The Beginning

Law360.com

October 1, 2013

Littler Attorneys Named in Best Lawyers in America® 2014 Edition

Littler Press Release

August 15, 2013

3rd Circuit Adopts New Broader Standard for Defining Protected Activity for Whistle-Blowers

Westlaw Journal – Employment

June 12, 2013

High Court May Use SOX Case To Put DOL In Its Place

Law360.com

May 20, 2013

Retaliation and Whistleblower Claims by In-House Counsel

Littler Report

March 29, 2013

Meritless whistleblower retaliation claims are on the rise

InsideCounsel

March 26, 2013

Third Circuit Adopts New Broader Standard for Defining Protected Activity for Whistleblowers

Littler Insight

March 25, 2013

The 2012 Global Employer: Highlights of Littler's Fifth Annual Global Employer Institute

Littler Report

February 21, 2013

No Longer Black and White, Is the "Definitively and Specifically" Standard Now Grey?

Littler Insight

February 1, 2013

Whistleblower Cases On The Rise, OSHA Stats Show

Law360.com

January 29, 2013

DOL's Whistleblower-Friendly SOX Approach Faces Key Tests

Law360.com

January 18, 2013

Annual Report on EEOC Developments – Fiscal Year 2012

Littler Report

January 8, 2013

Fired for being too old? Know your rights

Yahoo! Finance

October 9, 2012

Best Lawyers in America® Names 164 Littler Attorneys to 2013 Edition

Littler Press Release

September 7, 2012

What's with all the commotion at the SEC?

Corporate Secretary

August 22, 2012

SEC issues \$50,000 in first whistleblower award

InsideCounsel

August 22, 2012

Reconstituted ARB Expanding Sarbanes-Oxley Whistleblower Protections

BNA Daily Labor Report

April 27, 2012

The EEOC Misses the Mark with New Rule on the ADEA's Reasonable Factors Other Than Age Defense

Littler Insight

April 4, 2012

Does SOX protect whistleblowers who steal confidential information?

InsideCounsel

January 1, 2012

Protecting Whistleblowers

Human Resource Executive Online

November 17, 2011

Whistleblower Office Received 334 Tips Since Start of Operations, SEC Report Says

BNA Securities Regulation & Law Report

November 17, 2011

When The Whistle Blows, Do You Know What You Need to Do?

TLNT

November 15, 2011

Companies Anticipate Rise in Whistleblower Claims According to Littler Survey, 96 Percent of Senior Executives Reveal Growing Concern

Littler Press Release

November 14, 2011

Hear the Whistle Blow: Is Your Company Prepared?

Bloomberg Law Reports

November 14, 2011

New SOX Decision by the U.S. Department of Labor's ARB Expands Whistleblower Protection Yet Again, Including Protection for Theft from Employer's Computer System

Littler Insight

October 26, 2011

DOL Administrative Review Board Holds that Breach of a SOX Complainant's Confidentiality Is Retaliation Under SOX

Littler Insight

October 14, 2011

Best Lawyers in America® Names 108 Littler Lawyers to 2012 Edition

Littler Press Release

September 12, 2011

Littler Reports Uptick in Whistleblower Matters and Formalizes Practice Group

Littler Press Release

September 6, 2011

Dodd-Frank and The SEC Final Rule: From Protected Employee to Bounty Hunter

Littler Report

July 1, 2011

Whistleblowers Cannot Rely on Documents Received in Response to FOIA Requests to Maintain a Qui Tam Action

Littler Insight

June 9, 2011

Littler Mendelson Welcomes Prominent Defense Attorney Edward T. Ellis to Its Philadelphia Office

Littler Press Release

August 31, 2010

Protection of Intangible Assets: Trade Secrets in the Age of Federal Computer Legislation

2002 ALI-ABA Course Materials Journal

2002

Current Developments in the Law of Retaliation

2000 ALI-ABA Course Materials Journal

2000

Racial Harassment and How Employers Try to Prevent It

1998 ALI-ABA Course Materials Journal

1998

Employee Use of Surreptitious Tape Recordings to Gather Evidence for an Employment Lawsuit", 1

1996 ALI-ABA Course Materials Journal

1996

Speaking Engagements

Impact of the False Claims Act in the Era of COVID-19

August 5, 2020

Healthcare Employers: Minimizing Your Legal Risk for Whistleblower Claims Under the False Claims Act

March 31, 2020

Healthcare Industry Group: A Roundtable Discussion

Atlanta, GA

April 18, 2019

Healthcare Employers: Minimizing Your Legal Risk for Whistleblower Claims under the False Claims Act

April 16, 2019

2019 Philadelphia Regional Employer Conference

Philadelphia, PA

April 2, 2019

The Purloined Letter: An Employer's Rights and Remedies When a Whistleblower Steals Confidential Information

Littler Executive Employer, Phoenix, AZ

May 4, 2018

What Turns an Employee into a Whistleblower and Are Whistleblowers Good for an Organization?

May 11, 2017

Financial Services and Corporate Compliance

New York, NY

November 30, 2016

Littler's 6th Annual Brewers Briefing 2016

Milwaukee, WI

September 7, 2016

Healthcare Industry Roundtable

The 2016 Executive Employer® Conference, Scottsdale, AZ
May 6, 2016

The Role of HR Professionals in Investigating Compliance and Whistleblower Claims

May 5, 2016

Corporate Compliance & Financial Services Update

New York, NY
November 19, 2015

2015 Whistleblower Update "Speaking Up" Gets Louder

May 19, 2015

Emerging Issues in Whistleblower Law

21st Annual Advanced Course Webinar - The American Law Institute Continuing Legal Education Group (ALI CLE)
July 26, 2014

Settlement of Employment Cases: The Hot Button Issues

21st Annual Advanced Course Webinar - The American Law Institute Continuing Legal Education Group (ALI CLE)
July 25, 2014

Practical Tips to Handle Departing Employees in a Digital Age

21st Annual Advanced Course Webinar - The American Law Institute Continuing Legal Education Group (ALI CLE)
July 25, 2014

Recurring Discovery and Evidence Issues in Employment Cases

21st Annual Advanced Course Webinar - The American Law Institute Continuing Legal Education Group (ALI CLE)
July 25, 2014

New Challenges Avoiding Claims of Age Discrimination: How Generation X Bosses Manage an Aging Workforce

June 18, 2014

2014 Whistleblowing & Retaliation Update

Association of Corporate Counsel, Philadelphia Chapter
April 3, 2014

2014 Whistleblowing & Retaliation Update

January 29, 2014

Strategies for Dealing with the Whistleblower

Tysons Corner, VA
April 30, 2013

Strategies for Dealing with the Whistleblower

Chicago, IL
December 6, 2012

What Every Multinational Should Know About Bounty Hunters and Whistleblowers

Littler Mendelson, Washington D.C.
November 8, 2012

Conducting Lawful Investigations: An Interactive Program for Internal Investigators

Philadelphia, PA
October 30, 2012

Emerging Issues in Retaliation and Whistleblower Law

19th Annual Advanced CLE - American Law Institute (ALI-ABA), Santa Fe, NM
July 28, 2012

Recurring Evidence Issues in Employment Cases

19th Annual Advanced CLE - American Law Institute (ALI-ABA), Santa Fe, NM
July 27, 2012

Non-Compete, Non-Solicitation, and Trade Secret Developments

19th Annual Advanced CLE - American Law Institute (ALI-ABA), Santa Fe, NM
July 27, 2012

Retaliation & Whistleblowing Workshop

Littler Mendelson, Scottsdale, AZ
May 9, 2012

Current Developments In Employment Law

18th Annual Advanced CLE - American Law Institute (ALI-ABA)
July 28-30, 2011

Deposing The Expert Witness -- The New Rules

Pennsylvania Bar Institute
April 28, 2011

The Rising Tide of Retaliation and Whistleblower Claims

Philadelphia, PA

March 15, 2011

Books & Book Chapters

- ABA Section of Litigation, *Employment Litigation Handbook*, chapter editor, 2010