

Kelli C. Fuqua

Associate

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Focus Areas

Litigation and Trials
Discrimination and Harassment
Arbitration
Whistleblowing, Compliance and Investigations
Wage and Hour
Unfair Competition and Trade Secrets
Workplace Violence Prevention and Crisis Response

Overview

Kelli Fuqua is an active litigator in federal and state court, where she defends a wide array of clients – including clients in the technology, medical, higher education, and hospitality industries – in a variety of employment law matters. Kelli specifically focuses on whistleblowing, retaliation, wage and hour, unfair competition, and discrimination matters, including pre-litigation resolution.

In addition to practicing in Texas federal and state courts, Kelli is admitted to practice in the District of New Mexico, which proves particularly helpful to Texas clients facing related wage and hour (or other types of) litigation across the western border. She also consistently handles matters in front of the various arbitration bodies.

Outside of her litigation practice, Kelli routinely advises clients regarding these issues in order to avoid the time and costs associated with litigation, and has experience reviewing policies, handbooks, and noncompetition agreements, providing managerial training, and conducting internal investigations. During the COVID-19 pandemic, Kelli actively navigated the intersection of the Americans with Disabilities Act and COVID-19 for clients. Kelli also frequently presents and writes on a variety of employment law issues.

In addition to the above, Kelli actively contributes her time pro bono to a community volunteer legal service clinic, and she recently assisted in drafting an amicus brief for a case remanded to the Texas Court of Criminal Appeals from the United States Supreme Court.

Prior to joining Littler, Kelli served as an assistant attorney general in the General Litigation Division of the Office of Attorney General, where she defended the state of Texas, its officials, and employees in constitutional and employment litigation matters in state and federal court. Thus, she has proficiency in matters involving government-specific issues, such as immunity.

Professional and Community Affiliations

- Associate Member, Barbara Jordan American Inn of Court
- Member, Austin Bar Association
- Member, Austin Young Lawyers Association
- Member, Travis County Women Lawyers Association
- Fellow, American Bar Foundation
- Member, Texas Exes

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2022-2024

Education

J.D., University of Texas School of Law, 2015

B.J., University of Texas, Austin, 2012, *with honors*

Bar Admissions

Texas

New Mexico

Courts

U.S. Supreme Court

U.S. Court of Appeals, 5th Circuit

U.S. District Court, Northern District of Texas

U.S. District Court, Eastern District of Texas

U.S. District Court, Southern District of Texas

U.S. District Court, Western District of Texas

U.S. District Court, District of New Mexico

Publications & Press

SCOTUS: Retaliatory Intent Not an Element of SOX Retaliation Claim

Littler Insight

February 13, 2024

Supreme Court Determines When the U.S. Government May Dismiss an FCA Action Over a Relator's Objection

Littler Insight

July 11, 2023

U.S. Supreme Court Strikes Down Race-Conscious Admissions – What Does it Mean for Employers?

Littler Insight

June 30, 2023

Supreme Court: False Claims Act Liability Depends on Defendant's Subjective Belief

Littler ASAP

June 7, 2023

Employer Considerations for Navigating Evolving Gun Laws

Littler Insight

July 27, 2022

Fifth Circuit Holds Directional Driller is an Independent Contractor Rather than an Employee for FLSA Purposes

Littler ASAP

May 31, 2022

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

More Opinion Letters Issued in Final Days of Trump Administration

SHRM Online

January 25, 2021

DOL Issues Opinion Letter Regarding Independent Contractor Status of Food Product Manufacturers' Distributors

Littler ASAP

January 21, 2021

Protection for Criminal Antitrust Whistleblowers Signed into Law

Littler ASAP

January 14, 2021

Keeping Employees Safe at Work — ADA Considerations in the Age of COVID

Legal Talk Network

October 15, 2020

Navigating the ADA in the Time of COVID-19: A look at compliance during the pandemic

State Bar of Texas

October 2, 2020

SEC Amends Whistleblower Award Program Rules

Littler Insight

September 25, 2020

The Open Texas Plan: A State and Local Update

Littler ASAP

May 1, 2020

Fifth Circuit Weighs in on Personal Jurisdiction and Certification Issues in Rule 23 Class Actions

Littler ASAP

April 10, 2020

Texas Stay Home Orders: A State and Local Update

Littler Insight

April 9, 2020

Central Texas Counties and the Cities of Austin and San Antonio Ordered to Stay Safe at Home

Littler ASAP

March 25, 2020

Supreme Court Clarifies That But-For Causation Standard Applies to Section 1981 Claims Throughout Pendency of Litigation

Littler ASAP

March 24, 2020

Speaking Engagements

2023 Update on False Claims Act Risks for Healthcare Employers

November 14, 2023

Title IX Training

University of Texas System Title IX Annual Training, Austin, TX
August 2-3, 2023

What We Learned from Whistleblowers and Their Complaints in 2022 and What to Watch Out for in 2023

February 22, 2023

Littler Austin's 2022 Holiday Season Lunch and Learn

Austin, TX
December 9, 2022

A Leave and Benefits Medley: Dobbs, COVID, and Related Questions

Austin Bar Association, Labor & Employment Law Section CLE Presentation, Austin, TX
October 5, 2022

An Employment Law Primer on COVID-19 Vaccines and Returning to the Office

Volunteer Legal Services of Central Texas
July 22, 2021

Employment Law Overview

Texas Hill Country Wineries
April 2021

Keeping Employees Safe at Work — ADA Considerations in the Age of COVID

State Bar of Texas Podcast, Legal Talk Network
October 15, 2020

Wage & Hour Update

Austin Bar Association, Labor & Employment Section
October 7, 2020

Wage and Hour Considerations in the COVID-19 World

CenTex Chapter of American Payroll Association
June 16, 2020

The ADA and COVID-19: What Employers Need to Know as Businesses Reopen

June 11, 2020

Understanding the Legal Ins-and-Outs of Reducing Your Workforce

American Association of Political Consultants
June 3, 2020

Employee Pay and Classification Issues

Centex Chapter of American Payroll Association

February 2020

Employment Law Basics

V.G. Young School for Tax Assessor-Collectors

2018

Basic Employment Law for Managers

V.G. Young School for County Commissioners Courts

2018