



## Kristy L. Peters

Shareholder

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## Focus Areas

Unfair Competition and Trade Secrets  
Discrimination and Harassment  
Whistleblowing and Retaliation  
Policies, Procedures and Handbooks

## Overview

Kristy L. Peters represents and counsels employers regarding all types of labor and employment matters arising under federal and state laws, including:

- Discrimination issues
- Unfair competition
- Trade secrets
- Restrictive covenants
- The Legal Arizona Workers Act
- Title VII of the Civil Rights Act
- The Family and Medical Leave Act
- The Americans with Disabilities Act
- The Age Discrimination in Employment Act
- The Uniform Trade Secrets Act
- Arizona Medical Marijuana Act

Kristy litigates matters in both federal and state court, including wrongful termination claims, discrimination and harassment claims, and trade secrets and unfair competition claims. She regularly appears in front of the EEOC in the investigation, mediation, and conciliation process. Kristy also drafts employment agreements and restrictive covenants, drafts employer policies and handbooks, conducts employee training and advises on workplace issues.

Some of Kristy's notable decisions include the following:

- Obtained a temporary restraining order against a former employee and her new employer for violation of a non-solicitation agreement and misappropriation of trade secrets
- Prevailed on summary judgment in multiple cases with former employees alleging discrimination
- Obtained adverse inference in trade secret case based on destruction of evidence, leading to favorable settlement for client
- Prevailed on summary judgment against former employee alleging wrongful termination under the Arizona Employment Protection Act and defamation
- Summary judgment affirmed by the Ninth Circuit in multiple cases alleging discrimination as well as violation of other state and federal laws

In law school, Kristy was articles editor for the *Minnesota Journal of Law, Science & Technology* and in college she was a sports writer for *The Daily Cardinal*.

Kristy serves on the Steering Committee of Littler's Women's Leadership Initiative. She also is the Associate Committee Liaison for the Phoenix Office. Additionally, Kristy leads Littler's participation in the Diversity Legal Writing Program through the State Bar of Arizona.

## Professional and Community Affiliations

- Lawyer Representative, 9th Circuit, U.S. District Court, District of Arizona, October 2018-August 2021
- Immediate Past President, former Vice President, former Treasurer and former Secretary, Federal Bar Association, Phoenix Chapter, 2013-present
- Member, Arizona Women Lawyer's Association
- Member, Law and Legislative Action Committee, SHRM of Greater Phoenix (SHRMGP)
- Member, Society of Human Resource Management
- Member, Board of Directors, Phoenix ToolBank, 2016-present
- Board Member, Arizona Human Resources Executive Forum, January 2019-present
- Member, CLE Committee, Labor and Employment Law Section, State Bar of Arizona, 2014-2017
- Member, Executive Council, Young Lawyers Division, State Bar of Arizona, 2006 - 2011
- Member, Board of Directors, Arizona Center for the Blind and Visually Impaired, 2009-2011

## Recognition

- Named, Lawyer of the Year, Employment Law - Management, Phoenix, *The Best Lawyers in America*®, 2022
- Named, The Best Lawyers in America®, 2018-2022
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*
- Named, Top 100 Lawyers in Arizona, *AZ Big Media*, 2021
- Named, Arizona Business Leaders, Employment and Labor Relations, *Az Business Magazine*, 2020

- Named, 40 Under 40, *Phoenix Business Journal*, 2020
- Named, 50 Most Influential Women in Arizona Business, *Az Business Magazine*, 2019
- Named, Rising Star, Arizona Southwest, *Super Lawyers*, 2014-2019
- Recipient, Client Choice Award, *International Law Office*, 2019

## Education

J.D., University of Minnesota Law School, 2006, *cum laude*

B.B.A., University of Wisconsin, 2003, *With Distinction*

## Bar Admissions

Arizona

Colorado

## Courts

U.S. Supreme Court

U.S. Court of Appeals, 9th Circuit

U.S. District Court, District of Arizona

## Publications & Press

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

*Littler Press Release*

August 19, 2021

### **Annual Report on EEOC Developments – Fiscal Year 2020**

*Littler Report*

March 1, 2021

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

*Littler Press Release*

August 20, 2020

### **40 Under 40 2020: Kristy Peters, Littler Mendelson**

*Phoenix Business Journal*

August 6, 2020

### **Annual Report on EEOC Developments – Fiscal Year 2019**

*Littler Report*

March 5, 2020

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

*Littler Press Release*

August 15, 2019

**Littler's Kristy L. Peters Has Been Named Among the 50 Most Influential Women in Arizona by AzBusiness Magazine**

*Littler Press Release*

August 8, 2019

**As Judicial Ranks Stagnate, 'Desperation' Hits The Bench**

*Law360*

March 19, 2019

**Three Littler Attorneys Honored with 2019 Client Choice Award**

*Littler Press Release*

February 14, 2019

**Littler Appoints New Co-Chairs for Women's Leadership Initiative**

*Littler Press Release*

February 8, 2019

**Annual Report on EEOC Developments – Fiscal Year 2018**

*Littler Report*

January 28, 2019

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

*Littler Press Release*

August 15, 2018

**Ask the Legal Expert: Can I immediately fire a manager based on sexual harassment allegations?**

*Phoenix Business Journal*

April 2018

**Annual Report on EEOC Developments — Fiscal Year 2017**

*Littler Report*

February 27, 2018

**Ask the Legal Expert: My employee's intermittent Family and Medical Leave Act (FMLA) absences only occur on Mondays and Fridays so I suspect FMLA abuse. What can I do?**

*Phoenix Business Journal*

September 2017

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

*Littler Press Release*

August 17, 2017

**Annual Report on EEOC Developments – Fiscal Year 2016**

*Littler Report*

February 27, 2017

**Ask the Legal Expert: How does the Defend Trade Secrets Act of 2016 (DTSA) protect my company’s trade secrets and what should I do to take advantage of the protections?**

*Phoenix Business Journal*

May 2016

**Annual Report on EEOC Developments – Fiscal Year 2015**

*Littler Report*

January 12, 2016

**Littler Elevates 15 Attorneys to Shareholder**

*Littler Press Release*

January 4, 2016

**Supreme Court Confirms EEOC Conciliation Efforts are Subject to Judicial Review**

*Littler Insight*

April 30, 2015

**NLRB Lawyer dishes out common employer handbook mistakes**

*The Record Reporter*

April 20, 2015

**Annual Report on EEOC Developments - Fiscal Year 2014**

*Littler Report*

January 5, 2015

**Arizona Supreme Court Holds the Arizona Uniform Trade Secrets Act Does Not Preempt Tort Claims Based on Misappropriation of Confidential Information**

*Littler Insight*

December 16, 2014

**Paying Unused Vacation to Arizona Employees**

*Phoenix Business Journal*

November 2014

**The Ninth Circuit Holds Section 303 of the Labor Management Relations Act Does Not Completely Preempt State Law Claims That May Constitute Secondary Boycott Activity**

*Record Reporter*

October 2014

**Personnel Files Access to Arizona Employers**

*Phoenix Business Journal*

September 2014

**Supreme Court Agrees to Consider Controversial Conciliation Case**

*Littler ASAP*

June 30, 2014

**Annual Report on EEOC Developments - Fiscal Year 2013**

*Littler Report*

January 22, 2014

**Seventh Circuit Holds Failure to Conciliate is Not a Defense Available to Employers in Litigation with the EEOC**

*Littler Insight*

December 30, 2013

**Arizona Court of Appeals Decision Will Cause Employers to Reevaluate Restrictive Covenants Contained in Employment Agreements**

*Littler ASAP*

November 8, 2013

**Annual Report on EEOC Developments – Fiscal Year 2012**

*Littler Report*

January 8, 2013

**Arizona's Highest Court Refuses to Find Employer Vicariously Liable for Employee's Business Trip Car Accident**

*Littler Insight*

July 16, 2012

**Arizona Medical Marijuana Law Update: State Files Lawsuit to Clarify Obligations Under the Act, and the Drug Testing Modifications Go Into Effect**

*Littler Insight*

July 19, 2011

**Arizona Legislature Helps Clear the Haze for Employers Dealing with the Arizona Medical Marijuana Law**

*Littler Insight*

May 2, 2011

**Regional Challenges: Southwest--May 2011**

*PEO Insider*

May 2011

**Modified Excel Spreadsheet Is Not a Trade Secret Under Arizona Law**

*Littler ASAP*

April 14, 2011

**Yes We Can[nabis]!: Voters Approve the Arizona Medical Marijuana Act**

*Littler Insight*

November 24, 2010

**Arizona Court of Appeals Rules Against Company in Breach of Fiduciary Duty/Unfair Competition Case Against Former Vice President**

*Littler Insight*

June 10, 2010

## Speaking Engagements

**2021 Arizona Virtual Regional Employer Conference**

Phoenix, AZ

October 12, 2021

**Protecting Confidential Information and Customers Through the Use of Restrictive Covenant Agreements**

Phoenix, AZ

September 29, 2021

**Littler's Annual Report on the EEOC: A Practical Primer on Organizational, Procedural and Case Developments**

April 14, 2021

**2021 Workplace Safety and Employment Update**

Arizona HR Executive Forum (AZHREF)

February 17, 2021

**Education at Home and the Impacts on Women in the Workplace**

Arizona Human Resources Executive Forum

November 17, 2020

**Arizona Virtual Employer**

October 20, 2020

**COVID-19 Guidance for Employers: Part II, Preparing for the Coming Wave of Legal Claims**

Phoenix, AZ

May 21, 2020

**COVID-19 Guidance for Employers: Part I, Updates and Practical Tips**

May 14, 2020

**Littler's Annual Report on the EEOC: A Practical Primer On Organizational, Procedural, and Case Developments**

March 10, 2020

**Mastering the Complicated Ones: Examining HR Scenarios Involving Difficult Decisions and Legal Risks**

Littler Arizona Employer Conference, Phoenix, AZ

October 10, 2019

**The EEOC: Where We've Been and What's on the Horizon**

Employment Law Update, 2019 AZ SHRM State Conference

August 30, 2019

**Employment Law Update - Keynote**

Arizona SHRM State Conference

August 30, 2019

**Scrutinizing Sexual harassment: How The HR Professional Becomes The First Responder and the First Line of Defense - Keynote**

Arizona SHRM State Conference

August 27, 2019

**Ethical Issues – Can they Really Do That?**

Association of Corporate Counsel (ACC)

June 18, 2019

**The Interactive Process Under the ADA – Practical Tips**

EEOC Phoenix Seminar

June 12, 2019

**Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon**

February 22, 2019



**Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon**

February 19, 2019

**Accommodating Service Animals – Keynote; Me-Too and Gender Pay Disparity**

2019 Arizona SHRM Employment Law & Legislative Conference

January 25, 2019

**Employment Law Update - Keynote**

Arizona SHRM State Conference

August 31, 2018

**What Do You Mean It Isn't Privileged**

Association of Corporate Counsel (ACC)

May 15, 2018

**Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon**

February 28, 2018

**Implicit Bias in the Workplace**

2017 Littler Arizona Employer Conference

October 17, 2017

**Employment Law Update - Keynote**

Arizona SHRM State Conference

September 1, 2017

**Defend Trade Secrets Act**

Littler Arizona Employer Conference, Phoenix, AZ

October 25, 2016

**Trade Secrets Finally Get Federal Law Protection**

State Bar of Arizona – Defend Trade Secrets Act, Phoenix, AZ

May 23, 2016

**Drug Testing and Medical Marijuana**

Nineteenth Annual Public Practice Legal Seminar/HR Summit, Prescott, AZ

May 13, 2016

**Employee Documentation and Evaluation Tools**

Arizona SHRM GP Presentation, Phoenix, AZ

April 11, 2016

**Law and Legislative Update Panel**

SHRMGP West Valley Breakfast, Glendale, AZ  
January 28, 2016

**You Can't Make Me Come To Work: Case Studies Under the ADA, Reasonable Accommodation and Protected Leaves of Absence**

Arizona SHRM 2015 State Conference, Phoenix, AZ  
August 27, 2015

**Past, Present, & Future of Employment & Labor Law: Lessons Learned, Critical New Developments & Future Challenges - The 2015 Employment Law Update**

Central Arizona Human Resource Management Association Monthly Meeting, Casa Grande, AZ  
August 12, 2015

**Top Employment Issues Faced by In-House Counsel**

State Bar of Phoenix, Phoenix, AZ  
November 5, 2014

**The 2014 Arizona Employer Conference**

Phoenix, AZ  
October 2, 2014

**Employee Document Essentials – What to Keep, What to Trash and What Could Land Your Business in the Courtroom**

SHRM of Greater Phoenix, University Club, Phoenix, AZ  
September 23, 2014

**Defending Title VII Litigation: Rethinking Strategies After Recent Employee-Friendly Federal Court Rulings**

Strafford National Webinar  
June 18, 2014

**Let the Whistle Blow: Understanding and Responding to Retaliation Claims**

State Council Law & Legislative Conference - Arizona SHRM, Phoenix, AZ  
February 2014

**Employment Law Update**

Organization for Nonprofit Executives (ONE), Phoenix, AZ  
November 30, 2012

**Employment Law Update**

Central Arizona Human Resource Management Association, Casa Grande, AZ  
November 14, 2012

**Employer Obligations Under The Arizona Medical Marijuana Act**

Northwest Arizona Human Resource Association, Kingman, AZ  
November 9, 2012

**Three Legal Stumbles to Avoid in Your Small Business**

Annual Conference - Arizona SHRM  
August 2012

**3rd Annual Public Sector Employment Law Update**

Phoenix, AZ  
May 23, 2012

**Conducting Workplace Investigations**

Legislative Action Committee - Valley of the Sun Human Resources Association  
May 2012

**Employment Law Update**

Central Arizona Human Resource Management Association  
November 2011

**Employment Law Update**

Organization for Nonprofit Executives (ONE), Phoenix, AZ  
November 2011

**Public Employer, Employment Law Update**

Annual Conference - Arizona SHRM  
August 2011

**Healthcare Reform and Medical Marijuana**

Central Arizona Human Resource Management Association  
April 2011

**Annual Public Sector Employment Law Update**

February 2011

**Employment Law Update**

Central Arizona Human Resource Management Association  
November 2010

**Top Ten Human Resources Mistakes**

October 2010

**Lock It Up: Protecting Your Trade Secrets and Preventing Unfair Competition**

Better Business Bureau Legal Services

October 2008