



Nicole S. LeFave

Associate

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Focus Areas

Wage and Hour
Class Actions
Discrimination and Harassment
Whistleblowing and Retaliation
Litigation and Trials
Alternative Dispute Resolution

Overview

Nicole S. LeFave concentrates her practice on the Fair Labor Standards Act and wage and hour class and collective action defense. In addition, she advises and defends employers on a variety of wage and hour, discrimination, retaliation, harassment, and corporate whistleblower matters. She has experience representing clients at the trial court level, on appeals, in arbitration and in administrative hearings both in Texas and nationwide.

Representative experience:

- Serving as lead associate on mass arbitration of gig-economy misclassification claims involving more than 15,000 claimants
- Defeated a motion for conditional certification in proposed nationwide FLSA collective action against a Fortune 500 company
- Obtained complete summary judgment in favor of employer on single-plaintiff Title VII and FLSA matter
- Successfully defended a jury trial verdict in favor of employer in multiple-plaintiff discrimination case, obtaining affirmance from the Fifth Circuit

Nicole also serves as the Austin office's pro bono liaison and enjoys finding opportunities to contribute to access to justice, including by advising local nonprofits on employment law matters.

Before joining Littler, Nicole practiced complex business litigation and employment law, representing corporations, nonprofit organizations and individuals on a wide range of matters on both the plaintiff and defense side.

Nicole also served as a law clerk for the Hon. Gregg Costa, U.S. District Judge for the Southern District of Texas (now Fifth Circuit) and the Hon. Mark Lane, U.S. Magistrate Judge for the Western District of Texas. These experiences informed her perspective on federal trial court practice.

Professional and Community Affiliations

- Member, Austin Bar Association
- Member, Austin Young Lawyers Association
- Member, Federal Bar Association
- Member, Lloyd Lochridge Inn of Court
- Board Member, Austin Diaper Bank
- Member, Austin Bar/AYLA Leadership Academy 2019 Class
- Founding Member, League of Lady Lawyers
- Member, Texas Bar Foundation

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2021-2022
- Named, Austin's Top Attorneys, Labor and Employment, *Austin Monthly*, 2021

Education

J.D., University of Texas School of Law, 2012, *with honors*

B.A., University of Texas, Austin, 2006, *with honors*

Bar Admissions

Texas

Courts

U.S. Supreme Court
U.S. Court of Appeals, 5th Circuit
U.S. District Court, Southern District of Texas
U.S. District Court, Northern District of Texas
U.S. District Court, Eastern District of Texas
U.S. District Court, Western District of Texas
U.S. District Court, Eastern District of Arkansas
U.S. District Court, Western District of Arkansas

Publications & Press

Pro Bono Week Podcast – Eight Million Stories: Appellate Work in Criminal Law

Littler Podcast

October 27, 2021

Circuit Courts Endorse Limiting Jurisdiction in FLSA Collective Actions

Littler ASAP

August 23, 2021

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

Littler Press Release

August 19, 2021

Fifth Circuit Announces More Rigorous Standard for Certification of Collective Actions

Littler ASAP

January 13, 2021

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

Littler Press Release

August 20, 2020

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

Littler ASAP

April 10, 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

The New Normal: Navigating Return to Work

Austin Bar, Civil Litigation Section

June 17, 2021

Employment Law Hot Topics for a New Presidential Administration

Austin Human Resources Management Association

November 18, 2020

Conducting Remote Investigations in the COVID-19 Era

October 27, 2020

Employment Law Hot Topics for a New Decade

Austin, TX

February 6, 2020

Employment Law Red Flags: How to Spot Them and How to Fix Them

Hispanic Bar Association of Austin CLE Presentation, Austin, TX

August 2018