



## Paul E. Prather

Shareholder

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## Focus Areas

Litigation and Trials

Class Actions

Discrimination and Harassment

Unfair Competition and Trade Secrets

Healthcare

Emerging Technologies and Venture Capital

## Overview

Paul E. Prather represents management exclusively in all areas of employment and labor relations, including state and federal employment litigation and in administrative proceedings before the National Labor Relations Board, the Equal Employment Opportunity Commission and the United States Department of Labor.

## Professional and Community Affiliations

- Member, Labor and Employment Section, Tennessee Bar Association
- Member, Labor and Employment Section, Memphis Bar Association
- Member, Labor and Employment Law / Litigation Sections, American Bar Association
- Director, Management Labor and Employment Roundtable
- Member, Defense Research Institute
- Member, Society for Human Resource Management

## Recognition

- Named, The Best Lawyers in America© , 2003-2022
- Named, Best of the Bar , *Memphis Business Journal*, 2017

- Named, Lawyer of the Year, Memphis, *The Best Lawyers in America*®, 2015, 2021
- Named, Lawyer of the Year, Litigation - Labor & Employment, Memphis, *The Best Lawyers in America*®, 2014
- Named, Who's Who in American Law, 2014
- Named, International Who's Who of Management Labour and Employment Lawyers, *Who's Who Legal*, 2012-2015, 2018
- Named, America's Leading Lawyers for Business, *Chambers USA*, 2003-2020
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*
- Fellow, *College of Labor and Employment Lawyers*
- Fellow, *Litigation Counsel of America*
- Named, Super Lawyer, *Super Lawyers*, 2006-2015
- Named, 500 Leading Corporate Employment Lawyers, *Lawdragon*, 2020

## Education

J.D., University of Memphis, 1982

B.A., University of Memphis, 1979, *summa cum laude*

## Bar Admissions

Tennessee

## Courts

U.S. Supreme Court

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 5th Circuit

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 8th Circuit

Tennessee Supreme Court

U.S. District Court, Western District of Tennessee

## Publications & Press

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

*Littler Press Release*

August 19, 2021

### **Littler Ranked in Chambers USA Guide 2021**

*Littler Press Release*

May 27, 2021

**Littler Attorneys Recognized by BTI Consulting and Lawdragon**

*Littler Press Release*

December 15, 2020

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

*Littler Press Release*

August 20, 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 Ranked in 2019 Chambers USA Guide**

*Littler Press Release*

April 25, 2019

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

*Littler Press Release*

August 15, 2018

**Littler Attorneys Named in 2018 Who's Who Legal Labour, Employment & Benefits Guide**

*Littler Press Release*

June 5, 2018

**Littler Ranked in 2018 Chambers USA Guide**

*Littler Press Release*

May 15, 2018

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

*Littler Report*

February 27, 2018

**Littler Attorneys Named in 2017 Who's Who Legal Guide**

*Littler Press Release*

September 28, 2017

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

*Littler Press Release*

August 17, 2017

**Littler and Its Attorneys Receive Top Rankings in 2017 Chambers USA Guide**

*Littler Press Release*

May 26, 2017

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

*Littler Report*

February 27, 2017

**New Overtime Wage Rules Could Face Long Delay**

*The Memphis Daily News*

November 29, 2016

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

*Littler Press Release*

August 16, 2016

**Chambers USA Recognizes Littler and Attorneys in 2016 Guide**

*Littler Press Release*

May 27, 2016

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

*Littler Report*

January 12, 2016

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

*Littler Press Release*

August 18, 2015

**Chambers USA Recognizes Littler and Its Attorneys**

*Littler Press Release*

May 20, 2015

**Littler Attorneys Included in the Best Lawyers in America® 2015 Edition**

*Littler Press Release*

August 18, 2014

**Littler and Its Attorneys Ranked In 2014 Chambers USA Guide**

*Littler Press Release*

May 23, 2014

**Littler Named Law Firm of the Year for Labor and Employment by Who's Who Legal**

*Littler Press Release*

April 2, 2014

**Supreme Court Denies Review of Decision Holding Plaintiff Responsible for Recording Time Worked**

*Littler ASAP*

October 24, 2013

**Littler Attorneys Named in Best Lawyers in America® 2014 Edition**

*Littler Press Release*

August 15, 2013

**Littler Named Management, Labour and Employment Firm of the Year by Who's Who Legal**

*Littler Press Release*

June 24, 2013

**Littler Mendelson Named in the 2013 Chambers USA Guide**

*Littler Press Release*

May 24, 2013

**Hospital prevails in nurse's lawsuit claiming pay for meal breaks**

*Healthcare Risk Management*

January 1, 2013

**Establish procedures, audit your payment processes**

*Healthcare Risk Management*

January 1, 2013

**Sixth Circuit Affirms Summary Judgment and Denial of Class Certification in Overtime Claim Where Hospital Established Reasonable Process for Reporting Uncompensated Work Time**

*Littler ASAP*

November 16, 2012

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

*Littler Press Release*

September 7, 2012

**Sixth Circuit Upholds Decertification of FLSA Collective Action Challenging Automatic Meal Break Deductions**

*Littler Insight*

September 6, 2012

**Sixth Circuit Upholds Decertification of FLSA Collective Action Challenging Automatic Meal Break Deductions: Would Your Wage and Hour Policies and Practices Pass Muster?**

*HR Professionals Magazine*

September 2012

**6th Circ. Tosses Nurse's Lunch Pay Suit As Time-Barred**

*Law360.com*

August 21, 2012

**Littler Named World's Leading Law Firm for Management Labor and Employment Work**

*Littler Press Release*

June 12, 2012

**Labor and Employment Firms on the March: Jackson Lewis to Milwaukee, Littler to Memphis**

*AmLaw Daily*

January 19, 2012

**Littler Expands Tennessee Presence with New Memphis Office**

*Littler Press Release*

January 19, 2012

## **Speaking Engagements**

**COVID-19 - What's Ahead for Legal Compliance, Preparing for the Coming Wave of Legal Claims**

Tennessee State SHRM Conference

November 2, 2020

**Cutting Edge Solutions for Turbulent Times in HR**

2020 SHRM Legal Day Conference

August 11, 2020

**Top 10 Employment Law Tips for a Successful 2019**

Memphis, TN

June 20, 2019

**Top 10 Employment Law Tips for a Successful 2019**

Memphis, TN

June 20, 2019

**It's a Labor of Love: Littler Lawyers Answer Your Most Burning Labor & Employment Questions**

Memphis, TN

February 8, 2018

**Wage and Hour Headaches: What Every Employer Needs to Know**

Memphis, TN

July 12, 2016

**Wage and Hour Headaches: What Every Employer Needs to Know**

Memphis, TN

July 12, 2016

**Inclusion in 2016: Pregnancy, Religious and LGBT Accommodations**

2016 SHRM-Memphis Half Day Legal Seminar, Memphis, TN

March 15, 2016

**The New Overtime Rules – And Why HR Must Work Overtime to Ensure Compliance**

The 12th Annual Labor & Employment Law Advanced Practices Symposium, Las Vegas, NV

March 2016

**Workplace Investigations 2015**

Tennessee Association of Corporate Counsel (ACC), Memphis, TN

September 30, 2015

**2015 Southeast Employer Conference**

Atlanta, GA

August 20, 2015

**DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?**

Memphis, TN

July 23, 2015

**Tips and Strategies for Avoiding Litigation Arising from the Hiring Process**

Memphis, TN

May 27, 2015

**Overtime Law and the FLSA**

11th Annual Labor & Employment Law Advanced Practices Symposium - HR Specialist and the Management Labor Employment Roundtable, Las Vegas, NV

April 9, 2015

**Identify Wage & Hour Landmines In Your Organization**

Society for Human Resource Management (SHRM) Memphis, Memphis, TN  
March 17, 2015

**Conducting Lawful Investigations: An Interactive Program for Internal Investigators**

Nashville, TN  
October 8, 2014

**Top Takeaways From Our National Employer Conference®**

Memphis, TN  
May 20, 2014

**Conducting Lawful Investigations: An Interactive Program for Internal Investigators**

Memphis, TN  
April 29, 2014

**Preparing the Executive for Deposition**

Business Management Daily Webinar  
April 18, 2014

**Bullying and Workplace Harassment: The Developing Intersection Between Employment Law and Employee Behavior**

Society for Human Resource Management (SHRM)  
March 18, 2014

**Bullying and Harassment in the Modern Workplace: The developing intersection between employment law and employee behavior**

Memphis, TN  
September 20, 2013

**The Toxic Employee**

Memphis, TN  
October 29, 2012

**Social Media Mayhem: What an Employer Should Know**

EEOC Robinsonville Seminar - U.S. Equal Employment Opportunity Commission  
August 30, 2012

**The Wage Hour Update: Critical Developments in Federal and State Laws and Regulations**

Littler Mendelson, Scottsdale, AZ  
May 11, 2012



## Books & Book Chapters

- Arbitration v Litigation, *An Introduction to Health Law Litigation Based on Contract and Government Claims*, co-author chapter 1, American Bar Association, July 2016
- *Fair Labor Standards Act, BNA, 2nd Ed.*, contributing author, 2011
- *Annual Review of Developments in Business and Corporate Litigation*, contributing editor, American Bar Association, 2006-2010