



Shawn Matthew Clark

Shareholder

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Focus Areas

- Business Restructuring and M&A
- Unfair Competition and Trade Secrets
- Litigation and Trials
- Executive Compensation
- Financial Services
- Healthcare
- Emerging Technologies and Venture Capital

Overview

Shawn Matthew Clark provides practical advice to employers on every aspect of the laws governing the workplace. He has extensive experience litigating employment disputes of all types, including defending employers and managers against claims of discrimination, retaliation, harassment, wrongful discharge, and wage and hour violations. On behalf of his clients, Shawn has won dispositive motions, temporary restraining orders, preliminary injunctions, defense verdicts, and appeals. He draws on that litigation experience to counsel employers on effective strategies for avoiding litigation when possible, and preparing for litigation when it is unavoidable.

Beyond the courtroom, Shawn devotes a substantial portion of his practice to business restructuring and M&A matters. In particular, he assists employers with planning and implementing reductions-in-force, mass layoffs, plant closings, furloughs, and other business reorganizations, including all aspects of compliance with federal and state Worker Adjustment and Retraining Notification (WARN) Acts and the Older Workers Benefit Protection Act (OWBPA). He also advises corporate clients and private equity firms on employment issues that arise in corporate transactions and performs pre-acquisition due diligence to identify employment obligations and liabilities that may impact the value and structure of the transaction.

In addition, Shawn regularly drafts and negotiates executive employment contracts and noncompetition, nonsolicitation, and confidentiality agreements. When necessary, he also litigates claims related to such agreements, including claims for breach of contract, misappropriation of confidential information, theft of trade secrets, unfair competition, tortious interference, and breach of the duty of loyalty.

Prior to entering private practice, Shawn served as an assistant corporation counsel in the Labor and Employment Law Division of the New York City Law Department where he represented the City of New York and its agencies and officers in employment litigation.

Prior to law school, Shawn worked in the United States Senate for members of the Senate Judiciary Committee and the Senate Committee on Health, Education, Labor, and Pensions.

Professional and Community Affiliations

- Member, Turnaround Management Association
- Member, Federal Bar Council
- Member, American Bar Association
- Member, Labor and Employment Law Section, New York State Bar Association
- Member, New York City Bar Association
- Member, Board of Trustees, Community Roots Charter School

Recognition

- Recipient, New York City Law Department Legal Rookie of the Year Award, *New York City Law Department*, September 2013
- Recipient, Judge Doris A. Thompson and Judge Edward Thompson Award for Excellence in Trial Advocacy, *Brooklyn Law School*, June 2012
- Recipient, CALI Excellence for the Future Award in Trial Advocacy, *Brooklyn Law School*, December 2010
- First Place Winner, New York Region, *American Bar Association Labor and Employment Trial Advocacy Competition*, November 2010

Education

J.D., Brooklyn Law School, 2012, *cum laude*

B.A., The George Washington University, 2004

Bar Admissions

New York

Courts

U.S. Court of Appeals, 2nd Circuit
U.S. District Court, Southern District of New York
U.S. District Court, Eastern District of New York
U.S. District Court, Northern District of New York

Publications & Press

Accommodating New York's Vaccine Mandate for Health Care Workers

New York Law Journal

October 29, 2021

New York City Mandates Retirement Savings Plans for All

SHRM Online

August 26, 2021

NYC Mandates Retirement for All

Littler ASAP

August 17, 2021

Littler Announces New Shareholders and Principals Elevating 26 Attorneys

Littler Press Release

January 4, 2021

Warning to New York Employers: The NY WARN Act Now Requires WARN Notices be Sent to Additional Governmental Recipients

Littler ASAP

November 11, 2020

Philadelphia Clarifies City's WARN Act to Account for COVID-19-Related Closures

Littler ASAP

April 22, 2020

WARN Act Risks Loom for Employers Re-Hiring or Un-Furloughing Employees to Receive Paycheck Protection Program Funding

Littler ASAP

April 19, 2020

New York and New Jersey Join Growing Ranks of States Penalizing Call Center Relocation

Littler Insight

February 14, 2020

Speaking Engagements

Homecare Consolidation: Employment Law Considerations That Can Kill Deals When Buying or Selling a Homecare Business

April 5, 2022