

## Stephen E. Baumann II

Shareholder

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### Focus Areas

Unfair Competition and Trade Secrets  
Discrimination and Harassment  
Labor Management Relations  
Energy  
Appellate

### Overview

Steve Baumann partners with employers of all sizes, from small startups to Fortune 500 companies, to address and resolve employment and traditional labor issues throughout the employment lifecycle, from hiring through performance management, corrective action, and separation of employment. Among other things, Steve advises employers about employment agreements, employment policies, protection of trade secrets, restrictive covenant agreements, and other issues confronting employers in a constantly evolving legal landscape.

Steve also has a robust litigation practice in federal and state courts nationwide, including complex litigation involving trade secrets, noncompete agreements, nonsolicit agreements, discrimination, retaliation, harassment, failure-to-accommodate, and wrongful termination.

For example, Steve has:

- Obtained a federal jury verdict following a five-day trial on Age Discrimination in Employment Act (ADEA) case for a large publicly traded employer
- Obtained state court bench trial verdict on Healthy Families and Workplaces Act case for large publicly traded employer
- Obtained temporary restraining orders (TROs) and preliminary injunctions following hotly contested evidentiary proceedings to protect the trade secrets, confidential information, and competitive advantages of energy

companies, advertising companies, mid-size distributing companies, medical device companies, industrial maintenance and repair companies, and others

- Obtained Rule 12 dismissal of putative Rule 23 class action claims against construction industry client on claims of failure to pay wages under the Colorado Wage Claim Act, RICO, and the Colorado Organized Crime and Control Act (COCCA)
- Obtained dismissal of claims for familial-status discrimination under the Colorado Anti-Discrimination Act (CADA) against small business, affirmed by the Colorado Court of Appeals, when, on an issue of apparent first impression, the court concluded that CADA does not protect familial status
- Obtained voluntary dismissal of claims under the Americans with Disabilities Act (ADA) against a multinational financial services company following discovery sanctions entered against plaintiff and her counsel
- Obtained Rule 12 dismissal of allegations seeking a declaratory judgment on enforceability of a non-compete agreement, as well as damages for outrageous conduct, intentional infliction of emotional distress, and invasion of privacy, on behalf of alternative energy company, including an award of fees and costs against plaintiff
- Obtained Rule 12 dismissal, affirmed in the U.S. Court of Appeals for the Tenth Circuit, on ERISA-related RICO claims, on behalf of Fortune 500 financial services company
- Obtained summary judgment for small energy company in a case brought by its former founder and CEO alleging breach of contract, wrongful termination, and shareholder derivative claims
- Obtained summary judgment in Title VII race discrimination arbitration for aerospace and defense contractor
- Successfully defended charges of discrimination in state and federal agencies, including the Equal Employment Opportunity Commission (EEOC), the Colorado Civil Rights Division (CCRD), and the Department of Labor (DOL)

Steve further helps employers remain union-free and manage their union-represented workplaces. When traditional labor concerns arise, Steve has:

- Conducted positive employee relations training
- Conducted successful union-organizing campaigns and defeated representation petitions
- Successfully bargained first contracts and successor agreements in collective bargaining negotiations
- Successfully litigated employee grievances
- Successfully defended unfair labor practice charges before the National Labor Relations Board (NLRB) and its state-level counterparts
- Advised clients in avoiding potential strike activity

As a volunteer with the Center for Legal Inclusiveness, Steve participates in high school, university, and post-graduate level programs to promote inclusiveness in the legal profession.

Prior to joining Littler, Steve's practice included employment law, governmental liability defense, and complex commercial litigation in a wide variety of practice areas at a regional firm in Denver. During law school, Steve co-taught the first-year legal writing and advocacy program as a legal writing and advocacy fellow. He was a content editor for the *Southern California Interdisciplinary Law Journal*. He previously served as a judicial extern for the Hon. Manuel L. Real in the U.S. District Court for the Central District of California.

## Professional and Community Affiliations

- Member, American Mensa
- Member, California Bar Association
- Member, Colorado Bar Association
- Member, Diversity in the Legal Profession Joint Committee, Center for Legal Inclusiveness

## Recognition

- Named, The Best Lawyers in America®, 2025
- Named, Ones to Watch, *The Best Lawyers in America*®, 2021-2024
- Named, Stand-Out Lawyer, *Thomson Reuters*, 2024
- Named, Rising Star, *Super Lawyers*, 2016-2023
- Named, Barrister's Choice, Employment Lawyer for Defendants, *Law Week Colorado*, 2022
- Recipient, BTI Client Service All-Star Award, 2017
- Recipient, American Jurisprudence Award in , Legal Research, Writing and Advocacy and Evidence
- Recipient, Merit Scholarship, *University of Southern California Gould School of Law*

## Education

J.D., University of Southern California Gould School of Law, 2011

B.A., University of Colorado, Boulder, 2007, *cum laude*, *Phi Beta Kappa*

## Bar Admissions

Colorado

California

## Courts

U.S. Court of Appeals, 10th Circuit

U.S. District Court, District of Colorado

U.S. District Court, Central District of California

U.S. Bankruptcy Court, District of Colorado

## Publications & Press

**New Labor Protections for Thousands of Public Workers in Colorado Take Effect in July**

*Law Week Colorado*

April 17, 2024

**A Rocky Mountain Remix for Protected Concerted Activity: Colorado Adopts Rules for the Protections of Public Workers Act, Creating NLRA Section 7-Like Rights and Remedies**

*Littler Insight*

March 14, 2024

**SLAPP Back: Colorado Court of Appeals Addresses Protection Against “Vengeful” Online Posts**

*Littler ASAP*

December 18, 2023

**(Not So) Frozen in Time—Colorado District Court Enters Section 10(j) Order Preventing Hospital from Withholding Across-the-Board Wage Increases to Union Members Following Election**

*Littler ASAP*

December 12, 2023

**Colorado Significantly Expands the Rights of Public Employees at Hospitals, Universities, Schools, and Special Districts**

*Littler Insight*

June 15, 2023

**A Tipster’s Refuge: Colorado Significantly Expands Health, Safety, and Fraud Whistleblower Protections**

*Littler ASAP*

June 9, 2022

**HB 22-1317: A New, More Restrictive Era for Restrictive Covenants in Colorado**

*Littler Insight*

May 16, 2022

**Colorado Criminalizes Certain Restrictive Covenants in Employment Agreements**

*SHRM Online*

January 19, 2022

**Littler Elevates 33 Attorneys to Shareholder**

*Littler Press Release*

January 6, 2022

**Colorado Criminalizes Certain Restrictive Covenants**

*Littler ASAP*

January 6, 2022

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

*Littler Press Release*

August 19, 2021

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

*Littler Press Release*

August 20, 2020

**Colorado Enacts Public Health Emergency Whistleblower (PHEW) Law Protecting COVID-19 Workplace COPs**

*Littler Insight*

July 23, 2020

**A Return to Workplace Civility: The NLRB Adopts the Wright Line Burden-Shifting Approach to Section 7 Speech**

*Littler Insight*

July 22, 2020

**Colorado Issues Emergency Rule and FAQs on Returning to the Workplace**

*SHRM Online*

May 7, 2020

**Denver and its Neighbors Return to Work: Mayor Announces Expiration of Stay-at-Home Order and Ushers in Period of COVID-19 “Relief and Recovery”**

*Littler ASAP*

May 6, 2020

**Colorado Department of Labor and Employment and Colorado Civil Rights Division Issue Guidance Addressing Employees Concerned about Returning to the Workplace**

*Littler ASAP*

May 5, 2020

**Denver Joins a Growing Number of Colorado Municipalities Mandating Face Coverings While in Public**

*Littler ASAP*

May 4, 2020

**Colorado Enters Its “Safer At Home” Phase of the COVID-19 Pandemic, But Many Municipalities Remain on Lockdown**

*Littler ASAP*

April 25, 2020

**A COVID-19 Guide for Colorado Employers**

*Littler ASAP*

March 24, 2020

**Watch Your Mouth: The NLRB Invites Input on when Profane, Racial, or Sexual Language Crosses the Line**

*Littler ASAP*

September 9, 2019

**Colorado Court of Appeals Confirms the Broad Scope of “Arising Under” Arbitration Agreements and Expands Duty-of-Loyalty Claims**

*Littler ASAP*

October 2, 2018

**A "Rare" Amendment: Colorado Amends its Non-Compete Statute for the First Time Since 1982 to Protect Physicians Treating Patients with "Rare Disorders"**

*Littler ASAP*

April 6, 2018

**Three Littler Attorneys Named BTI Client Service All-Stars**

*Littler Press Release*

February 13, 2017

**Reducing Redundancy: Colorado Repeals its State-Specific Employment Verification Requirement**

*Littler ASAP*

August 17, 2016

**Pre- and Post-Partum Protection: Colorado Enacts A Pregnant Workers Fairness Act**

*Littler Insight*

June 8, 2016

**Utah Enacts Post-Employment Restrictions Act**

*Littler ASAP*

March 31, 2016

**You’ve Got a “Friend”: Social Media’s Influence on Employee Rights**

*For the Defense*

July 2014

**Defer No More: Appellate Review in the iPhone Era**

*In-House Defense Quarterly*

Spring 2014

**Speaking Engagements**

**Managers Guide to Protected Categories and Anti-Discrimination Laws**

Lorman Webinar

November 18, 2024

**2024 Rocky Mountain Regional Employer Conference**

Denver, CO

October 18, 2024

**2023 Rocky Mountain Regional Employer Conference**

Denver, CO

October 27, 2023

**Legal Risks of Hiring Competitors' Employees**

Lorman Live Webinar

April 18, 2023

**Restrictive Covenants Updates: The Cutting Edge on Colorado and Beyond**

October 27, 2022

**Restrictive Covenants During the Great Resignation: Legislative Updates and Strategic Approaches for Employers**

June 28, 2022

**Protected Class Laws and Regulations: New Post-Pandemic Challenges for Employers in 2022**

Lorman Webinar

March 22, 2022

**2021 Rocky Mountain Virtual Regional Employer Conference**

Denver, CO

October 6, 2021

**Returning to Work When Workers Have Wandered: Post-COVID Compliance Concerns for Colorado Employers**

Denver, CO

July 7, 2021

**Politics, Pandemic, and Protests: Strategies to Navigate the "Free Speech" Trifecta**

2021 Mile High SHRM Conference, Denver, CO

February 26, 2021

**2020 Rocky Mountain Virtual Employer**

November 18, 2020

**Session 7: COVID-19 Challenges to Restrictive Covenants and Protecting IP**

October 1, 2020

**The New Normal: "Free Speech" in the Workplace During Pandemic, Protests, and Polarized Elections - Session 6**

August 6, 2020

**Insights From Colorado: The Post-COVID-19 Workplace Webinar Series, Session 1: Litigation in the Post-COVID-19 World**

Webinar

May 28, 2020

**The Next Normal: Strategies and Best Practices for Returning to Work in Colorado**

May 11, 2020

**Tales from the Trenches: Updates and Practical Guidance for Employers on COVID-19**

April 21, 2020

**Caregiver Conundrums: A Primer on Paid (and Unpaid) Parental Leave**

Colorado Bar Association, Labor & Employment Law Section, Denver, CO

October 17, 2019

**Federal Employment Law Update**

2019 Rocky Mountain Employer Conference Denver, CO

October 4, 2019

**Socially Acceptable Solicitation: Restrictive Covenants in the Age of Social Media**

2019 Rocky Mountain Employer Conference, Denver, CO

October 4, 2019

**Protected Union-Related Speech and Concerted Activities: Walking the Increasingly Fine Line of 'Free Speech' in the Workplace**

Lorman Webinar

August 21, 2019

**The Art of Union Information Requests: Balancing the Need-to-Know with the Need-to-Protect**

Lorman Webinar

July 3, 2019

**Legal Trends, Topics and Management for Boards**

Gamma Phi Beta Housing and Facilities Conference, Denver, CO

June 29, 2019

**Legal Risks of Hiring Competitors' Employees**

Lorman Webinar

April 25, 2019



**What to Do When a Whistleblower Steals Confidential Information**

Rocky Mountain Employer Conference  
September 21, 2018

**Hiring a Competitor's Employees: Minimizing Litigation Exposure, Defending Competitor Lawsuits**

Strafford Webinar  
February 28, 2018

**Living on the Edge of Fair Competition in the Labor Market Nationwide**

Littler, Denver CO  
October 3, 2017

**Update Your Status: Current Legal Risks Related to Social Media in the Workplace**

Mile High SHRM Emerging Leaders Conference, Denver, CO  
June 16, 2017

**The 2016 Defend Trade Secrets Act - Protecting Your Business's Most Valuable Assets**

Littler, Denver, CO  
September 21, 2016

**Hot Topics in Employment Law: Marijuana, Matrimony, and Off-Duty Merriment**

Rocky Mountain Paralegal Association Education Summit, Denver, CO  
May 13, 2016

**Advanced FMLA and ADA Issues**

Employment Law: Beyond the Basics, Cheyenne, WY  
September 22, 2015

**Books & Book Chapters**

- Picketing for Organization and Recognition, The Developing Labor Law, Chapter 21, *ABA Section of Labor and Employment Law*, Chapter Contributing Editor 2018-2019, Chapter Editor 2020-2023
- Technology in the Courtroom, Colorado Courtroom Handbook for Civil Trials, Chapter 23, *Colorado Bar Association*, Chapter Co-Author, 2014-2022