

Thomas M. Metzger

Shareholder

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Practice Areas

Competition and Trade Secret Law
Complex Litigation and Jury Trials
Wage and Hour
Workplace Safety and Health (OSHA & MSHA)

Overview

Tom Metzger is widely-respected as a labor and employment law attorney and litigator. For nearly 20 years, he has represented private and publicly traded companies in various industries, ranging from start-up businesses to Fortune 500 companies, on cases throughout the United States. He has also represented some of the country's leading CEO's, financial advisors, entrepreneurs, and sales executives in connection with covenant-not-to-compete litigation and executive contract negotiations. He has successfully represented clients and resolved disputes in hundreds of employment-related cases, including covenant-not-to-compete matters, employment discrimination claims and related workplace issues.

Tom has successfully tried many cases to verdict, including more than twenty-five covenant-not-to-compete and trade secret trials throughout the United States in state and federal courts.

Tom is a frequent speaker and author on employment law and litigation topics. He has contributed to numerous articles and news programs on the subject, including television interviews with ABC and NBC, and numerous radio programs and interviews with *Business Week*, the *Columbus Dispatch*, *Business First*, *Columbus CEO*, and the *Daily Reporter*, among others.

Professional and Community Affiliations

- Member, Labor and Employment Law Section - Ohio Bar Association
- Member, Labor and Employment Law Section - American Bar Association
- Member, Labor and Employment Law Section - Columbus Bar Association
- Member, Board of Governors, Labor and Employment Section - Ohio State Bar Association

- Former editor-in-chief, Labor and Employment Law Newsletter - Ohio State Bar Association

Recognition

- Named, *The Best Lawyers in America*, 2013 and 2014
- Named, Top Ohio Lawyer, Labor and Employment - *Business First*, 2009-2012
- Named, Super Lawyer - Ohio, 2012
- Awarded, Martindale-Hubbell AV® Peer Review Rating
- Named, Top Attorney in Ohio - *The Verdict*
- Order of the Barristers

Education

J.D., University of Pittsburgh School of Law, 1992

B.A., Washington University in St. Louis, 1989, *magna cum laude*

Bar Admissions

Ohio

Courts

U.S. Supreme Court

U.S. Court of Appeals, 6th Circuit

U.S. District Court, Northern District of Ohio

U.S. District Court, Southern District of Ohio

U.S. District Court, Northern District of Florida

U.S. District Court, Middle District of North Carolina

U.S. District Court, Southern District of Alabama

U.S. District Court, District of Kansas

U.S. District Court, Eastern District of Michigan

Publications & Press

August 15, 2013

Littler Attorneys Named In Best Lawyers In America® 2014 Edition

Littler Press Release

October 23, 2012

The Ohio Supreme Court Reverses Its Position on the Enforceability of Noncompete Agreements after a Merger

Littler ASAP

September 7, 2012

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

Littler Press Release

July 29, 2009

Ohio Supreme Court Restricts the Application of Ohio's Prevailing Wage Law

Littler ASAP

March 4, 2008

Trade Secrets and Former Employees: Memorized Client Lists Can Still Be Protected as a Secret

Littler ASAP

December 13, 2007

Competition from Former Employees: Important New Decisions Regarding Enforcement of, and Challenges to, Noncompete Agreements

Littler ASAP

February 21, 2007

Competition from Former Employees: Ohio Appellate Court Clarifies Application of the "Inevitable Disclosure" Doctrine

Littler ASAP

November 9, 2006

Tom Metzger Notes Impact of Election on Business

The Plain Dealer

June 27, 2006

Tom Metzger Encourages Companies to Ensure Employees Take Breaks

The Columbus Dispatch

June 30, 2005

OSHA Seeks to Step Up Enforcement of Criminal Penalties

Littler ASAP

Speaking Engagements

May 14, 2012

Ethics Compliance – Effectively Dealing With Corporate Whistleblowers

Littler Mendelson, Cincinnati, OH

May 10, 2012

OSHA Update: The 2012 Compliance and Enforcement Agenda

The 2012 Executive Employer® Conference, Littler Mendelson, Scottsdale, AZ

April 25, 2012

Conducting Lawful Investigations: The First 72 Hours

Employment Law Update - Human Resources Association of Central Ohio, Columbus, OH

November 18, 2011

OSHA Inspections: Strategies for Employers
Breakfast Briefing, Columbus, OH

November 14, 2011

Non-Competition Agreements, the Recruiting "Protocol," and Key Updates for Broker/Dealers on Client Solicitation
Fall Symposium - National Association of Independent Broker/Dealers, New York, NY

October 27, 2011

Navigating the Changing Employment Law Landscape
2011 Ohio Employer Conference - Littler Mendelson, Mayfield Heights, OH

August 4, 2011

Key Employees: Poaching, Trade Secrets and Unfair Competition
Association of Corporate Counsel

October 10, 2010

Best Practices Checklist for Protecting Confidential Information & Preventing Unfair Competition
2010 Ohio Employer Conference - Littler Mendelson, Mayfield Heights, OH

September 7, 2010

Religious, Genetic, Caregiver, And National Origin Discrimination
Battelle, Columbus, OH

July 21, 2010

Disabilities in the Workplace, the ADA and the Amendments: Understanding the ADA, and a Review of an Employer's
Primary Obligations
Ohio Labor & Employment Law Institute, Cleveland, OH

June 23, 2010

Disabilities in the Workplace, the ADA and the Amendments: Understanding the ADA, and a Review of an Employer's
Primary Obligations
Ohio Labor & Employment Law Institute, Columbus, OH

April 27, 2010

Still Dealing with the Pain: Accommodating Leaves of Absence, the ADA and Other Legal Requirements
Employment Law Update - Human Resources Association of Central Ohio, Columbus, OH

April 2010

The Future of Workplace Safety: Imminent Threats and Anticipated Regulation
2010 Executive Employer Conference® - Littler Mendelson, Phoenix, AZ

October 29, 2009

Employing Change, Overcoming Crisis & Finding Opportunity: An Employer's Perspective
2009 Ohio Employer Conference - Littler Mendelson, Mayfield Heights, OH

June 17, 2009

Competitors and Employees: Protecting Unfair Competition, and Protecting Company Assets
Ohio Labor & Employment Law Institute, Cincinnati, OH

June 11, 2009

Competitors and Employees: Protecting Unfair Competition, and Protecting Company Assets
Ohio Labor & Employment Law Institute, Cleveland, OH

May 13, 2009

Competitors and Employees: Protecting Unfair Competition, and Protecting Company Assets
Ohio Labor & Employment Law Institute, Columbus, OH

November 10, 2008

The Americans with Disabilities Act - and the New ADA
Breakfast Briefing, Columbus, OH

July 25, 2008

Employer Mandated Wellness Programs
Association of Corporate Counsel

February 12, 2008

Confidentiality, Trade Secrets, and Intellectual Property: HR's Strategic Role
Employment Law Update - Human Resources Association of Central Ohio, Columbus, OH

November 8, 2007

Secrets and Lies: Avoiding the Sting of Unfair Competition
2007 Ohio Employer Conference - Littler Mendelson

October 5, 2007

Recent Developments and Challenges with Covenants Not to Compete and Non-Solicitation Agreements in Ohio
Association of Corporate Counsel

September 25, 2007

2007 Employment Law Update: Recent Trends and Developments
Breakfast Briefing / Training Program

July 20, 2007

Recordkeeping in a Digital Age
Association of Corporate Counsel

September 14, 2006

Blogging in the Workplace – How Your Employees’ Off-duty and On-line Activities Can Lead to Employer Liability
Association of Corporate Counsel

May 2005

OSHA Inspections
Breakfast Briefing

April 2005

(In)Feasibility of Compliance with OSHA Standards
Safety Congress

August 19, 2004

What is “Work Time”?
Lorman Education Services, Columbus, OH

June 15, 2004

FMLA/CFRA/ADA
Breakfast Briefing

May 25, 2004

The Changing Workplace
2004 Executive Employer Conference® - Littler Mendelson, Phoenix, AZ

January 16, 2004

Family and Medical Leave Act
Breakfast Briefing, Columbus, OH

2004

Labor and Employment Law Update: What’s Your Labor and Employment Law IQ?
ACCEL Muirfield

January 2004

Protected Leave of Absence
Office of the Ohio Attorney General

2004

Is This Restrictive Covenant Enforceable?
41st Annual Midwest Labor and Employment Law Seminar