



Thomas W. Carroll

Shareholder

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Focus Areas

Litigation and Trials
ERISA and Benefit Plan Litigation
Unfair Competition and Trade Secrets

Overview

Thomas W. Carroll focuses his practice on labor and employment litigation and advice. Tom's experience includes representing clients in class and collective action litigation, as well as other complex and multiparty disputes before state and federal courts and in arbitration. His previous litigation experience includes:

- Noncompetition and trade secrets
- Breach of contract
- Discrimination and retaliation
- ERISA and employee benefits
- Family and Medical Leave Act
- FLSA collective actions
- Class actions
- Wage and hour
- Federal and state appeals

As a member of Littler's Unfair Competition and Trade Secrets Practice Group, Tom counsels and represents clients in both enforcing and defending noncompetition, nonsolicitation, trade secret, and related matters, as well as assists clients in drafting and revising restrictive covenants to stay current with a constantly evolving legal landscape. In litigation, Tom regularly represents both plaintiffs and defendants in state and federal courts and arbitration across the country.

In addition to litigation, Tom helps his clients comply with labor and employment laws by counseling employers on employment agreements, employee classification and hiring, discipline, and termination. Additionally, he helps employers prepare contracts, separation agreements, and general employee policies.

Tom's practice also includes continuing to advise and counsel employers during the COVID-19 pandemic. His experience includes state and federal leave laws, telework and remote work, furloughs and layoffs, return to work, and compliance with state and local health orders.

Tom has devoted significant time to pro bono representations, which has included ongoing advice and counseling to nonprofit organizations, trial advocacy in congressional-redistricting litigation, challenges to state agency action on behalf of Medicaid applicants, and representing/assisting veterans and other individuals with military ties.

Professional and Community Affiliations

- Member, American Bar Association
- Member, Ethics Committee, Colorado State Bar Association
- Member, Denver Bar Association
- Member, Faculty of Federal Advocates
- Member, Leadership Program, Leadership Program Alumni Committee, Downtown Denver Partnership

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2021-2024
- Named, Rising Star, *Super Lawyers*, 2013-2022
- Named, Associate to Watch, *Chambers USA*, 2018-2019
- Named, Volunteer of the Year, *Downtown Denver Partnership*, 2016
- Member, Presidents Leadership Class, *University of Colorado, Boulder*

Education

J.D., New York University School of Law, 2009

B.A., University of Colorado, Boulder, 2005, *Phi Beta Kappa*

Bar Admissions

Colorado

Courts

U.S. Court of Appeals, 5th Circuit
U.S. Court of Appeals, 9th Circuit
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, 11th Circuit
U.S. District Court, District of Colorado
U.S. District Court, District of Nebraska
U.S. District Court, Northern District of Indiana

Publications & Press

Colorado Court of Appeals Decision Underscores How Employer’s Prior Breach of an Employment Agreement May Excuse an Employee from Complying with Post-Employment Obligations

Little ASAP

July 18, 2023

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

Little Insight

May 16, 2022

Colorado Criminalizes Certain Restrictive Covenants in Employment Agreements

SHRM Online

January 19, 2022

Colorado Criminalizes Certain Restrictive Covenants

Little ASAP

January 6, 2022

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

Little Press Release

August 19, 2021

Little Lightbulb: Colorado Adds New Employment Laws this Session

Little Insight

July 2, 2021

Colorado Court Decides Issue of First Impression Regarding ERISA Preemption of State Divorce-Revocation Statute

Little ASAP

June 22, 2021

Littler Announces New Shareholders and Principals Elevating 26 Attorneys

Littler Press Release

January 4, 2021

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

Littler Press Release

August 20, 2020

Littler Lightbulb: What's New in Colorado?

Littler Insight

February 27, 2020

Colorado Court Decides Issue of First Impression on Restrictive Covenants

Littler ASAP

August 7, 2019

Littler Ranked in 2019 Chambers USA Guide

Littler Press Release

April 25, 2019

Three New Colorado Employment Laws on the Horizon: Employment Verification, Pregnancy Accommodations, and Personnel File Inspection

Employee Benefit Plan Review

October 2016

Other Leaves: Colorado

Xpert HR Employment Law Manual

June 2016

New Hire Paperwork: Colorado

Xpert HR Employment Law Manual

June 2016

The Shift of Employment Law Policymaking from Congress to the Executive, the States and Local Governments

The Laboring Oar, Labor and Employment Section of the Federal Bar Association

Summer 2016

Provisional Remedies: Colorado

Practical Law

October 28, 2014

Speaking Engagements

2023 Rocky Mountain Regional Employer Conference

Denver, CO

October 27, 2023

Federal Employment Law Update

2019 Rocky Mountain Employer Conference Denver, CO

October 4, 2019

Hiring a Competitor's Employees: Minimizing Your Litigation Exposure

Rocky Mountain Employer Conference

September 21, 2018

Navigating ERISA Misrepresentation Remedies in the Post-Amara World

Continuing Legal Education Webinar

September 2015

Americans with Disabilities Act: The Accommodation Process

Colorado Springs Orthopaedic Group

September 2013