

## 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*®, 2021-2025
- 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**

### **New Colorado Employment Laws Enacted, Other Statutes Modified**

*SHRM Online*

July 10, 2024

### **Forthcoming Additions and Modifications to Employment Laws in Colorado**

*Littler Insight*

July 2, 2024

### **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**

*Littler ASAP*

July 18, 2023

### **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

### **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

**Littler Lightbulb: Colorado Adds New Employment Laws this Session**

*Littler Insight*

July 2, 2021

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

*Littler 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