



## A. Michael Weber

Shareholder

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## Practice Areas

Class Action  
Wage and Hour  
Litigation and Trials  
Whistleblowing, Compliance and Investigations  
Arbitration

## Overview

Michael Weber provides 24/7 service and pragmatic advice to clients – managers, human resources professionals and in-house employment counsel. He assists clients with human resources issues, including decisions concerning hiring, firing, promotions, compensation, and leaves.

As a highly-experienced employment law trial lawyer, Michael has successfully defended clients in scores of individual, class and collective actions; hundreds of mediations and arbitration proceedings; and achieved multiple defense verdicts in state and federal courts involving claims of:

- Discrimination and harassment
- Violations of wage and hour laws
- Negligence in hiring, supervision, and retention
- Breach of contract
- Negligent and intentional infliction of emotional distress

In addition to his litigation practice, Michael counsels employers on effective strategies for avoiding litigation and prepares them for litigation when unavoidable. He represents clients in cases involving:

- Restrictive covenant litigation
- Whistleblower defense
- Alternative dispute resolution
- Arbitrations
- Wrongful termination
- Breach of contract
- Employee benefits
- Wage and hour violations
- Discrimination issues

Michael has extensive experience working with companies in the following industries:

- Insurance
- Hospitality
- Retail
- Financial services
- Staffing
- Healthcare
- Transportation

Michael frequently speaks throughout the country on contemporary labor and employment law topics. He is regularly interviewed by the press and has been published in major national trade publications. His views and opinions are valued by senior management and employee relations professionals throughout the country. Michael is founder of the firm's New York office and previously served as a member of Littler's Board of Directors.

## Selected Matters

- *Mercer Health & Benefits LLC v. DiGregorio*, 307 F. Supp. 3d 326, (S.D.N.Y. 2018): obtained a temporary restraining order and a preliminary injunction preventing former employees from soliciting Mercer customers.
- *Lawson v. Avis Budget Car Rental, LLC*, 194 F. Supp. 3d 301 (S.D.N.Y. 2016): successful motion for summary judgment in a disability discrimination and retaliation matter.
- *Marsh USA Inc. v. Schuhriemen*, 183 F. Supp. 3d 529 (S.D.N.Y. 2016): obtained a temporary restraining order and a preliminary injunction enjoining former employee from violating non-solicitation agreement.
- *Yang v. Navigators Group, Inc.*, 155 F. Supp. 3d 327 (S.D.N.Y. 2016): successful motion for summary judgment against claims of violations of the anti-retaliation provision of the Sarbanes-Oxley Act and the whistleblower protection provision of the Dodd-Frank Act.
- *Gonder v. Dollar Tree Stores, Inc.*, 144 F. Supp. 3d 522 (S.D.N.Y. 2015): motion to dismiss complaint and compel arbitration in a race discrimination and retaliation matter granted.
- *Tanen v. Douglas Elliman, LLC*, 2015 WL 6746693 (N.Y. Sup. Nov. 2, 2015): obtained motion for summary judgment and dismissal of complaint alleging claims of breach of contract; breach of implied covenant of good faith; violation of Article 6 of the New York Labor Law; quantum meruit and unjust enrichment; and conversion.

- *Forte v. Liquidnet Holdings, Inc.*, 2015 WL 5820976 (S.D.N.Y. Sept. 30, 2015), aff'd, 675 Fed. Appx. 21, 2017 WL 104316 (2d Cir. Jan. 10, 2017): motion for summary judgment in a gender discrimination matter granted.

## Professional and Community Affiliations

- Member, Labor and Employment Section, American Bar Association
- Member, New York City Bar Association
- Editorial Advisor, Hospitality Law

## Recognition

- Named, The Best Lawyers in America®, 2013-2025
- Named, Client Service All Star, *BTI Consulting Group*, 2020, 2024
- Recommended, Labour & Employment, *Who's Who Legal*, 2024

## Education

J.D., New York Law School,  
B.A., Alfred University,

## Bar Admissions

New York

## Courts

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

## Publications & Press

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

*Press Release*

August 19, 2021

### **Littler Attorneys Recognized by BTI Consulting and Lawdragon**

*Press Release*

December 15, 2020

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

*Press Release*

August 20, 2020

**Firms consider COVID waivers before bringing workers back onsite**

*Business Insurance*

August 5, 2020

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Press Release*

August 15, 2019

**Court Voids Hotel's Compensation Agreement with Housekeeper**

*Hospitality Law*

December 1, 2018

**Not Everyone Cheers Kirkland's Move to End Associate Arbitration Policy**

*New York Law Journal*

November 27, 2018

**Wyoming High Court Finds No Ambiguity in Employment Agreement**

*Hospitality Law*

November 2, 2018

**Be Careful What You Ask for in Employment Arbitration: The Case for Offers of Judgement**

*New York Law Journal*

November 2, 2018

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 15, 2018

**Why Three Big Law Firms Ended Use of Mandatory Arbitration Clauses**

*ABA Journal*

June 1, 2018

**Will Law Firms Bow to Pressure to End Mandatory Arbitration?**

*Law.com*

May 24, 2018

**Orrick Follows Munger Tolles in Dropping Mandatory Arbitration Agreements: Will More Firms Follow?**

*ABA Journal*

March 28, 2018

**Employment Arbitration: A Practical Assessment of Advantages and Disadvantages**

*New York Law Journal*

November 27, 2017

**Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 17, 2017

**Former Fast-Food Worker Loses Sexual Harassment Appeal**

*Hospitality Law*

August 1, 2017

**Medical Marijuana Caregiver's Age Claim Goes Up in Smoke**

*Hospitality Law*

July 1, 2017

**Offer to Grant Leave Deemed Reasonable Request for Employee**

*Hospitality Law*

June 1, 2017

**Mandatory Arbitration Agreements: To Be or Not to Be**

*New York Law Journal*

January 11, 2017

**The Best Lawyers in America© Honors More Than 180 Littler Lawyers in Its 2017 Edition**

*Press Release*

August 16, 2016

**NYC Businesses Face Unintended Consequences From New Overtime Rules**

*Crain's New York Business*

June 8, 2016

**6 Ways to Protect the Company from Whistleblowers**

*Corporate Counsel*

September 2, 2015

**Proposed DOL Rule Could Have Significant Impact On Staffing**

*Hospitality Law*

September 1, 2015

**Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition**

*Press Release*

August 18, 2015

**Seasonal Employees Can Bring Not-So-Merry Risks**

*Compliance Week*

December 9, 2014

**Wage and Hour Errors Common at Small Employers**

*Society for Human Resource Management (SHRM)*

November 19, 2014

**Littler Attorneys Included in the Best Lawyers in America© 2015 Edition**

*Press Release*

August 18, 2014

**7 Rulings Hospitality Attys Are Thankful For In 2013**

*Law360.com*

November 26, 2013

**Employers On Alert As US, NY Regulators Join Forces**

*Law360.com*

November 19, 2013

**Rainmaker Q&A: Littler's Michael Weber**

*Law360.com*

September 17, 2013

**Littler Attorneys Named in Best Lawyers in America® 2014 Edition**

*Press Release*

August 15, 2013

**Which Employees Can Have Their Hands in the Tip Jar? Finally Some Clarification**

*Littler ASAP*

July 1, 2013

**Dynamic Year Expected in Labor and Employment Law**

*Expert Guide - Labour & Employment Law 2013*

May 2013

**Paid-sick-leave saga is hardly over**

*Crain's New York Business*

March 31, 2013

**Michael Weber: When lawyers are the only winners**

*Crain's New York Business*

September 16, 2012

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

*Press Release*

September 7, 2012

**Dads get a break in new Bloomie's contract**

*Crain's New York Business*

May 2, 2012

**Are Law Firms Long-Term Greedy Enough?**

*ABA Journal*

February 3, 2011

**Labour and Employee Benefits Handbook**

*Practical Law Company*

October 28, 2010

**Responding to the Expanding City and State Human Rights Laws**

*New York Law Journal*

January 29, 2010

**Michael Weber Cautions Employers on Cost Cutting Method**

*The New York Times*

May 6, 2009

**RIF: Carrying Out a Reduction in Force so the Savings Outweigh the Costs of Litigation**

*New York Law Journal*

March 23, 2009

**Class Action Communications**

*New York Law Journal*

October 16, 2008

**And You Thought the Bailout Was Bad: Employment Law Risks in the Current Financial Crisis**

*Littler ASAP*

October 13, 2008

**Rise of ADR for Workplace Disputes**

*New York Law Journal*

July 17, 2008

### **Leading the Way in E-Discovery**

*New York Law Journal*

April 17, 2008

### **A. Michael Weber Discusses Changes in the Nature of Noncompete Agreements**

*New York Law Journal*

January 17, 2008

### **A "No-Surprises" Approach to Lowering Risk of a Wrongful Termination Lawsuit**

*Entrepreneur.com*

September 1, 2007

### **Legal Publisher PLC Recognizes Littler Attorneys Casey, Tice-Wallner, Tisch, and Weber**

*2005-06 Global Counsel Handbook*

January 18, 2006

## **Events & Speaking Engagements**

### **Supreme Impact: How the US Supreme Court's Arbitration Decisions May Change the Conversation About Adopting, Enforcing, and Winning at Arbitration**

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

### **Cyber Challenges in the Workplace**

New York County Lawyers Association, Continuing Legal Education Institute

April 19, 2024

### **Two Hot Topics: Mandatory Arbitration, and Separation / Confidentiality Agreements**

New York, NY

November 3, 2016

### **Testimony on Mandatory Arbitration Clauses in Employment Matters**

New York State Assembly Standing Committee on Consumer Affairs and Protection and Assembly Standing Committee on Judiciary, Public Hearing, New York, NY

February 10, 2016

### **Corporate Compliance & Financial Services Update**

New York, NY

November 19, 2015



**Mandatory Arbitration of Employment Disputes — A Littler Debate**

New York, NY

February 25, 2014

**Brinker - The Final Decision: Hospitality**

April 26, 2012

**Tips, Tip Pooling, and Tip Credits: What Service Employers Need to Know**

New York, NY

May 2, 2011

**New York Employment Law Update 2009**

New York, NY

October 6, 2009

**Books & Book Chapters**

- *PLC Cross-Border Labour and Employee Benefits Handbook, United States Chapter, 2008-2009*