

## Kelli C. Fuqua

Shareholder

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## Practice Areas

Litigation and Trials  
Discrimination and Harassment  
Arbitration  
Whistleblowing, Compliance and Investigations  
Wage and Hour  
Unfair Competition and Trade Secrets  
Workplace Violence Prevention and Crisis Response

## Overview

Kelli C. Fuqua focuses her practice on employment law litigation, particularly for clients in the technology, medical, and higher education sectors. Licensed to practice in both Texas and New Mexico, Kelli represents clients in federal and state courts as well as administrative agencies and alternative dispute resolution venues. Kelli regularly litigates discrimination, harassment, unfair competition, and retaliation suits, with a focus on whistleblower matters. She is also well-versed in conducting workplace investigations and advising clients on workplace issues, with an emphasis on weapons-in-the-workplace policies.

To best implement a practical, common sense approach to the employment law issues facing her clients, Kelli prioritizes building strong, collaborative relationships with her clients to fully understand the values that drive their businesses. She works proactively to help clients develop solutions aligned with these values and avoid litigation when possible, but is also fully prepared to take a case to court when necessary.

Kelli has a proven track record of success, having secured numerous dispositive motions and arbitration victories, as well as complete affirmation of a trial court win on appeal following oral argument in front of the Fifth Circuit.

Kelli currently serves as Chair of the Labor and Employment Section of the Austin Bar Association, is a member of the Barbara Jordan American Inn of Court, and regularly provides pro bono services through Volunteer Legal Services of Central Texas, underscoring her dedication to both the legal profession and her local community.

## Professional and Community Affiliations

- Associate Member, Barbara Jordan American Inn of Court
- Member, Austin Bar Association
- Member, Austin Young Lawyers Association
- Member, Travis County Women Lawyers Association
- Fellow, American Bar Foundation
- Member, Texas Exes

## Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2022-2025

## Education

J.D., University of Texas School of Law, 2015

B.J., University of Texas, Austin, 2012, *with honors*

## Bar Admissions

Texas

New Mexico

## Courts

U.S. Supreme Court

U.S. Court of Appeals, 5th Circuit

U.S. District Court, Northern District of Texas

U.S. District Court, Eastern District of Texas

U.S. District Court, Southern District of Texas

U.S. District Court, Western District of Texas

U.S. District Court, District of New Mexico

## Publications & Press

### Annual Report on EEOC Developments – Fiscal Year 2024

*Littler Report*

April 28, 2025

### Littler Kicks Off New Year With the Elevation of 28 Attorneys to Shareholder

*Press Release*

January 3, 2025

**SCOTUS: Retaliatory Intent Not an Element of SOX Retaliation Claim**

*Littler ASAP*

February 13, 2024

**Supreme Court Determines When the U.S. Government May Dismiss an FCA Action Over a Relator's Objection**

*Littler ASAP*

July 11, 2023

**U.S. Supreme Court Strikes Down Race-Conscious Admissions – What Does it Mean for Employers?**

*Littler ASAP*

June 30, 2023

**Supreme Court: False Claims Act Liability Depends on Defendant's Subjective Belief**

*Littler ASAP*

June 7, 2023

**Employer Considerations for Navigating Evolving Gun Laws**

*Littler ASAP*

July 27, 2022

**Fifth Circuit Holds Directional Driller is an Independent Contractor Rather than an Employee for FLSA Purposes**

*Littler ASAP*

May 31, 2022

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

*Press Release*

August 19, 2021

**False Claims Act Retaliation in 2021**

*Littler Report*

July 26, 2021

**More Opinion Letters Issued in Final Days of Trump Administration**

*SHRM Online*

January 25, 2021

**DOL Issues Opinion Letter Regarding Independent Contractor Status of Food Product Manufacturers' Distributors**

*Littler ASAP*

January 21, 2021

**Protection for Criminal Antitrust Whistleblowers Signed into Law**

*Littler ASAP*

January 14, 2021

**Keeping Employees Safe at Work — ADA Considerations in the Age of COVID**

*Legal Talk Network*

October 15, 2020

**Navigating the ADA in the Time of COVID-19: A look at compliance during the pandemic**

*State Bar of Texas*

October 2, 2020

**SEC Amends Whistleblower Award Program Rules**

*Littler ASAP*

September 25, 2020

**The Open Texas Plan: A State and Local Update**

*Littler ASAP*

May 1, 2020

**Fifth Circuit Weighs in on Personal Jurisdiction and Certification Issues in Rule 23 Class Actions**

*Littler ASAP*

April 10, 2020

**Texas Stay Home Orders: A State and Local Update**

*Littler ASAP*

April 9, 2020

**Central Texas Counties and the Cities of Austin and San Antonio Ordered to Stay Safe at Home**

*Littler ASAP*

March 25, 2020

**Supreme Court Clarifies That But-For Causation Standard Applies to Section 1981 Claims Throughout Pendency of Litigation**

*Littler ASAP*

March 24, 2020

**Events & Speaking Engagements**

**2024 Holiday Season Lunch and Learn**

Austin, TX

December 13, 2024

**Now That the Election Is Over, Here's What Texas Employers Can Expect**

November 21, 2024

**2023 Update on False Claims Act Risks for Healthcare Employers**

November 14, 2023

**Title IX Training**

University of Texas System Title IX Annual Training, Austin, TX

August 2-3, 2023

**What We Learned from Whistleblowers and Their Complaints in 2022 and What to Watch Out for in 2023**

February 22, 2023

**Littler Austin's 2022 Holiday Season Lunch and Learn**

Austin, TX

December 9, 2022

**A Leave and Benefits Medley: Dobbs, COVID, and Related Questions**

Austin Bar Association, Labor & Employment Law Section CLE Presentation, Austin, TX

October 5, 2022

**An Employment Law Primer on COVID-19 Vaccines and Returning to the Office**

Volunteer Legal Services of Central Texas

July 22, 2021

**Employment Law Overview**

Texas Hill Country Wineries

April 2021

**Keeping Employees Safe at Work — ADA Considerations in the Age of COVID**

State Bar of Texas Podcast, Legal Talk Network

October 15, 2020

**Wage & Hour Update**

Austin Bar Association, Labor & Employment Section

October 7, 2020

**Wage and Hour Considerations in the COVID-19 World**

CenTex Chapter of American Payroll Association

June 16, 2020

**The ADA and COVID-19: What Employers Need to Know as Businesses Reopen**

June 11, 2020

**Understanding the Legal Ins-and-Outs of Reducing Your Workforce**

American Association of Political Consultants

June 3, 2020

**Employee Pay and Classification Issues**

CenTex Chapter of American Payroll Association

February 2020

**Employment Law Basics**

V.G. Young School for Tax Assessor-Collectors

2018

**Basic Employment Law for Managers**

V.G. Young School for County Commissioners Courts

2018