



## Matthew J. Hank

Shareholder

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## Practice Areas

Unfair Competition and Trade Secrets  
Wage and Hour  
Discrimination and Harassment  
Class Action  
Appellate

## Overview

Matthew J. Hank defends employers in wage-and-hour class actions, discrimination and harassment cases, and actions regarding trade secrets and covenants not to compete. In addition to his litigation practice, he counsels employers on how to structure noncompetes and other post-employment restrictions, structure electronic wage payments, reduce exposure to discrimination and misclassification claims, structure ADR programs, and reduce exposure to class actions.

Matt approaches each matter with the judgment formed by over 19 years of practice and with the discipline he has honed as both a lawyer and an Army officer. He is honored to be co-chair of the Littler Veterans Initiative, which provides support, development, and networking opportunities for veterans across the firm.

Previously, Matthew served as a law clerk for the Hon. Daniel Manion, U.S. Court of Appeals for the Seventh Circuit, and for the Hon. Paul V. Gadola, U.S. District Court for the Eastern District of Michigan.

## Professional and Community Affiliations

- Member, Executive Committee, Labor and Employment Group, Federalist Society
- President, Philadelphia Lawyers Chapter, Federalist Society

## Recognition

- Named, Rising Star in Employment Litigation, Pennsylvania, *Super Lawyers*, 2008, 2010, and 2011

- Recipient, Jacob Burns Award for Appellate Advocacy
- Recipient, Minerva and Emil V. Novak Prize in Government and Law

## Education

J.D., George Washington University Law School, 2000, *With Honors*

B.A., Lafayette College, 1993, *cum laude*

## Bar Admissions

Pennsylvania

New Jersey

## Courts

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 4th Circuit

U.S. Court of Appeals, 9th Circuit

Pennsylvania Supreme Court

Commonwealth Court of Pennsylvania

U.S. District Court, Eastern District of Pennsylvania

U.S. District Court, Middle District of Pennsylvania

## Publications & Press

### **Pro Bono Week Podcast – The Veterans Consortium**

*Littler Podcast*

October 25, 2023

### **Decision by Federal Court in Pennsylvania Questions Prevailing View that Judicial Approval is a Prerequisite to Settling Individual FLSA Claims**

*Littler ASAP*

July 25, 2022

### **Littler Launches New Affinity Group for Veterans**

*Press Release*

November 11, 2021

### **Pro Bono Week Podcast – Veterans Consortium: Appellate Work for Veterans**

*Littler Podcast*

October 26, 2021

### **Supreme Court Narrows the Scope of Claims Available Under the Computer Fraud and Abuse Act**

*Littler ASAP*

June 8, 2021

**Recent Amendments to the Pennsylvania Constitution Foreshadow the End of Statewide COVID-19 Orders in Pennsylvania**

*Littler ASAP*

May 25, 2021

**New Criminal Prosecutions Under Pennsylvania Wage Laws Pose a Major Threat to Contractors**

*Littler ASAP*

May 7, 2021

**Philadelphia Enacts Anti-Retaliation Ordinance for COVID-19 Workplace Complaints**

*Littler ASAP*

July 23, 2020

**Third Circuit Reverses Class Certification of Unpaid Overtime Claims in Off-The-Clock Lawsuit**

*Littler ASAP*

January 22, 2019

**New Pennsylvania Law Clarifies the Use of Payroll Debit Cards**

*Littler ASAP*

November 10, 2016

**Pennsylvania Supreme Court Holds Uniform Written Obligations Act Does Not Allow Employer To Enforce Noncompete Unsupported By Consideration**

*Littler ASAP*

November 23, 2015

**Employers Paying Wages With Debit Cards Save Money But May Face Legal Hurdles**

*Bloomberg BNA Daily Labor Report*

October 16, 2015

**Baker's Trade Secret Lawsuit Does Not Lead to 'Sweet' Dreams**

*Littler ASAP*

August 14, 2015

**U.S. Supreme Court Rejects the Yard-Man Inference Vesting Lifetime Benefits for Union Retirees**

*Littler ASAP*

January 28, 2015

**Pennsylvania Opinion Highlights Need to Ensure Appropriate Geographic Scope and to Lay Groundwork for Protecting Interest in Specialized Training in Noncompetes**

*Littler ASAP*

August 22, 2014

**Illinois Statute Clarifies Circumstances When Employers May Pay Wages Via Payroll Debit Cards**

*Littler ASAP*

August 13, 2014

**Sleepy's Drivers Take Misclassification Fight To NJ High Court**

*Law360.com*

March 17, 2014

**New Case Provides Lessons That May Help Companies Avoid Pitfalls When Structuring Independent Contractor Relationships**

*Littler ASAP*

November 8, 2013

**New Jersey Opinion Calls Into Question Use of Computer Fraud and Abuse Act to Prosecute Disloyal Employee In Third Circuit**

*Littler ASAP*

August 29, 2013

**Recent Decision Provides Roadmap for Remediating Late CAFA Notices**

*Bloomberg BNA Class Action Litigation Report*

May 10, 2013

**Plaintiffs must provide evidence of actual damages, even when employer doesn't keep accurate time records**

*Employee Benefits News (ebn)*

May 3, 2013

**Littler Scores Big Win In FLSA Meal Break Suit**

*Press Release*

February 14, 2013

**FLSA Class Nixed In ManorCare Meal Break Suit**

*Law360.com*

February 1, 2013

**FLSA Court Decertifies Nationwide FLSA Action; ManorCare Workers Not Similarly Situated**

*Bloomberg BNA*

February 1, 2013

**Fourth Circuit Joins Courts Limiting Employers' Use of the Computer Fraud and Abuse Act to Prosecute Disloyal Employees**

*Littler ASAP*

August 6, 2012

**Fourth Circuit Joins Courts Limiting Use of Computer Fraud and Abuse Act to Prosecute Disloyal Employee**

*Littler ASAP*

August 2, 2012

**The Third Circuit Sets Forth New Test for Joint-Employer Status Under the FLSA**

*Littler ASAP*

July 12, 2012

**Michigan Federal Court Limits Use of Computer Fraud and Abuse Act to Prosecute Disloyal Employee**

*Littler ASAP*

June 12, 2012

**Seventh Circuit Case Highlights Importance of Documenting Steps to Maintain Privacy of Trade Secrets**

*Littler ASAP*

April 10, 2012

**Defense Attorneys' Fee Standards Set in Pennsylvania Trade Secret Suits**

*Littler ASAP*

January 17, 2012

**Pennsylvania Court Clarifies When Attorneys' Fees May Be Imposed For Bad-Faith Prosecution Of Misappropriation Of Trade Secrets**

*Littler ASAP*

January 10, 2012

**Cat's paw case leaves imprint on proper employee termination steps**

*InsideCounsel*

November 1, 2011

**Court Clarifies Best Way to Plead Inevitable Disclosure**

*Littler ASAP*

September 19, 2011

**Third Circuit Examines Cat's Paw Retaliation Theory**

*Littler ASAP*

August 23, 2011

**U.S. Supreme Court Sets New Guidelines for Recovery of Legal Fees for Frivolous Civil Rights Claims**

*Littler ASAP*

June 9, 2011

**Pennsylvania Court Concludes that Firing for Use of N-Word May Be Unlawful as Reverse Discrimination**

*Littler ASAP*

January 19, 2011

**Littler Mendelson Announces the Promotion of 14 Associates to Shareholders**

*Press Release*

January 3, 2011

**New Pennsylvania Law Penalizes Construction Industry Employers Who Misclassify Workers**

*Littler ASAP*

October 20, 2010

**Third Circuit Holds that Flat-Rate Commissions May Qualify for Retail Commission Exception to FLSA's Overtime Requirements**

*Littler ASAP*

September 9, 2010

**Events & Speaking Engagements**

**Spotting and Solving Workplace Issues Before They Lead to Legal Troubles - Part 2**

December 3, 2024

**Spotting and Solving Workplace Issues Before They Lead to Legal Troubles**

June 12, 2024

**Preparing the Groundwork to Enforce Non-Competes**

ACC Webinar - Employment & Labor CLE Institute

February 23, 2021

**Writing, Introducing and Enforcing Arbitration Agreements in Employment**

Pennsylvania Bar Institute, Philadelphia, PA

April 2017

**Implementing the New Overtime Rule - July 20, 2016**

Philadelphia, PA

July 20, 2016

**Implementing the New Overtime Rule - July 13, 2016**

Philadelphia, PA

July 13, 2016

**Age Discrimination: Understanding the Basics, Complying with the Law, and Knowing What To Do When You've Been Sued**

Pennsylvania Bar Institute, Philadelphia, PA  
April 2016

**DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?**

Philadelphia, PA  
July 21, 2015

**Employee or Not? Independent Contractors and Interns**

Association of Corporate Counsel, Greater Philadelphia Delaware Valley Chapter  
February 12, 2015

**Who's an Employee? Independent Contractors, Interns, Volunteers, and Intra-Corporate Transfers**

Philadelphia, PA  
September 25, 2013

**Ethical Dilemmas for Corporate Counsel**

Association of Corporate Counsel, Delaware Valley (DELVACCA) Chapter, Philadelphia, PA  
August 8, 2013

**Preparing The Groundwork To Enforce Non-competes**

Philadelphia, PA  
September 13, 2012

**Drafting Restrictive Covenant Agreements**

Pennsylvania Bar Institute  
December 12, 2011

**Post-Employment Restrictions and Protection of Trade Secrets in the New Economy: What You Need to Know**

17th Annual Employment Law Institute - Pennsylvania Bar Institute  
April 27, 2011

**GINA: Everything You Wanted to Know But Were Afraid to Ask**

Association of Corporate Counsel, Delaware Valley Chapter  
April 7, 2011