

## Sean O'Brien

Associate

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## Overview

Sean O'Brien advises and represents employers in a broad range of employment law issues before state and federal courts and administrative agencies. Sean focuses his practice on employment discrimination, harassment, leave and accommodation matters, and wage and hour disputes.

In his practice, Sean obtained the dismissal at the pleading stage of claims brought by a temporary worker against a national packing company, won summary judgment on a variety of discrimination claims brought against a nationwide healthcare servicer, and assisted in obtaining a dismissal of a plaintiff's \$2,500,000 claim against a large national staffing agency. Outside of court, Sean provides advice on protected leave requirements and state employment laws, and reviews employer's policies and procedures for compliance with state laws.

Prior to joining Littler, Sean was a litigation attorney at a Memphis law firm where he focused on construction and consumer protection litigation. He was first chair in approximately 10 bench trials in state court, obtained favorable rulings on motions to dismiss, for summary judgment, and for injunctive relief, and obtained remands in two interlocutory appeals without full appellate briefing.

## Professional and Community Affiliations

- Member, Tennessee Bar Association
- Member, Memphis Bar Association
- President-Elect, LGBT & Ally Section, Memphis Bar Association
- Member, National LGBTQ+ Bar Association

## Recognition

- Recipient, Humphreys Fellowship, *University of Memphis Cecil C. Humphreys School of Law*, 2018-2019
- Recipient, Excellence for the Future Award in Consumer Law, *University of Memphis Cecil C. Humphreys School of Law*, 2018

## Education

J.D., University of Memphis Cecil C. Humphreys School of Law, 2019, *cum laude*

B.S., University of Tennessee at Martin, 2016, *cum laude*

## Bar Admissions

Tennessee

Arkansas

## Courts

U.S. Court of Appeals, 6th Circuit

U.S. District Court, Western District of Tennessee

U.S. District Court, Middle District of Tennessee

U.S. District Court, Eastern District of Tennessee

## Publications & Press

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

*Littler Report*

April 28, 2025

### **New executive order issued on AI; Prior AI order revoked**

*Westlaw Today*

February 5, 2025

### **EEOC Wearable Tech Guidance Highlights Monitoring Scrutiny**

*Law360*

January 29, 2025

### **New Executive Order Issued on AI; Prior AI Order Revoked**

*Littler ASAP*

January 27, 2025

### **Wearable Tech Guidance Highlights Data Risk for In-House Counsel**

*Bloomberg Law*

January 6, 2025

### **EEOC Fact Sheet on Wearable Technologies Indicates Growing Concern over Employee Monitoring**

*Littler ASAP*

January 2, 2025

**Cos. Should Focus On State AI Laws Despite New DOL Site**

*Law360*

October 11, 2024

**DOL Issues “AI & Inclusive Hiring Framework” Through Non-Governmental Organization**

*Littler ASAP*

September 25, 2024

**The ADA turns 34: The intersection of technology, AI, and individuals with disabilities**

*Westlaw Today*

September 13, 2024

**The ADA Turns 34: The Intersection of Technology, AI, and Individuals with Disabilities**

*Littler ASAP*

August 21, 2024

**DOL Issues Artificial Intelligence Principles**

*Littler ASAP*

May 21, 2024

**Express Yourself – Supreme Court Rules that Businesses May Deny “Expressive Services” to the Public Based on Their Owner’s Beliefs**

*LexisNexis|Practical Guidance*

July 25, 2023

**Express Yourself – Supreme Court Rules that Businesses May Deny “Expressive Services” to the Public Based on Their Owner’s Beliefs**

*Littler ASAP*

June 30, 2023

**Artificial Intelligence and Real Risk Avoidance: The Interplay Between the Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence**

*ACC Tennessee Chapter Newsletter*

Q3 2022

**Note, The Highly Sensitive Person’s Redress for Intentional Infliction of Emotional Distress: Utilizing Experts in the Court Room**

*49 U. Mem. L. Rev. 533*

2019

**Events & Speaking Engagements**

**No Tricks, Only Treats!**

Littler Employment and Labor Law Update, Memphis, TN

October 24, 2024

**State of the Queer Union**

Memphis Bar Association CLE

September 27, 2024

**What's Buzzin' This Spring?: Littler Lawyers Address the Most Invasive Labor and Employment Issues  
Sprouting Up This Spring**

Memphis, TN

March 22, 2023