

Kathy L. Feldman



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ATTORNEY PROFILE

Kathy L. Feldman is a member of the firm's Labor and Employment Department. She has focused her practice on Employment law since 1985, helping clients navigate issues ranging from employment agreement negotiation to breach of contract litigation.

Ms. Feldman counsels employers on matters such as sexual harassment, discrimination, wage and hour requirements, the Family Medical Leave Act, personnel policies and procedures, investigation of personnel complaints, the Americans with Disabilities Act, and hiring practices. She has developed innovative strategies to help clients reduce the likelihood of litigation and has extensive experience drafting personnel handbooks, employment forms, employment agreements and other personnel documents.

Ms. Feldman regularly conducts investigations into sexual harassment and other workplace misconduct. She has completed a specialized and comprehensive seminar on Conducting Title IX Investigations. Ms. Feldman's experience includes conducting faculty and student investigations in higher education universities for cases dealing with student bullying, discrimination, and sexual assault and sexual harassment. She also trains supervisors and managers on best practices when conducting investigations.

Ms. Feldman's litigation practice encompasses all types of employment-related claims in state and federal courts. Her litigation experience includes sex and age discrimination, sexual harassment, disability, contract disputes, wrongful termination, and breach of employment agreements, including non-competition and non-solicitation clauses.

Ms. Feldman is widely recognized as an accomplished employment attorney. She has been named a "Best Lawyer in America" every year since 2012, and as a Washington "Super Lawyer" every year since 2012. She has also been named one of "Washington's Most Amazing Attorneys" in Labor and Employment Law by CEO Magazine and nominated as a "Top Lawyer in the Puget Sound" by *Seattle Business* magazine.

MAJOR AREAS OF PRACTICE

Labor and Employment
Litigation
Workplace Investigations

ADMITTED TO PRACTICE

Washington State Bar
U.S. District Court, Western District of Washington

EDUCATION

J.D., Villanova University School of Law, 1985
B.A., University of Pennsylvania, *cum laude* 1981

PROFESSIONAL ACTIVITIES

King County Bar Association
Labor and Employment Section
American Bar Association
Labor and Employment Section
Society for Human Resource Management
National and Seattle Chapters
Washington State Healthcare Human Resources
Association

REPRESENTATIVE MATTERS

Laura Curvin v. T-Mobile USA, Inc. King County Superior Court, State of Washington, Case No. 16-2-30232-7 SEA. Represented T-Mobile USA, Inc. in a gender discrimination and retaliation claim brought by a former employee. Kathy's investigations into the performance of the former employee and the grounds for termination led to the case being settled at mediation

J.R. Cavin v. Volunteers of America Western Washington, United States District Court, Western District of Washington at Seattle, Case No. 2:09-01527-JCC. Represented a large non-profit organization in successful resolution of a claim by plaintiff alleging violations of the Americans with Disabilities Act and Washington Law Against Discrimination

Precor, Inc. v. Larry Domingo, et al., King County Superior Court, State of Washington, Case No. 09-2-42186-2SEA. Represented a fitness equipment manufacturer in successful resolution of a claim by plaintiff alleging breach of agreement, tortious interference with contract, and violations of the Washington Trade Secrets Act

Schoenleber, et al. v. Securitas Security Services USA, Inc., Spokane County Superior Court, State of Washington Case No. 2007-02-01493-9. Successful resolution by Offer of Judgment in favor of defendant of a claim by plaintiffs alleging breach of contract and accounting in sale of business

Selchow v. Hewlett Packard Company, United States District Court, Western District of Washington at Tacoma, Case No. C05-5683-RBL. Represented Hewlett Packard Company in successful resolution of a claim by plaintiff alleging wrongful termination, disability discrimination, retaliation and ERISA violations

Barker v. Advanced Silicon Materials, Grant County Superior Court, State of Washington, Case No. 02-2-00262-1. Obtained a defense judgment, after trial, in favor of a large industrial plant in connection with a wrongful discharge claim brought by a former employee who had been fired after being accused of misconduct

Barker v. Advanced Silicon Materials, Grant County Superior Court, State of Washington, Case No. 02-2-00262-1. Obtained a summary judgment dismissal, before trial, of a sex discrimination claim in favor of a large industrial plant

Casper v. Securitas Security Services USA, Inc., King County Superior Court, State of Washington, Case No. 04-2-30721-0 KNT. Secured a summary judgment dismissal of a wrongful termination claim in favor of a large security services company brought by a former employee who had been fired after being accused of misconduct

Beaudine v. Securitas Security Services USA, Inc., United States District Court, Western District of Washington, Case No. C04-0936. Represented a large security services company in successful resolution of a lawsuit brought by plaintiff alleging a violation of the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA")

Barbara Gary and Juan Gary v. Securitas Security Services USA, Inc., King County Superior Court, Washington State, Case No. 03-2-34848-1SEA. Secured summary judgment dismissal of a wrongful termination claim brought by a former employee who had been terminated for misconduct

PUBLICATIONS / PRESENTATIONS

Update on: Americans with Disability Act Amendment Act, *Ater Wynne Employment Seminar*, December 2011

Top Ten Employment Issues for 2011, *Ater Wynne Employment Law Seminar*, December 2011

Family and Medical Leave Act, *Lorman CLE Presentation*, November 2011

Americans with Disabilities Act: Basics in Washington, *Northwest Public Power Association's Annual NW Wage & Hour Meeting*, October 2011

Social Media: New Opportunities and Headaches, *Washington Healthcare News*, June 2010

Update Your Policies Now to Comply with ADAAA, *Washington Healthcare News*, February 2009
Medical Facility: Cure Thyself. Look for the Symptoms of Employment Discrimination, *Washington Healthcare News*, June 2008

Understand the Employment Law Surrounding Medical Leave and Disability in a Leanly Staffed Medical Practice, *Washington Healthcare News*, February 2008

Workplace Violence in Hospitals: When Caregivers Become Victims, *Washington Healthcare News*, November 2007

Top Ten Employment Issues for 2005, *Ater Wynne Employment Law Roundtable*, December 2005

The New Federal Overtime Regulations, *Ater Wynne Employment Law Roundtable*, June 2004

Legal Update: Employment Issues 2003, *Washington State Association of Healthcare Recruiters*, November 2003

MANAGER TRAINING ON EMPLOYMENT ISSUES

- Workplace Violence
- How to Conduct a Sexual Harassment Investigation
- Documentation and Recording
- Overview of the ADA, FMLA, and Washington State Family Care Act
- Preventive Strategies in the Hiring Process
- Sexual Harassment; Wage and Salary Regulations
- Understanding the Washington Family Care Act
- Accommodation in the Application and Interview Process (ADA)
- Documenting Employee Misconduct and Poor Performance
- Appropriate Use of Communications and Software Systems and E-Mail
- Protecting Trade Secrets
- Performance Appraisals
- Progressive Discipline
- Pre-Employment Drug/Alcohol Testing