



## Mark A. Baugh\*

Chief Diversity and Inclusion Officer

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Nashville | 615.726.5760

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Mark A. Baugh, Baker Donelson's Chief Diversity and Inclusion Officer, concentrates his practice on litigation and representing employers in employment-related issues.

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Mr. Baugh represents and advises local, regional, and national clients in several states on employment-related disputes and investigations.

Mr. Baugh has successfully tried cases in both state and federal courts in several states. He has significant experience in litigating both jury and bench lawsuits involving race, age, gender, religion, and disability discrimination matters, as well as wage-and-hour class and collective actions and retaliation claims. Mr. Baugh's extensive trial experience provides him with the experience to work closely with clients in resolving employment disputes in the manner most beneficial to the client. In addition, Mr. Baugh represents a full range of higher education institutions, including private and public nonprofits, and health care-affiliated institutions. He currently serves as counsel on the board of a higher educational institution, and has also conducted investigations for educational institutions, including employment, Title IX, and EEOC investigations.

Mr. Baugh is a member of Baker Donelson's Board of Directors.

### Representative Matters

- Successfully represented a client in a federal court jury trial against claims for violation of the ADA, FMLA, and FMLA retaliation.
- Successfully represented a client in a federal court jury trial against claims for national origin and religious discrimination in violation of Title VII and the Tennessee Human Rights Act (THRA), and for breach of employment contract.
- Successfully represented a client in a federal court jury trial against claims for violation of FMLA.
- Represented a farming supply company in a malicious prosecution and false imprisonment case valued at \$6 million.
- Successfully represented a client in a federal court jury trial against claims for race discrimination and retaliation in violation of the THRA and Title VII.
- Obtained favorable resolution for a client in an FLSA matter in federal court.
- Obtained a preliminary injunction enjoining international arbitration of breach-of-contract and defamation claims against an individual corporate officer of a manufacturer of water filtration technology.
- Successfully represented a multinational company in arbitration for breach-of-employment contract suit brought by an employee and in a subsequent counter-complaint.
- Successfully represented a technology company against claims of violation of non-solicit and non-compete laws in state court.
- Successfully represented shareholders in breach-of-fiduciary-duty claims brought by a former shareholder and employee.

### Professional Honors & Activities

- Listed in *The Best Lawyers in America*® for Employment Law – Management and Labor and Employment Litigation (2018 – 2024)

- Named to the *Lawdragon* 500 Leading Litigators in America (2022 – 2024)
- Named a 2020 BTI Client Service All-Star
- Named to the *Nashville Business Journal's* "Best of the Bar" (2018)
- Chair – Workers' Compensation Section of the ABA Tort Trial and Insurance Practice Section (2005 – 2006)
- Member – American Bar Association, Labor and Employment Section and Litigation Section
- Member – American Bar Association, Tort Trial and Insurance Practice Section
- Barrister – Harry Phillips Inn of Court
- Assistant Examiner – Tennessee Board of Law Examiners
- Former Hearing Panel Member – Tennessee Board of Professional Responsibility
- Member – Association of Law Firm Diversity Professionals



## Publications

- "When Failure is Not an Option: A Story of Passion and Perseverance," *Women's Initiative Newsletter* (May 2021)
- "Baker's Dozen: Honoring Moms Everywhere," *Women's Initiative Newsletter* (May 2021)
- "Baker's Dozen: How Do You Take a Breath?," *Women's Initiative Newsletter* (September 2020)
- "From the Classroom to Court: Tuition Reimbursement Lawsuits" (June 4, 2020)
- "Baker's Dozen: Gift Giving," *Women's Initiative Newsletter* (December 2019)



## Speaking Engagements

- "Legal Perspective of the Tsunami of Change in Human Resources," Tennessee Society for Human Resource Management (SHRM) Conference (November 2020)
- "Bridging the Great Divide: Settlement, Litigation or Trial" (July 2019)
- Panelist – "Modern Diversity & Inclusion 'Challenges' and Strategies for Success: Law Firm Perspective," Memphis Bar Association, University of Memphis Cecil C. Humphreys School of Law (August 2018)
- "Standing at the Intersection of Workplaces Injuries: When Both the Federal and State Governments Get Involved," L&E conference, Philadelphia, Pennsylvania (November 2015)
- "The Next Level with Diversity and Inclusion," Nashville, Tennessee (August 2015)
- "College Athletes, Graduate Students and Volunteers: New Paradigms and New Solutions," Naples, Florida (February 2015)
- "Implementing a Diverse and Inclusive Work Place Program: Breaking Through the Diversity Wall," Memphis, Tennessee (September 2012)
- "Election Season is Here: Politics and Religion in the Workplace," Third Thursday L&E Breakfast Briefing (March 2012)



## Webinars

- Title IX Professionals Panel: Exploring What the New Regulations May Bring for the 2021-2022 School Year (July 2021)
- Distanced Inclusion in the Workplace: How to Champion Diversity and Inclusion During a Global Pandemic (May 2021)
- Putting Practices and Fundamental Changes in Place for Diversity and Inclusion (September 2020)



## Education

- Vanderbilt University School of Law, J.D., 1992
- Tennessee State University, B.S., 1989



## Admissions

- Tennessee, 1993
- U.S. District Court for the Middle District of Tennessee
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Supreme Court

\* Baker Donelson professional admitted to the practice of law in Tennessee; not admitted in Florida.