



Scott W. Pedigo

Shareholder

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Scott W. Pedigo, office managing shareholder of the Jackson office, represents manufacturing and commercial clients in employment, consumer products liability and commercial litigation matters.

In addition to his litigation practice, Mr. Pedigo regularly assists clients with appropriately addressing and limiting the risks associated with difficult employment issues and investigations, contract disputes, product safety concerns and recalls. He has extensive experience in defending employment discrimination claims, wage and hour collective actions, and class consumer products actions involving significant electronic discovery issues and complex factual and legal issues. He also has extensive experience with the development and preparation of poultry growing arrangements, related contractual agreements in the industry, and the resolution of disputes involving poultry growing activities.

He also has defended a wide variety of other litigation in the health care and tort settings in both state and federal courts through trial and on appeal.

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

Representative Matters

- Defended a physical therapy provider against claims of terminated employee seeking to invalidate restrictive covenants in employee's employment agreement.
- Obtained judgment in favor of a health care system in arbitration proceedings against a claim brought by a former employee alleging the system breached his employment agreement by failing to pay him severance benefits after he claimed he had experienced a diminution of authority, duty, or responsibility following a change of control transaction.
- Defended manufacturer in ADA and FMLA litigation brought by terminated employee. Successfully resolved through court mediated settlement.
- Defended poultry processor in race discrimination and disability discrimination litigation brought by terminated employee. Successfully resolved after discovery through court mediated settlement.
- Defended poultry processor in race discrimination and FMLA litigation brought by terminated employee. Successfully resolved after discovery through court mediated settlement.
- Defended manufacturer and supervisory employees in race discrimination claims brought under 42 U.S.C. § 1981 by terminated employee. Obtained dismissal of manufacturer and intentional infliction of emotional distress claims of supervisors. Successfully obtained summary judgment on remaining individual claims against supervisory employees.
- Defended a poultry processor against race, national origin and gender discrimination, retaliation, and harassment claims brought by 11 individual plaintiffs and a pattern and practice claim brought by the EEOC seeking to recover equitable relief, compensatory damages, and punitive damages on behalf of more than 100 class members that ultimately resulted in a favorable settlement for the client.
- Defended poultry processor in wage and hour litigation brought on behalf of over 5,000 putative class members employed at four different processing plants in three cities in Alabama. Successfully resolved through court approved settlement.

- Defended poultry processor in wage and hour litigation brought on behalf of over 2,000 putative class members employed at two processing plants in two cities in Georgia. Successfully resolved through court approved settlement.
- Successfully decertified conditionally certified class of over 3,000 hourly wage employees in wage and hour litigation filed against poultry processing company and resolved successfully through mediation.
- Successfully obtained dismissal of class claims in putative class action for fraud, breach of warranty, and breach of contract brought against manufacturing client for alleged failure to disclose energy usage of product.
- Successfully obtained dismissal of all claims brought in putative national class action lawsuit against manufacturing client for alleged fraud, breach of contract, and breach of warranty.
- Successfully compelled arbitration against breach of contract and claims brought under the Packers and Stockyards Act by over 30 poultry growers against poultry processing company leading to voluntary dismissal of all claims.
- Served as lead counsel for the defendant poultry processor in a wage and hour collective action involving workers who claimed that they should be paid for time spent donning and doffing various gear, walking to and from the work station, and washing themselves and their gear. The case involved over 1800 claimants in the original class and over 500 claimants in an additional class. This case, which presented complex issues relating to various employee classes, was successfully settled during a two-day mediation.
- Successfully defended meat processing company against claims by hourly employees seeking pay for time spent donning and doffing gear, walking, and washing. The case, which involved both federal claims on a collective basis and state law claims on a class action basis, was conditionally certified and settled after a period of discovery.
- Successfully defended meat manufacturer against claims filed by hourly employees at meat processing plants seeking pay for time spent donning and doffing gear, washing, and walking. The case was conditionally certified and tried before a jury on liability issues following extensive discovery. The jury ruled in part in favor of the plaintiffs and in part in favor of the defendant. The case settled before the parties tried the damages phase of the trial.
- Argued before federal circuit court of appeals on appeal addressing the propriety of discovery of U-visa information in suit alleging unlawful discrimination, harassment and retaliation.
- Defended EEOC enforcement action under the Equal Pay Act and Title VII for alleged discriminatory compensation based on gender.
- Represented a national retailer in a suit by the spouse of a former employee for alleged alienation resulting from an alleged affair between the client's manager and the spouse of the plaintiff.
- Obtained dismissal of a wrongful termination claim before a Mississippi state court on behalf of a national dialysis provider, affiliated companies, and one of the provider's managers.



Professional Honors & Activities

- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Listed in *The Best Lawyers in America*® in Commercial Litigation (2013 – 2022); Product Liability Litigation - Defendants (2016 – 2022); Labor and Employment Litigation (2018 – 2022)
- Listed in *Chambers USA: America's Leading Business Lawyers* as a leading Litigation: General Commercial in Mississippi (2021, 2022)
- Named a Mid-South Rising Star, *Mid-South Super Lawyers* (2009 – 2012)
- Named a *Mississippi Business Journal* "Top 40 Under 40" (April 2013)
- Named to *Portico Magazine's* "Portico 10" (January 2013)
- Member – Leadership Greater Jackson Class (2008 – 2009)
- Director – University of Mississippi Law Alumni Board of Directors (2014 – Present); President (2017 – 2018)

- Member – DRI (Toxic Torts and Environmental Law Committee)
- Member – Mississippi Health Care Association
- Member – Mississippi (Health Law Section; Young Lawyers Division; Diversity in Law Committee (2004 – 2008); Seminars Committee 1999 – 2003 and Co-Chair 2001 – 2002; Judiciary Committee 1998), Alabama, Capital Area, Federal and American Bar Associations
- Member – Jackson Young Lawyers
- Member – Mississippi Defense Lawyers Association
- Member – American Health Law Association
- Trustee – Jackson Academy Board of Trustees (2017 – present); Chair (2019 – present)



Speaking Engagements

- "Life Cycle of an Employee – Employment Agreements and Handbooks" (May 2019)
- Company Training – "Workplace Investigations" (October 2018)
- "Project Management for Lawyers," Practising Law Institute, New York, New York (February 2018)
- "Workplace Violence: Identification, Prevention and if the Worst Happens Evaluating Exposure," MS Society for Human Resource Management, Biloxi, Mississippi (May 2016)
- "Tight Around the 'White' Collar - The Proposed New Overtime Regulations," Capital Area Human Resource Association, Jackson, Mississippi (August 2015)
- "Employee Management: Current Priorities for Today's Employer," Chamber of Commerce Presentation, Flowood, Mississippi (August 2015)
- "Strategies to Avoid Retaliation Claims," North Central Mississippi Human Resources Association, Batesville, Mississippi (March 2015)
- "Resist Temptation! Using Patience and Forbearance to Avoid Retaliation Claims," Gulf Coast Human Resources Association, Gulfport, Mississippi (November 2014)
- Company Training – "Getting to the Truth in Internal Investigations" (November 2014)
- Company Training – "Managing the FMLA, the ADA, and the Intersections Between the Two" (April 2013)
- Company Training – "Consumer Product Call Center & Customer Service Best Practices" (September 2012)
- "Substance Abuse from the Employer/Partner Perspective," National CLE Conference, Law Education Institute, Vail, Colorado (January 2011)



Education

- University of Mississippi School of Law, J.D., 1997, summa cum laude
- University of Mississippi, B.B.A., 1994, summa cum laude



Admissions

- Mississippi, 1997
- Alabama, 1998
- Fifth Circuit, 1997
- U. S. Supreme Court, 2005
- U. S. District Courts of Alabama, 2011
- U.S. Court of Appeals for the Eleventh Circuit, 2021