



## Jonathan C. Hancock

Shareholder

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Jonathan Hancock represents employers and management clients as they address all aspects of employment law and litigation, including employee counseling and termination, proactive employee training, and the handling of employee complaints and claims in state or federal courts across the country.

Mr. Hancock regularly represents employers before administrative agencies and courts in matters involving claims like wrongful termination, discrimination, harassment and retaliation. His practice also includes helping clients avoid lawsuits, and he has extensive experience creating proactive training programs for all employees, including focused "front line" training for managers, supervisors and executives. He also represents clients in complex litigation matters, including class and collective actions, federal compliance actions, municipal and governmental defense cases, and other civil litigation matters.

Mr. Hancock is a frequent speaker and writer whose articles have appeared in BNA's *Employment Discrimination Law*, the American Bar Association's *Labor and Employment Law Newsletter*, the University of Memphis *Law Review*, *The Commercial Appeal*, the *Practical Law Company*, *HR Professionals of the Mid-South* magazine and other publications. Mr. Hancock regularly speaks on employment and civil litigation topics for a variety of clients and groups, including the Association for Corporate Counsel, The Society for Human Resource Management, the National Association of Legal Administrators, the Memphis Bar Association and the Tennessee Bar Association, among others.

### Representative Matters

- On behalf of municipal client, obtained directed verdict at trial against claims by multiple employees alleging unlawful pay disparities.
- Represented client in financial services industry through FINRA arbitration hearing and secured complete finding in client's favor on all claims asserted by former employee.
- Successfully defended a casino and won summary judgment motion on all claims filed by the plaintiff, a former blackjack dealer who alleged discrimination based on disability and failure to accommodate such disability in violation of the ADA. The plaintiff further asserted claims for retaliation and interference with her rights guaranteed under the FMLA.
- Lead counsel in complicated disability discrimination and FMLA interference and retaliation case dismissed following Court's grant of summary judgment to client.
- Counsel in whistleblower retaliation case dismissed on preliminary motion to dismiss. Handled appeal and partial remand without reversal and secured final dismissal on merits.
- Served as counsel in appeal of termination of employment by public employee alleging multiple constitutional violations. Successfully orchestrated victory before civil service commission, trial court, and appellate court, securing favorable result at each stage of litigation.
- Obtained defense verdict in federal trial in which plaintiffs alleged race, gender and age discrimination and retaliation.
- Served as counsel in a race discrimination and harassment case in which summary judgment was granted in employer's favor.
- Coordinated a response with our client following the discovery of KKK insignia at a manufacturing facility, including assistance with investigation, termination of employment following identification of parties involved, and communication strategy with remaining employees. Successfully defended

claim by employee targeted by alleged harassment, resulting in federal magistrate's recommendation of dismissal.

- Obtained summary judgment for state court judge accused of unlawful harassment by subordinate employee.
- Served as counsel for state chapters of national human resources trade organization as *amicus curiae* in matter regarding adoption of initial pleading standard by Tennessee Supreme Court.
- Served as counsel in litigation focusing on delivery practices of national pizza delivery chain. Successfully orchestrated denial of class certification, dismissal of case, and payment by plaintiffs' counsel of portion of defense costs.
- Counsel in numerous cases enforcing employee agreements, particularly covenants not to compete and other restrictive covenants, including handling of injunctive judicial proceedings, expedited discovery proceedings and negotiated resolutions.
- Served as counsel in employment discrimination case dismissed on preliminary motion based on failure of plaintiff to correctly differentiate between parent and subsidiary companies.
- Assisted as Tennessee counsel in the successful negotiation of national class action alleging unfair pricing scheme relating to the sale of foreign automobiles in the United States.
- Served as counsel in multiple municipal annexation cases, including successful trials of multiple annexations, successful defense of trial results in intermediate appellate courts, and successful handling of appeals before state supreme court.
- Served as counsel in numerous eminent domain proceedings on behalf of municipality acquiring property as part of multiple urban renewal projects.
- Served as counsel in an eminent domain trial in which the jury rendered a verdict for the entire amount sought by landowner.
- Successfully defended the mayor of Memphis in labor dispute filed by the City of Memphis labor unions, alleging numerous constitutional violations and other claims arising out of prior negotiations with the city of Memphis and the failure of the circumstances to trigger the city's charter provision that requires an impasse procedure. The Federal judge dismissed all claims against the mayor, both in his individual and official capacity.
- Negotiated significant tax incentives with the Tennessee Department of Economic and Community Development (TECD) on behalf of a Memphis-based manufacturer seeking incentives based on relocation of manufacturing line and employees.
- Successfully negotiated a settlement in a multi-plaintiff racial harassment and discrimination action filed against a manufacturer in federal court in South Carolina.
- Successfully defended a hotel and casino in a multi-plaintiff national origin and gender discrimination trial after a companion case involving different plaintiffs and prior counsel resulted in a verdict in companion plaintiffs' favor. Baker Donelson obtained a complete defense verdict.
- Won dismissal of a gender discrimination lawsuit and nearly \$100,000 in attorney's fees and expenses on behalf of a major health care provider on a successful Motion for Sanctions for Spoilation of Evidence and Unclean Hands against the plaintiff, based upon the discovery that the plaintiff deleted relevant text messages.
- Won summary judgment for an independent medical consulting group in a lawsuit brought by a hospital pursuant to ERISA.
- Won summary judgment on behalf of a technology and electrical equipment company in an employment discrimination lawsuit in Arkansas federal district court.



## Professional Honors & Activities

- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Named to *Best Lawyers in America*® in the areas of Employment Law - Management; Labor and Employment Litigation (2016 – 2022); Employment Law - Individuals (2020 – 2022); Municipal Litigation (2021, 2022)

- Named the *Best Lawyers'* 2022 and 2020 Memphis Employment Law - Individuals "Lawyer of the Year"
- Listed in *Mid-South Super Lawyers* (2011 – 2021)
- Named as a "Rising Star" in the field of Labor and Employment by *Mid-South Super Lawyers* (2008 – 2010)
- Member – Memphis Area Legal Services (Board of Directors, 2009 – 2011; Chair, Inspired Staffing Committee, 2009; Vice President, 2011; President, 2012 – 2014)
- Member – Memphis Bar Association (Board of Directors, 2015 – 2018; Chair, 2004; Bench/Bar Committee, 2003; Bench/Bar CLE Committee)
- Member – Society for Human Resource Management, Tennessee State Council (Legal & Legislative Chair, 2009 – 2012)
- Member – Baddour Center Board of Directors (Executive Committee, 2011 – 2018)
- Fellow – Tennessee Bar Foundation
- Member – Society for Human Resource Management, Memphis Chapter (Board of Directors, 2005 – 2012; Legislative & Governmental Affairs Chair, 2005 – 2012)
- Listed in the *Memphis Business Journal's* "Top 40 Under 40" (2007)
- Participant in Tennessee Bar Association's Leadership Law Program (2006)
- Member – Federal Bar Association (Board of Directors, National Delegate, 2009; Secretary, 2010)
- Member – American Bar Association
- Member – Tennessee Bar Association (Executive Council; Federal Practice Section)
- Former Member – Metropolitan Inter-Faith Association Host Committee
- Former Board Member – Boys and Girls Clubs of Greater Memphis
- Former Member – Leo Bearman American Inns of Court



## Publications

- "Baker's Dozen – Tips and Insights on Partnering to Advance Women," *Women's Initiative Newsletter* (October 2021)
- "Religious Organizations *May* Have a Defense to LGBTQ Employment Discrimination Lawsuits Despite *Bostock* Ruling" (July 2020)
- "Historic Supreme Court Decision: "An Employer Who Fires an Individual Merely for Being Gay or Transgender Defies the Law"" (June 2020)
- "Florida Employee Privacy Alert: No Expectation of Privacy for Contents of Employee's Flash Drive Attached to Work Computer," (July 2019); republished in the *Daily Business Review* (August 2019)



## Speaking Engagements

- "Legal Perspective of the Tsunami of Change in Human Resources," Tennessee SHRM Conference (November 2020)
- Faculty – "Should Managers Be Armed in the Workplace?," Lorman webinar (May 2018)
- "Reappraisal of Sexual Harassment in America: Lessons from the Matt Lauer (and Other) Scandals" (January 2018)



## Webinars

- An Employer Who Fires an Individual Merely for Being Gay or Transgender Defies the Law (August 2020)



## Education

- University of Mississippi School of Law, J.D. degree, 1996
- Millsaps College, B.S. degree, 1993



## Admissions

- Tennessee
- U.S. District Court, Western District of Tennessee
- U.S. District Court, Middle District of Tennessee
- U.S. District Court, Eastern District of Tennessee
- U.S. District Court, Eastern District of Arkansas
- U.S. Court of Appeals, Fifth, Sixth and Eighth Circuits
- Admitted *pro hac vice* in Florida, New Jersey, New York, Pennsylvania, Mississippi, New Mexico, Texas, South Carolina and other jurisdictions