



Jennifer L. Curry

Shareholder

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Jennifer Curry is vice chair of the Firm's Labor and Employment Group and advises and defends employers on all manner of employment and compliance issues.

Ms. Curry works closely with employers of all industries and sizes by advising and defending them against discrimination, harassment, and retaliation claims; coordinating crisis management responses; directing internal investigations involving sexual harassment, the False Claims Act and whistleblowing; and overseeing federal contractor obligations under the Service Contract and Davis Bacon Acts. In addition to her work with a broad array of clients, Ms. Curry has a specific focus on clients in the health care and education industries.

Working closely with health care employers as the co-chair of the Firm's L&E Health practice, Ms. Curry has vast experience developing policies, practices and protocols that are unique to health care employees; training health care employees on their EEO rights and obligations; conducting investigations of both employee and patient complaints (including complaints under the Americans with Disabilities Act and Section 1557 of the Affordable Care Act); conducting complex compliance and risk management internal investigations; and ultimately defending health care employers in discrimination, retaliation, False Claims Act and whistleblowing complaints. Ms. Curry has also represented several health care businesses in litigation involving breach of contract, non-compete and non-disclosure claims, as well as dissolution of physician partnerships.

Ms. Curry also has a significant practice advising and defending educational institutions at all levels. She works with independent schools throughout the country on creating student and employee policies, including social media and technology policies; conducting internal investigations regarding student and employee complaints; and training employees on appropriate conduct. She also works with colleges and universities throughout the Mid-Atlantic and Southeastern United States, providing EEO and Title IX requirements training to employees and conducting internal investigations in those areas. She has also defended several major universities in cases involving claims of discrimination, sexual harassment and retaliation. Ms. Curry also has a unique practice working closely with health care providers who operate, or work in conjunction with, educational institutions, and advises and defends those providers regarding the specific issues posed by medical residents, fellows, students, and researchers.

Beyond these focus industries, Ms. Curry advises and defends employers of all sizes and all industries in every aspect of the employer-employee relationship. She routinely appears before state and federal courts and agencies throughout Maryland and the District of Columbia. Ms. Curry devises practical strategies for clients navigating employment claims and disputes, and where advisable, she recommends and provides representation in alternative dispute resolution, including arbitration, mediation and settlement negotiations.

Ms. Curry has been named a Rising Star by *Maryland Super Lawyers* in the area of Employment Litigation every year from 2013 – 2021.

Representative Matters

- Defended a large health care system and several of its affiliates in whistleblower retaliation lawsuit filed by a former employee. Secured summary judgment on all claims filed by the plaintiff.

- Represented a large federal contractor servicing multiple government agencies during a two-year audit and investigation conducted by the U.S. Department of Labor under the Service Contract Act. Provided in-depth training to management following the audit and investigation.
- Defended a large health care practice in a lawsuit filed by a former affiliate and physician members alleging breach of contract, tortious interference, and wrongful termination. Reached a favorable settlement for the client at mediation.
- Defended a large physician-owned health care practice in a lawsuit and obtained a verdict in favor of the client after a jury trial. The decision was upheld on appeal.
- Defended a large public university based in Washington, D.C. in a lawsuit filed by a former employee alleging retaliation under the False Claims Act, wrongful termination, and breach of contract. Secured dismissal or summary judgment on all claims filed by the plaintiff.
- Defended a national health care provider and one of its employees in a lawsuit filed by a former employee alleging race and national origin discrimination and retaliation. Secured dismissal or summary judgment on all claims filed by the plaintiff.
- Conducted an internal investigation for a university covering multiple departments and multiple employees alleging fraud, abuse, harassment, discrimination, and retaliation against an independent contractor. Prepared a lengthy confidential report and presented findings and recommendations to the school's Office of General Counsel and the school's Board.
- Represented a national physical therapy provider and four of its affiliates and subsidiaries in a lawsuit filed by a former employee alleging retaliation under the federal and New York State False Claims Acts.
- Defended a complex breach of contract complaint filed against an individual related to an employment agreement that included non-competition, non-solicitation, and confidentiality provisions. The individual formerly worked for a nationwide specialized pharmaceutical company in recruiting and servicing clients. Baker Donelson took the position that the entire Agreement is enforceable and that jurisdiction in Maryland is improper; a motion to dismiss the complaint is pending. Baker Donelson resolved the matter through settlement.
- Conducted an internal investigation of a complex gender harassment and discrimination suit filed by a female vice president of a large federal contractor. The investigation required the interviews of the entire executive staff of the organization.
- Represented a large financial institution in a lawsuit filed by a former employee alleging race and gender discrimination and retaliation. Conducted initial motions practice and significant discovery before the matter was resolved during mediation.



Professional Honors & Activities

- Listed as a Maryland Rising Star in *Maryland Super Lawyers*, Employment Litigation Defense (2013 – 2021)
- Selected for *The Daily Record's* 2018 VIP List – Very Important Professionals Successful by 40 (2018)
- Member – Baltimore City Bar Association
- Member – Federal Bar Association
- Member – Maryland State Bar Association
- Member – Women's Law Center of Maryland
- Board of Trustees – Baltimore Bar Foundation
- Board of Directors – [Baltimore City Chamber of Commerce](#) (Vice Chair, 2018 – present)
- Leadership Advisory Council – Cristo Rey Jesuit High School (2014 – present)
- Member – Baker Donelson's Diversity Committee
- Chair – Baker Donelson's Women's Initiative Committee
- Recipient – Baker Donelson's 2020 Work-Life Warrior Award



Publications

- "Sitting Down with "Work-Life Warrior" Jennifer Curry," *Women's Initiative Newsletter* (May 2021)
- "Updated Title IX Regulations Expected from Biden Administration" (March 2021)
- "Department of Labor's Newly Proposed Joint Employer Rule Short on Details at the Moment, But Not Short on Potential Impact on Businesses and Franchisors " (March 2021)
- "Executive Order Requires Federal Contractors to End Implicit Bias Training or Face Sanctions" (October 2020)
- "DOL Releases New FFCRA Child Care Guidance" (August 2020)
- "OSHA Expected to Issue More COVID-19 Citations in Light of Recent Lawsuit," republished August 6, 2020 in *Westlaw* (July 30, 2020)
- "Three Key Takeaways for Health Care Employers from April 14, 2020 CDC Guidance" (April 16, 2020)
- "Coronavirus: Maryland's COVID-19 Public Health Emergency Protection Act of 2020 Establishes Protections for Employees and Businesses," republished March 26, 2020 in *The Daily Record* (March 23, 2020)
- "Coronavirus: D.C. Council Passes Emergency Legislation to Amend the D.C. Unemployment Compensation Act and D.C. Family and Medical Leave Act in Response to COVID-19 Pandemic" (March 23, 2020)
- "COVID-19 FAQ For Long Term Care Employers" (March 13, 2020)
- "Is Your Institution Immune from the College Admissions Scams? Thorough Self-Audit is the Only Way to Know" (March 2019)
- "The New Landscape for Non-Compete Law in 2019 and Beyond" (March 2019)
- "Answers to Your Most Biting Questions About Service and Comfort Animals," *Health Law Alert* (August 2018)
- "When a Third Party Becomes the Harasser: How the #MeToo Movement May Impact Your Workforce in the Most Unsuspecting Way" (April 2018)
- "The EEOC's Focus on Equal Pay and the Health Care Industry Finally Comes to a Crossroad" (October 2017)
- "Uncompensated "Off-the-Clock" Work Time Nets Call Center Nurses a \$6.2 Million Settlement," *Health Law Alert* (June 2017)
- "Medical Residents and Title IX – What Teaching Hospitals Need to Know," *Health Law Alert* (May 2017)
- "A Wage and Hour Pitfall: Paying Bonuses to Non-Exempt Employees Can Lead to Trouble," republished in American Bankers Association's Newsbytes Human Resources (March 2017)
- "Fifth Circuit Agrees to Fast-Track DOL's Overtime Appeal" (December 2016)
- "VIDEO: Workplace Violence in the Health Care Setting – Is Your Organization Prepared?" (2016) [Ober|Kaler]
- "Federal Contractors Must Comply with OFCCP's Revised Sex Discrimination Guidelines or Face Possible Debarment" (August 2016) [Ober|Kaler]
- "NLRB Continues Defense of Employees Discussing Wages and Hours" (June 2016) [Ober|Kaler]
- "OSHA Postpones Its New Workplace Injury and Illness Reporting Rule in the Face of Scrutiny and a New Lawsuit" (July 2016)
- "OSHA's Policy Mandates for ALL Employers Require Compliance by August 10, 2016" (June 2016) [Ober|Kaler]



Speaking Engagements

- "COVID-19 Vaccine Issues for Employers," DCHRA (November 2020)
- "Navigating COVID-19 Safety Issues for Medical Personnel," Patient Care Associates (June 2020)
- "COVID-19 Screening Training for Managers," Patient Care Associates (June 2020)

- "Understanding the New Sick and Safe Leave Requirements for ALL Maryland Employers," webinar, Baltimore City Chamber and Baker Donelson (May 2018)
- "CHRA Program 'Defending Your Hill'," CHRA Monthly Education Program for HR Practitioners (September 2017)
- "Back to Basics L&E Half-Day Seminar" (May 2017)
- "Leave Management Workshop: An Interactive Session Tackling the Toughest Leave Management Issues" (March 2017)



Webinars

- Can You Mandate COVID-19 Vaccines? (May 2021)
- 2021 Health Care Outlook (February 2021)
- The (Updated) Employer's Guide to the COVID-19 Vaccine (January 2021)
- Managing the COVID-19 Vaccination in Your Workforce and Community (December 2020)
- Health Care, Gender and Religion, Oh My! (October 2020)
- Return to School Plan: Key Legal, Policy, and Operational Considerations for Independent Schools (August 2020)
- Q&A Session: Return to Work and Work Continuity Planning (June 2020)
- COVID-19: Getting Back to Work (June 2020)
- Develop a Well-Rounded Return to Work Plan (May 2020)
- Medical Care in a World of COVID-19: What Texas Physicians and Health Care Facilities Need to Know as We Reopen the Economy (May 2020)
- Coronavirus in Long Term Care: Overview of FAQ for Employers (March 18, 2020)
- Navigating New Wage and Hour Issues for the Long Term Care Workforce (July 2019)
- L&E Health Care Webinar Part 1: Managing Physician Employment Issues (May 2019)
- College Admissions Scams: Mitigate Your Risks of Being the Next Headline (April 2019)
- What Does the Revised Proposed Overtime Rule Have in Store for Employers? (March 2019)
- When Retaliation Survives: Steps for Defending an FCA Suit Without the False Claim (March 2019)
- Up in Smoke: Weed in the Workplace and What You Need to Know (October 2018)
- When the Dog Bites: Health Care Employer Responsibilities for Patient (and Employee) Comfort Animals (September 2018)
- What Long Term Care Facilities Should Do in an Active Shooter Situation (August 2018)
- Employee Handbook Compliance (August 2018)
- I-9 Best Practices for Employers in the Health Care Industry (July 2018)
- Protecting Your Employees from Workplace Violence and Active Shooters (June 2018)
- #MeToo Revisited – Key Considerations for an Effective Harassment Policy and for Investigating Complaints of Harassment (May 2018)
- When the Patient Becomes the Harasser (May 2018)
- Maryland 2018 Legislative Wrap-Up: New Employment Laws that May Affect Your Business (April 2018)
- Employment Law Under the Trump Administration: 2018 and Beyond (April 2018)
- Top 10 Dos and Don'ts of FMLA Compliance (March 2018)
- Best Practices in Handling Employee Complaints and Conducting Internal Investigations (February 2018)
- It's Here! What Are Your Obligations Under the Maryland Healthy Working Families Act? (February 2018)
- What Hospitals Should Do in an Active Shooter Situation (January 2018)
- Conducting Internal Investigations in Hospitals and Other Health Care Facilities (November 2017)
- Federal Contractor Obligations in the Health Care Field (September 2017)



Education

- University of Maryland School of Law, J.D., 2006
 - Founding Member – Women's Law Center of Maryland Student Chapter
- University of Michigan, B.A., 2003



Admissions

- District of Columbia
- Maryland
- New York
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland