



(She/Her)

Principal, Chicago

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Kathryn Montgomery Moran is a principal in the Chicago, Illinois, office of Jackson Lewis P.C. She has extensive litigation experience in individual and class action cases in state and federal courts and administrative agencies.

## Practices

- Background Checks
- Class Actions and Complex Litigation
- COVID-19
- Disability, Leave and Health Management
- Financial Services
- Employment Litigation
- Wage and Hour

## Education

- University of Michigan Law School, J.D. 1984
- University of Michigan, B.B.A. 1981

## Admitted to Practice

- 7th Circuit Court of Appeals 1994
- Illinois - C.D. Ill. 1998
- Illinois - N.D. Ill. 1987
- Wisconsin - E.D. Wis. 2013
- Wisconsin - W.D. Wis. 2013
- Illinois 1987

When disputes cannot be resolved by agreement or dismissed on technical grounds, Kathryn tries cases before juries, judges, administrative law judges and arbitrators. She has successfully defended employers accused of the following: age, sex, race, disability and national origin discrimination, sexual harassment, retaliatory discharge, ERISA violations, Family and Medical Leave Act violations, defamation, fraud, tortious interference, infliction of emotional distress, breach of contract, and wage and hour violations.

Kathryn handles matters in state and federal courts around the country, the Equal Employment Opportunity Commission, the Illinois Human Rights Commission, and other government agencies.

While Kathryn loves trials, she understands that not all of her clients share that passion. Her philosophy is to determine at the outset what her client's goals are—be it early resolution, saving money, avoiding adverse publicity of defending a principle. She then takes whatever steps are necessary to achieve those goals. In some situations, the client's interests are best served by mediating a case immediately and arriving at a settlement. In other cases, the client's aims are best achieved by a jury trial.

Kathryn also counsels clients about a wide variety of matters with a view to avoiding costly litigation. This proactive approach helps clients avoid disputes and legal fees. Kathryn can provide strategies to:

- Reduce risk when terminating individual employees;
- Protect trade secrets and enforce restrictive covenants;
- Assist an employer in implementing a large-scale reduction in force;
- Resolve wage and hour issues, including tricky questions about which employees are “exempt” from overtime;
- Craft alternative dispute resolution programs which will withstand court scrutiny;
- Assist employers in investigating complaints of workplace harassment, violence and misconduct;
- Implement harassment prevention and other training programs;
- Revise employee handbooks and procedure manuals to reduce risk and prevent contractual liability; and
- Take whatever other steps may be needed to reduce or eliminate the risk of litigation.

A quick phone call to Kathryn can often help to avoid unpleasant conflicts with employees

and expensive legal fees.

Kathryn is a frequent speaker and writer on employment law matters, including employment discrimination laws, the Family and Medical Leave Act, the Americans with Disabilities Act, the Fair Labor Standards Act, sexual harassment, defamation, employment torts and other employment law topics.

Prior to joining Jackson Lewis, Kathryn was a partner at a large full service law firm. Prior to that, Kathryn served as clerk for Judges William R. Beasley and Roman S. Gribbs of the Michigan Court of Appeals.

## Representative Experience

Kathryn has successfully tried numerous cases, including the following jury trials:

- Tried a religious discrimination case on behalf of a Village in federal court in Chicago. Plaintiff applied for the position of Finance Director. Although she was the top candidate for the job, the Village did not hire her because she was unable to work on Saturdays due to her religion. Kathryn argued that changing the Village's procedures to eliminate the need for the Finance Director to work on Saturdays would be an undue hardship. The jury agreed and returned a verdict for the Village.
- Tried a race and pregnancy discrimination case on behalf of an insurer in federal court in Atlanta. Plaintiff, who worked for the company for three years, claimed that she was terminated three days after she asked her supervisor about maternity benefits. Four witnesses testified that the claims manager was racist and sexist and that he did not want employees having "young'uns" on his payroll. Kathryn succeeded in convincing the jury that the termination had nothing to do with the plaintiff's race or pregnancy, but rather was due to her inappropriate conduct, including her use of foul language to a co-worker. The jury returned a verdict in favor of the company. In two companion cases, employees of the same company filed lawsuits claiming retaliation for complaining about discrimination against the employee who was terminated. Kathryn obtained summary judgment in favor of the company on both of those claims.
- Tried a race discrimination and tortious interference case to a jury in federal court in Chicago for a national engineering firm. The plaintiff in the case, a managing engineer, was employed by the company for many years and was promoted twice. He was terminated by the president of the company after the president learned that he had insulted a client during a meeting. The plaintiff's supervisor and other members of company management opposed the termination and urged the president to reverse his decision. The plaintiff sued both the company and its president, claiming that he had not insulted the client, that the company failed to investigate the incident, and that other employees who engaged in similar conduct—including, allegedly, the president himself—had not been terminated. The jury returned a verdict in favor of the company and the president on both counts. The plaintiff appealed, and the appellate court affirmed the jury's decision in favor of the employer.

## Honors and Recognitions

- *The Best Lawyers in America*®, "Employment Law - Management" (2013-present)
- *Martindale-Hubbell*®, "AV Preeminent® - Peer Rated for Highest Level of Professional Excellence" (1999-present)
- *Illinois Super Lawyers*®, "Super Lawyers" (2005-2008, 2010-present)
- *Thomson Reuters*, "Thomson Reuters Stand-out Lawyer - Independently Rated

Lawyers”

### Published Works

- “Recruiting Update: Make Sure Your Hiring Practices Comply With Current Law,” *Illinois Banker* (February 2016) [Co-Author]
- "Illinois Banned the Box as of Jan. 1, 2015; Is it Banned for Banks?" *Illinois Banker* (Nov/Dec. 2014 Edition) [Author]
- "Employment at Will," *Illinois Institute of Continuing Legal Education's Employment Termination Handbook* (May 2010) [Chapter Author]
- "Recent Developments in Employment Law," *American Bar Association Tort and Insurance Practice Section Journal* (2003) [Author]