



Evan Gibbs
Associate

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Evan litigates cases at the forefront of the nation's most pressing contemporary civil rights issues throughout the U.S., but primarily in the deep south. Evan has handled cases involving sexual and gender-based harassment, gay and transgender rights, and race discrimination, among others. He's also handled investigations into allegations of improper conduct by executives and elected officials. Evan has been interviewed by various news media outlets on these issues and the #MeToo movement, including NBC New York, The Los Angeles Daily News, BuzzFeed News, and others.

Evan also litigates trade secret and restrictive covenant matters, including the case resulting in the first published decision in Georgia interpreting the recently-enacted federal Defend Trade Secrets Act. With this background, Evan is frequently asked to prepare and assess employment agreements for executives and other high-level employees throughout the U.S.

Evan has extensive experience representing clients in traditional labor matters, including union organizing campaigns, collective bargaining, grievances and arbitrations, decertification campaigns, unit clarification proceedings, and representation before state and federal administrative agencies.

He's also a columnist for the popular legal news site *AboveTheLaw.com*, which he's been doing since 2016. When he's not working, Evan does CrossFit, plays drums, and he loves anything involving dogs (because dogs are the best). He also loves reading, especially National Geographic magazine.

Representative Experience

- Evan has first-chaired and won an administrative trial against a government agency.
- Evan has argued multiple successful summary judgment motions and other procedural and evidentiary motions in state and federal courts.
- He has successfully briefed and argued for early dismissal of claims in various jurisdictions and has secured multiple awards of costs and attorneys' fees against opposing parties.
- He has taken and defended dozens of depositions later used in winning

Practice

- Labor and Employment
- Business Litigation
- Class and Collective Actions
- Litigation

Education

- Florida State University (J.D., 2011)
Editorial Board, *Florida State University Law Review*
- Valdosta State University (B.A., 2008)

Bar and Court Admissions

- Georgia
- Florida
- Colorado
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the District of Colorado

Distinctions

- Recognized as Georgia *Super Lawyers* Rising Star, 2017
- Recognized as a Florida *Super Lawyers* Rising Star, 2015 & 2016

dispositive and non-dispositive motions .

- Evan has handled high-level workplace investigations involving executives as well as elected and appointed government officials.
- He has represented clients in labor arbitrations and in collective bargaining agreement negotiations.
- He has defended on-site investigations by various federal government agencies.

Presentations and Speaking Engagements

- "An Hour With Above the Law," Federal Bar Association National Convention, 2018.
- "Minimizing Risk When Hiring From Competitors," HR Florida Annual Conference, 2018.
- "Avoiding Liability in the #MeToo Era," HR Steps to Success Webinar Series, 2018.
- "2018 Employment Law Update," *Florida Keys SHRM*, 2018.
- "Build Your Book, Control Your Career," *Federal Bar Association Rising Professionals Symposium*, 2018.
- "What Happens When HR Drops the Ball," *HR Florida Annual Conference*, 2017.
- "Five Employment Issues to Watch," *Georgia Chamber of Commerce*, 2017.
- "11th Circuit Survey and Update," *42nd Annual Public Employment Labor Relations Forum*, 2016.
- "Advanced Hiring Topics," *HR Florida Annual Conference*, 2016.
- "Anatomy of an Employment Lawsuit," *HR Florida Annual Conference*, 2015.
- "11th Circuit Update," *41st Annual Public Employment Labor Relations Forum*, 2015.
- "The NLRB, Handbooks, and Technology Issues in the Workplace," *SHRM Jacksonville Annual Legal Update*, 2014.
- "Separation Agreements: One Size Does Not Fit All," *SHRM Jacksonville 6th Annual Conference and Expo*, 2014.
- "Seriously?! Lessons Learned from the Craziest Employment Cases of the Past Year," *HR Florida Annual Conference*, 2014.
- "Harassment and Discrimination in the Workplace," *Comprehensive Employment Law Seminar - Sterling Education Services*, 2014.
- "11th Circuit and Florida Public Sector Update," *40th Annual Florida Public Employment Labor Relations Forum*, 2014.
- "Discrimination, Harassment & Retaliation," *SHRM Valdosta*, 2013.
- "HR Compliance Auditing Made Easy," *HR Florida Annual Conference*, 2013.
- "Privacy and Social Media in the Workplace," *Fundamentals of Employment Law*, 2013.
- "Retaliation and Whistleblower Claims," *Florida Public Employer Labor Relations Association Annual Conference*, 2013.

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- "Details of Veterans Proposed Rules," *First Coast Area Federal Contractors Webinar*, 2013.
 - "Discrimination, Harassment and Retaliation Annual Update," *SHRM Jacksonville Annual Legal Update*, 2013.
 - "11th Circuit Case Law Survey and Update," *39th Annual Public Employment Labor Relations Forum*, 2013.
 - "11th Circuit Case Law Survey and Update," *38th Annual Public Employment Labor Relations Forum*, 2012.

Publications

- Numerous articles on AboveTheLaw.com (click [here](#) for list of articles).
- "Build Your Book, Control Your Career," *The Federal Lawyer*, September 2018.
- "Let's Get Objective About Objectionable Objections," *The Florida Bar Journal*, July 2016.
- "Student Athletes as Employees?," *The Florida Bar Journal*, March 2015.
- "Monsters of the Digital Age," *JD Supra*, 2015.
- "EEOC Issues New Guidance," *HR Matters*, 2014.
- "[Is FLSA Successorship Liability Viable in the Eleventh Circuit?](#)" *The Checkoff, Florida Bar Labor and Employment Law Section*, 2014.
- "[Employee's Signature Can Bind Company to Collective Bargaining Agreement When Company President Refuses to Sign](#)," *Florida Bar, Labor and Employment Law Section E-Alert*, 2014.
- "Legislative Update: The Florida Information Protection Act," *HR Matters*, 2014.
- "Florida Supreme Court: Proposal for Settlement Statute Does Not Apply to an Action for Both Damages and Equitable Relief," *The Florida Bar Labor and Employment Law Section E-Alert*, 2013.
- "How the Courts are Weighing in on Obesity as a Disability," *HR Matters*, 2013.
- "Eleventh Circuit Holds Liquidated Damages are not Mandatory in FLSA Retaliation Cases," *The Florida Bar Labor and Employment Law Section E-Alert*, 2013.
- "EEOC Issues its Strategic Enforcement Plan," *HR Matters*, 2013.
- "How the Courts are Weighing in on Obesity as a Disability," *HR Matters*, 2013.
- "Florida Supreme Court: Proposal for Settlement Statute Does Not Apply to an action for Both Damages and Equitable Relief," *Florida Bar, Labor and Employment Law Section*, 2013.
- "[Mooting the Mootness Issue as Moot?: Szymczyk's Impact on FLSA Litigation in Florida and Beyond](#)," *The Florida Bar Journal*, 2013.
- "Is FLSA Successorship Liability Viable in the Eleventh Circuit?," *The Checkoff, Florida Bar Labor and Employment Law Section*, 2013.

Professional and Community Involvement

- Federal Bar Association
- SHRM Atlanta
- SHRM Jacksonville (Board of Directors, 2012–2015)
- Chester Bedell Inn of Courts
- Leadership St. Johns (Class of 2016)
- Leadership Jacksonville (CLE, Class of 2010)