Andrew Henson

Partner

Richmond

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Andrew represents clients in a broad range of employment and business disputes, including trade secrets, restrictive covenants, ERISA benefits, minority shareholders, and wage and hour litigation. His experience across a variety of industry sectors informs his strategic and practical approach.

OVERVIEW

Andrew is a litigator who represents executives, professionals, and corporate clients in a broad range of disputes. His clients span industries such as finance, insurance, health care, defense contractors, food service, investment advisors, higher education, and a variety of manufacturers from tobacco to cosmetics. Andrew is particularly experienced in restrictive covenant disputes, ERISA benefits litigation, FLSA class/collective actions, executive and health care professional employment, trade secrets litigation, and minority shareholder matters.

Andrew has successfully defended clients in cases involving wrongful termination, discrimination, harassment, retaliation, wage and hour disputes, misappropriation of trade secrets, and breach of employment contracts in state and federal courts across the U.S. He has managed class action cases under federal and state law, as well as Sarbanes-Oxley, Dodd-Frank retaliation, False Claims Act retaliation, Title VII, ADA/Rehabilitation Act, ADEA, REDA, and FMLA disputes. Andrew also works with universities on a variety of disputes involving faculty contracts, including academic freedom matters.

Before joining the firm, Andrew worked in the North Carolina General Assembly as a policy advisor. He also served as the lead house liaison for the Unemployment Insurance Study Committee, and as chief clerk for the House Finance Committee and Occupancy Tax Subcommittee. Andrew's prior work experience has helped him understand the law through the legislative and judicial sectors.

REPRESENTATIVE MATTERS

- Defended a minority shareholder and former company president against claims of breach of fiduciary duty, misappropriation of trade secrets, and business conspiracy in *Mission Integrated Technologies, LLC v. Clemente*, 1:23-cv-1608 (E.D. Va. 2024), *aff'd*, 158 F.4th 554 (4th Cir. 2025). Obtained summary judgment and a $518,000 award of attorneys' fees and costs, affirmed by the Fourth Circuit.
- Obtained summary judgment for an ERISA claims administrator in a long-term disability benefits dispute in *Estate of Sydney Green v. Hartford Life & Accident Ins. Co.*, 1:24-cv-01910 (D. Md. 2025).
- Obtained summary judgment for an ERISA claims administrator in a long-term disability benefits dispute in

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Sanders v. Hartford Life & Accident Ins. Co., 8:22-cv-01945 (D. Md. 2024).

- Obtained summary judgment on federal discrimination and retaliation claims in favor of a health insurance company employer.
- Obtained summary judgment on federal discrimination and retaliation claims in favor of an urgent care employer, affirmed by the Fourth Circuit.
- Secured dismissal of whistleblower retaliation claims in favor of a bank employer at the motion to dismiss stage.
- Secured dismissal of discrimination claims in favor of an urgent care employer at the motion to dismiss stage.
- Secured dismissal of a breach of contract claim in favor of a medical staffing organization at the motion to dismiss stage.
- Secured dismissal of Virginia whistleblower retaliation claims in favor of a government contractor at the motion to dismiss stage.
- Obtained summary judgment on federal discrimination and retaliation claims in favor of an insurance employer, affirmed by the Fourth Circuit.
- Obtained a court-approved class settlement under the WARN Act arising from the closure of a rural community hospital.
- Obtained a court-approved class settlement of an FLSA and state wage-and-hour class action for a sanitation industry employer.
- Successfully prosecuted multimillion-dollar claims against former employees of a financial institution for breach of the duty of loyalty, misappropriation of trade secrets, and business conspiracy.
- Obtained dismissal of unfair labor practice charges before the National Labor Relations Board.

AWARDS

- *Best Lawyers in America®: Ones to Watch*: Litigation – Labor and Employment (2023-2027), Labor and Employment Law – Management (2026-2027)
- *Super Lawyers North Carolina*: “Rising Star” in Employment Law (2018-2026)
- *Super Lawyers Virginia*: “Rising Star” in Employment Law (2022-2026)

TOP AREAS OF FOCUS

- Class Action
- Employment Counseling
- Government Claims + Investigations
- Governmental Audits, Benefit Claims + ERISA Litigation
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution

ALL AREAS OF FOCUS

- Class Action
- Employment Counseling
- Government Claims + Investigations
- Governmental Audits, Benefit Claims + ERISA Litigation
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Litigation + Trial

- Noncompete + Trade Secrets
- Wage + Hour Matters

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Bar Council member, North Carolina Bar Association Labor & Employment Division, 2019-2022
- Communications co-chair, North Carolina Bar Association Labor & Employment Division, 2018-2020
- Board president, Preservation Durham, 2018-2020
- Chairman of Rules Committee, Board member, North Carolina Respiratory Care Board, 2017-2018
- Ruling Elder, Church of the Good Shepherd (Durham, NC), 2026-present

PROFESSIONAL EXPERIENCE

- Finance policy advisor, Chief Clerk N.C. House Finance Committee, North Carolina General Assembly, 2011-2013

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of North Carolina School of Law, J.D., *cum laude*, 2015, Holderness Moot Court National Appellate Advocacy Team
- North Carolina State University, B.A., *cum laude*, 2010

BAR ADMISSIONS

- North Carolina
- Virginia
- Maryland

COURT ADMISSIONS

- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Western District of North Carolina
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. District Court, District of Maryland
- U.S. Court of Appeals, Fourth Circuit
- North Carolina State Courts
- Virginia State Courts
- Maryland State Courts

LANGUAGES

- German

SPEAKING ENGAGEMENTS

- Speaker, “Recent Developments in Employment Law,” National Federation of Paralegal Associations, Inc. (NFPA) 2023 Convention CLE Sessions and Workshops, October 6, 2023.
- Speaker, “Are Student Athletes Employees?,” University of North Carolina System, CLE Session, May 23, 2023.

PUBLICATIONS

- Co-author, “Virginia’s 2026–2028 Employment Law Changes: What Employers Need to Know,” *Troutman Pepper Locke*, June 10, 2026.
- Co-author, “Virginia Enacts Statewide Paid Family and Medical Leave Program,” *Troutman Pepper Locke*, May 15, 2026.
- Co-author, “Virginia Enacts New Restrictions on the Use of Noncompetes,” *Troutman Pepper Locke*, April 13, 2026.
- Co-author, “Changes to Virginia’s Noncompete Statute,” *Troutman Pepper Locke*, May 13, 2025.
- Co-author, “U.S. Senate Committee Hears Testimony About the Need for Uniform NIL Regulation That Would Exempt Student-Athletes From Federal and State Employment Laws,” *Troutman Pepper*, October 24, 2023.
- Co-author, “Virginia General Assembly Enacts Two Statutes Mandating Accommodations,” *Troutman Pepper*, October 19, 2021.
- Co-author, “DOLI Revises COVID-19 Regulations For Virginia Employers,” *Troutman Pepper*, October 14, 2021.
- Co-author, “Virginia Enacts Sweeping Changes to Overtime Laws, Increasing Compliance Challenges and Employer Penalties,” *Troutman Pepper*, April 19, 2021.
- Co-author, “Supreme Court Reaffirms State Governments May Enact Cost Regulations Without Triggering ERISA Preemption,” *Troutman Pepper State Attorneys General Monitor*, February 2021.
- Author, “Fourth Circuit’s Dueling Disability Discrimination Decisions Analyze ‘Illegal-Exam’ Claims Under ADA/Rehabilitation Act,” *NC Bar Assoc. Labor & Employment Blog*, February 25, 2019.
- Author, “Employee Duties in the Interactive Process: Recent Opinions Within the Fourth Circuit,” *NC Bar Assoc. Labor & Employment Blog*, November 12, 2018.
- Author, “Fourth Circuit Adopts ‘But-For’ Causation for False Claims Act Retaliation Cases,” *NC Bar Assoc. Labor & Employment Blog*, August 30, 2018.
- Author, “No Internal Complaints Under Dodd-Frank? Not So Fast,” *NC Bar Assoc. Labor & Employment Blog*, April 16, 2018.
- Author, “Layoff Surprise: Is the Traveling Branch Manager a ‘Mobile Worker’ Under the WARN Act?,” *NC Bar Assoc. Labor & Employment Blog*, August 12, 2017.
- Author, “Employer’s Attempt at Repayment of Training Costs Can Backfire Causing Employee Misclassification Under the FLSA,” *NC Bar Assoc. Labor & Employment Blog*, December 1, 2016.

MEDIA COMMENTARY

- Quoted, “Changing Conditions Lay Groundwork for ERISA’s Evolution, More Litigation,” *Virginia Lawyers Weekly*, January 26, 2025.
- Quoted, “Attorney Explains Legal/Legislative Landscape Surrounding Classifying Student-Athletes as Employees,” *Troutman Pepper*, August 18, 2023.