

## Moses M. Tincher

Associate

Atlanta

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Moses focuses on the areas of employment discrimination, restrictive covenants and trade secrets, union labor practices, appellate litigation, and civil rights litigation. He maintains strong relationships with his clients and proactively seeks solutions to help them achieve their goals.

### OVERVIEW

Moses is an associate in the Labor + Employment Practice Group. His practice encompasses complex litigation and counseling related to a variety of employment matters, including Title VII discrimination, harassment and retaliation, trade secret misappropriation, confidentiality and restrictive covenants, union labor practices, and employee handbooks and policies drafted under different states' laws. Moses is also a member of the firm's national Appellate + Supreme Court Group, drafting critical motions and briefs in high-profile cases. As a firm supporter of the community, Moses also devotes significant time to pro bono matters. Moses currently serves in the firm's inaugural class of Pro Bono Ambassadors, committed to championing and facilitating pro bono opportunities in the Atlanta office. Moses also serves on the firm's Administrative Professionals Inclusion Liaison Committee. Moses is also an active member of the Generative AI Task Force, providing updated legal analysis and guidance on the use of AI in business settings.

In 2020, Moses was selected as a fellow to the National Employment Law Council Academy, one of only 30 attorneys nationwide recognized for having demonstrated excellence in the practice of management-side labor and employment law, leadership potential, and promise for accelerated career success. In 2021, he was selected as a returning fellow to the academy. Moses is now an active member of the National Employment Law Council and serves on the planning committee for the NELC conference.

Before joining the firm, Moses served as a law clerk to a federal judge, gaining extensive experience researching and drafting orders on various civil and criminal matters, including Title VII and Section 1981 employment discrimination, class action claims under the Fair Labor Standards Act, Section 1983 civil rights litigation, and civil and criminal RICO violations. Moses received his J.D. from Mercer University, where he graduated *magna cum laude*, was the Class Salutatorian, and was a member of the *Mercer Law Review*. Upon graduation, Moses was inducted into the Order of Barristers, the Order of Scribes, and the Brainerd Currie Honor Society. He also received his undergraduate degrees (psychology and economics) from Emory University, where he graduated *summa cum laude*.

### REPRESENTATIVE MATTERS

- Successfully obtained court orders granting motion for interlocutory injunction, motion for expedited discovery and to compel discovery, and for sanctions in cases involving alleged breaches of restrictive covenants.
- Successfully pursued claims against a departing executive who absconded with a large volume of client data, ultimately recovering stolen data and more than \$300,000 in attorneys' fees in a case involving destruction of evidence and perjury.
- Contributed to the appellate litigation team's securing a landmark victory at the New York Court of Appeals that invalidated both the congressional and state senate maps as unconstitutional under New York's newly enacted anti-gerrymandering amendments.
- Successfully defended national companies against claims of unfair labor practice and discrimination across multiple locations throughout the U.S.
- Advised clients in union negotiations and issues related to collective bargaining agreements.
- Advised an employer-client on a former employee's claims of same-sex harassment, conducted high-level workplace investigation, and reached a favorable settlement.
- Successfully reached favorable resolutions of matters involving alleged violation of a non-recruit provision and misappropriation of trade secrets.

## **AWARDS**

- Pathfinder Program, Leadership Council on Legal Diversity

## **TOP AREAS OF FOCUS**

- Employment Counseling
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Litigation + Trial

## **ALL AREAS OF FOCUS**

- Appellate + Supreme Court
- Corporate Espionage Response Team
- Employment Counseling
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Litigation + Trial
- Noncompete + Trade Secrets
- Traditional Labor

## **PROFESSIONAL/COMMUNITY INVOLVEMENT**

- Board member, Korean-American Bar Association
- Co-chair of the Finance Committee, Georgia Asian Pacific American Bar Association
- Academy fellow, National Employment Law Council (2020 – 2021)

## **EDUCATION AND CERTIFICATIONS**

## EDUCATION

- Mercer University School of Law, J.D., *magna cum laude*, *Order of Barristers*, *Order of Scribes*, *Brainerd Currie Honor Society*, 2017, member, *Mercer Law Review*; George W. Woodruff Scholar; Best Advocate Award, 2017 ABA National Appellate Advocacy Regional Moot Court Competition; Winner, 2015 Closing Argument Competition; Faculty Awards, Outstanding Senior and Outstanding Achievement in Legal Writing
- Emory University, B.A., *summa cum laude*, 2014

## BAR ADMISSIONS

- Georgia

## CLERKSHIPS

- Hon. Marc T. Treadwell, U.S. District Court, Middle District of Georgia, 2017-2019

## LANGUAGES

- Korean
- Spanish

## SPEAKING ENGAGEMENTS

- Speaker, "Employment Law Update," National Employment Law Council Conference 2025, April 9, 2025.
- Speaker on the topic of whether sexual orientation and gender identity are protected under Title VII, Georgia Chamber of Commerce, 2019.
- Speaker on human rights issues at the Delegation of the European Union conference in Vienna, Austria.

## PUBLICATIONS

- Co-author, "Supreme Court Reverses Affirmative Action," *Troutman Pepper*, June 30, 2023.
- Co-author, "DOL-OSHA Announces New COVID-19 Vaccine ETS for Private-Sector Workers," *Troutman Pepper*, November 8, 2021.
- Author, "Will Forum Shopping in FLSA Collective Actions Be Limited Soon?," *HR Law Matters*, 2019.
- Co-author, "The Shadow of Free Enterprise: The Unconstitutionality of the Securities & Exchange Commission's Administrative Law Judges," *70 SMU L. Rev.* 3, 2017.
- Author, "Timber! The SEC Falls Hard as the Georgia District Court in *Timbervest v. SEC* Finds the Appointment of the SEC ALJs 'Likely Unconstitutional'," *67 Mercer L. Rev.* 459, 2016.