



Contact

**Elise M. Bloom**

**Partner**

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Elise M. Bloom is widely hailed as one of the nation's top employment lawyers and one of the most creative and effective wage and hour, class/collective action and trial lawyers. She is particularly well-known for handling high profile, bet-the-company matters on behalf of significant national employers.

Elise is the co-chair of the Firm's Labor & Employment Department, co-head of the Class & Collective Actions Group and former member of Proskauer's Executive Committee.

With 30+ years in practice, Elise possesses extensive pre-trial and jury trial experience. She has represented more companies in class actions challenging interns, trainees and volunteers than most others; this includes her precedent-setting win for Fox Searchlight Pictures in the "Black Swan" case. She also addresses a wider range of general employment issues through counseling and employer training programs.

A noted author and speaker on employment-related topics, Elise spearheads Proskauer's annual [Value Insights: Delivering Value in Labor and Employment Law](#) survey. Elise has been recognized as one of the leading employment lawyers by several leading publications such as *Chambers USA*, *Legal 500*, *New York Law Journal*

and *Employment Law360*, to name a few. She has also been named "Best in Labor & Employment" at Euromoney's Women in Business Law Awards Americas in 2017, 2016 and 2014. A client recently told Chambers USA, "She's incredible. She has an intensity about her work and she knows how corporations work. To watch her in litigation is magic."

## Matters

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### Representative Matters

- Represented more companies in class actions challenging interns, trainees and volunteers than any firm in the country, including the precedent-setting win in the "Black Swan" case, where we defended **Fox Searchlight Pictures**, and convinced the Second Circuit in July 2015 to adopt our positions in their entirety and reject the standards for determining "employee" status under the FLSA that were advocated by both the plaintiffs and the Department of Labor. Since no court had yet determined the standard for evaluating the legality of unpaid internships, the case raised questions of first impression. The plaintiffs petitioned for a rehearing of the case by the full Second Circuit, which was denied without discussion. Settlements and state claims continue to be ongoing. Additional clients include: **ICM Partners, Condé Nast, Barneys, Marvel Entertainment, Donna Karan, Marc Jacobs, Tory Burch, Sony Music, CBS, Gawker, Oscar de la Renta** and others.
- Represented **Major League Baseball (MLB)** in a putative class action suit brought by John Chen, who volunteered during "Fanfest", conducted in connection with the 2013 MLB All Star Game, and subsequently sought wages for his volunteer service. Mr. Chen's claim of wage violations under the Fair Labor Standards Act was dismissed by the district court which was affirmed by the U.S. Court of Appeals for the Second Circuit.
- Scored a major victory for **Coca-Cola Refreshments USA, Inc.**, in a case brought by 16 employees at bottling facilities in New York claiming they faced

racial discrimination and a hostile work environment, among other things.

- Earned a complete victory for **Condé Nast** and **Parade Publications** after the New York State Court of Appeals ruled, in a 4-3 decision, that the New York City and State Human Rights Laws (NYCHRL & NYSHRL) do not protect employees from discriminatory discharge if they neither live nor work in New York regardless of whether the challenged employment decision is made in New York. A victory for all New York-based employers with workers out of state, the case set the precedent that New York City and State Human Rights Laws do not protect employees from discriminatory discharge if they neither live nor work in New York, even if the allegedly discriminatory action occurred in New York State.
- Representing **Major League Baseball** (MLB) in a case brought by current and former minor league baseball players who allege minimum wage and overtime violations under the Fair Labor Standards Act (FLSA) and the wage and hour laws of multiple states.

#### Practices

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Labor & Employment, Class Actions, Wage and Hour, Trial Strategies , Higher Education and Title IX, Employment Litigation & Arbitration, Disability, Accommodations & Leave Management, Discrimination, Harassment & Title VII, Hiring & Terminations

#### Industries

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Sports, Technology, Media & Telecommunications, Financial Institutions, Health Care

#### Market Solutions

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Corporate Governance

#### Education

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Emory University School of Law, J.D., 1982  
University of Chicago, B.A., 1979 With Honors

#### Admissions & Qualifications

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New York  
Georgia

#### Court Admissions

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U.S. Court of Appeals, Seventh Circuit, U.S. Court of Appeals, Ninth Circuit, U.S. District Court, Colorado, U.S. District Court, Connecticut, U.S. District Court, Michigan, Eastern District, U.S. District Court, New York, Eastern District, U.S. Court of Appeals, Tenth Circuit, U.S. District Court, Georgia, Middle District, U.S. District Court, Georgia, Northern District, U.S. District Court, New York, Northern District, U.S. District Court, Georgia, Southern District, U.S. District Court, New York, Southern District, U.S. District Court, New York, Western District, U.S. Court of Appeals, Eleventh Circuit, U.S. Court of Appeals, Second Circuit, U.S. Court of Appeals, Third Circuit, U.S. Court of Appeals, Fourth Circuit, U.S. Court of Appeals, Sixth Circuit

#### Memberships

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American Bar Association  
New York State Bar Association  
State Bar of Georgia  
Federal Bar Council  
Litigation Counsel of America (Fellow)

#### Awards & Recognition

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Law360: Employment MVP of the Year 2015  
Chambers USA  
The Legal 500 United States: Leading Lawyer 2017-2018  
The Legal 500 United States: Sports 2018  
The Legal 500 United States: Supreme Court and Appellate 2014-2015  
The Legal 500 United States: Labor & Employment: Labor & Employment Litigation 2009-2014

The Legal 500 United States: Labor & Employment: Workplace & Employment  
Counseling 2007, 2016, 2018

Lawdragon & Human Resource Executive Top 100 Most Powerful Employment  
Attorneys 2010-2018

New York Law Journal: Top Women in Law 2016

Benchmark Litigation's Top 250 Women Litigators in America 2016-2017

Euromoney Americas Women in Business Law Awards Labor & Employment 2014,  
2016-2018

Institutional Investor, Benchmark Litigation Guide Local Litigation Star – New York  
2015-2017

Best Lawyers in America 2008-2018

New York Super Lawyers 2010-2017

Burton Award for "Distinguished Legal Writing" 2009, 2013

Lawdragon "3000 Leading Lawyers in America" 2010

New York Super Lawyers Top 50 Female Lawyers 2010

Guide to the World's Leading Labour & Employment Lawyers

Fellow, College of Labor & Employment Lawyers

Fellow, American Bar Association