



Contact

Steven J. Pearlman

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Steven J. Pearlman is a partner in the Labor & Employment Law Department and co-head of the Firm's Whistleblowing & Retaliation Group. Steven's practice covers the full spectrum of employment law. He has successfully tried cases to verdict in Illinois, Florida and California, and defended what is reported to be the largest Illinois-only class action in the history of the U.S. District Court for the Northern District of Illinois. Reporting to boards of directors and their audit committees, he routinely conducts sensitive investigations arising from myriad types of whistleblower complaints and has testified in defense of these investigations in federal court.

Chambers USA describes Steven as an "outstanding lawyer" who is "very sharp and very responsive," and also notes that he "is an expert on whistleblower matters regularly representing clients in high-stakes cases. He also handles discrimination and wage and hour suits. One satisfied client reports that 'he is phenomenal – beyond great.'" Steven was 1 of 12 individuals selected by *Compliance Week* as a "Top Mind." Earlier in his career, he was 1 of 5 U.S. lawyers selected by *Law360* as a "Rising Star Under 40" in the area of employment law and 1 of "40 Illinois Attorneys Under Forty to Watch" selected by *Law Bulletin Publishing Company*. Steven is a Burton Award Winner (U.S. Library of Congress) for "Distinguished Legal Writing."

Steven has served on *Law360's* Employment Editorial Advisory Board, is a member of *Compliance Week's* Advisory Board and is a Contributor to *Forbes.com*. A sought-after commentator, he has appeared on Bloomberg News (television and radio) and Yahoo! Finance, and is regularly quoted in leading publications such as *The Wall Street Journal*.

The U.S. Chamber of Commerce has engaged Steven to serve as lead counsel on *amicus* briefs to the U.S. Supreme Court and federal circuit courts. He was appointed to serve as a Special Assistant Attorney General for the State of Illinois in employment litigation matters. He has presented with the Solicitor of the DOL, the Acting Chair of the EEOC, an EEOC Commissioner and heads of the government (SEC, CFTC and OSHA) whistleblower programs.

In addition, the RAND Corporation, one of the world's leading think-tanks, selected Steven to speak at an exclusive symposium comprised of some of the most influential thought leaders and policy makers, including top officials at the SEC, on whistleblower laws and related policy issues on the eve of the issuance of the regulations to the Dodd-Frank whistleblower provisions.

Publications

The Employment Landscape Under the Current Administration, *Forbes.com*, July 10, 2019

How DOJ Compliance Guide Affects Employer Best Practices, *Law360*, May 20, 2019

How the Board Can Tackle Sexual Harassment, *Forbes.com*, May 13, 2019

Top 10 Whistleblowing and Retaliation Events [annual review], *Law360*

What the Google Walkout Means for Employers, *Corporate Counsel*, November 28, 2018

The New Wave of Employee Biometrics Class Actions, *Law360*, October 13, 2017

Clarifying FCRA Stand-Alone Disclosure Rule at 7th Circ., *Law360*, August 18, 2017

SEC Re-Enters the Employment Law Arena, *Law360*, October 11, 2016

Time to Revisit Severance Agreements, *Law360*, August 12, 2016

Conciliation in the Wake of Mach Mining, *Law360*, July 14, 2015

Noncompetition Clause Cases In the Land Of Lincoln, *Law360*, May 23, 2014

A Transformative Year in Whistleblowing & Retaliation, *Ethisphere*, December 30, 2013

Why Employment Counsel Should Study FCPA Guidance, *Law360*, November 26, 2012

New Whistleblower Policies and Incentives: A Paradigm Shift from “Oversight” to “Insight,” *RAND Center for Corporate Ethics and Governance*, 2011

[Close](#)

Matters

Representative Matters

- Confidential investigations into scores of workplace issues and sexual harassment claims involving high-level executives and arising from whistleblower reports involving a wide range of alleged fraud (e.g., securities fraud, accounting fraud and fraud in connection with corporate transactions) and kickbacks
- Restrictive covenant matters, including, for example: obtaining an *ex parte* seizure order under the DTSA (reportedly the fifth time such an order has been granted under the DTSA); obtaining a TRO against the former head of research and development for a large pharmaceutical company; obtaining an order significantly reducing the length of a non-competition period; and securing highly favorable settlements in matters involving alleged breaches of restrictive covenants.

- *Rodriguez, et al. v. Sprint Corporation, et al.*, No. 15 CV 10641 (N.D. Ill.) (defense of putative nationwide Fair Credit Reporting Act class action)
- *Creighton, et al. v. Metropolitan Life Insurance Co.*, No. 15 CV 08321 (S.D.N.Y.) (defense of putative nationwide race-based disparate impact discrimination class action brought by Financial Advisors)
- *Calibuso, et al. v. Bank of America, et al.*, 299 F.R.D. 359 (S.D.N.Y.) (defense of putative nationwide gender discrimination class action brought by Financial Advisors)
- *Arrez, et al. v. Kelly Services, Inc.*, No. 07 CV 1289 (N.D. Ill.) (defense of putative state-wide class action involving first-impression issues under Illinois Day and Temporary Labor Services Act and Illinois Wage Payment and Collection Act; putative class size > 95,000)
- *Boyd, et al. v. Alutiiq Global Solutions, LLC*, No. 11 CV 00753, 2011 U.S. Dist. LEXIS 88656 (N.D. Ill.) (defeated motion for nationwide collective action certification)
- *Williamson, et al. v. United Air Lines, Inc.*, No. 03 CV 01456 (S.D. Ind.) (defense of putative class action alleging WARN Act violations; putative class size > 900)
- *Filipowski v. SilkRoad Technology, Inc.*, No. 14 CH 3031 (Cook County, IL) (defense of former CEO's claims for breach of employment contract)
- *Cox, et al. v. Flair Corp. of Ocala* [subsidiary of SPX Corp.], No. 01 CV 322 (M.D. Fla.); *aff'd* 2003 U.S. App. LEXIS 19914 (11th Cir.) (defense verdict in multi-plaintiff jury trial involving race discrimination claims; affirmed by 11th Circuit)
- *Cobbs, et al. v. Mid City* [subsidiary of Beauty Alliance], No. 06 CV 3971 (N.D. Ill.) (defense verdict on first plaintiff's sexual harassment and retaliation claims and mistrial on second plaintiff's claim)
- *Fleishman v. Continental Casualty Co.*, No. 09 CV 00414, 2011 U.S. Dist. LEXIS 134992 (N.D. Ill.), *aff'd* No. 11 CV 3754, 2012 U.S. App. LEXIS 21719 (7th Cir.) (summary judgment on internal counsel's age and disability discrimination claims; affirmed on appeal)

- *McShane v. Chemtrade Solutions LLC*, No. SOM-L-933-16 (Somerset Cty., NJ) (defense of antitrust whistleblower claims under NJ CEPA); *McShane v. Reichl, et al.*, No. 2016L011383 (Cook County, IL) (defense of qui tam claims under Chicago False Claims Act); *McShane v. Reichl, et al.*, No. 2017L001074 (defense of qui tam claims under Illinois False Claims Act)
- *Rimini v. J.P Morgan Securities*, No. 17-CV-10392, 2017 U.S. Dist. LEXIS 204673 (D. Mass. Dec. 13, 2017), *aff'd* No. 18 CV 1031 (1st Cir. Nov. 7, 2018) (dismissal of SOX whistleblower claim)
- *Mart v. Berkshire Hathaway Inc., et al.*, No. 10 CV 118, 2012 U.S. Dist. LEXIS 22780 (N.D. Ind.) (dismissal of SOX whistleblower claim against corporate defendants and top executive)
- *Schlicksup v. Caterpillar, Inc., et al.*, No. 09 CV 1208 (C.D. Ill.) (defense of SOX whistleblower claims against company and top executives)
- *Simkus v. United Airlines*, No. 11 CV 02165 (N.D. Ill.) (dismissal of SOX whistleblower claim)
- *DuBose v. PepsiCo, Inc., et al.*, No. 2010L007676 (Cook Cty, IL) (dismissal of retaliatory discharge complaint)

Practices

Whistleblowing & Retaliation, Class Actions, Employment Litigation & Arbitration, Non-Compete & Trade Secrets, Wage and Hour, Higher Education and Title IX, Discrimination, Harassment & Title VII, Employment Counseling & Training

Industries

Financial Institutions

Market Solutions

Corporate Governance

Education

University of California, Los Angeles, School of Law, J.D., 1998

University of Illinois at Urbana-Champaign, B.A., 1994

Admissions & Qualifications

California

Illinois

Court Admissions

U.S. District Court, Florida, Northern District

U.S. District Court, Michigan, Eastern District

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Second Circuit

Illinois Supreme Court

California Supreme Court

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, Illinois, Northern District

U.S. District Court, Illinois, Central District

U.S. District Court, California, Central District

U.S. Supreme Court

U.S. District Court, Illinois, Southern District

U.S. Court of Appeals, First Circuit

Memberships

Society of Corporate Compliance & Ethics

Society of Corporate Secretaries and Governance Professionals

Anti-Defamation League (Co-Chair of Civil Rights Committee for the Greater Chicago / Upper Midwest Region, Executive Committee, Washington Affairs Committee, Advisory Board of Directors); Leadership 2020 initiative

Illinois Bar Association

Chicago Bar Association

Awards & Recognition

Chambers USA: Illinois: Labor & Employment 2017-2018

The Legal 500 United States: Labor & Employment: Labor and Employment

Litigation 2014, 2017-2018

The Legal 500 United States: Labor & Employment: Disputes (including Collective Actions): Defense 2019

The Legal 500 United States: Labor & Employment: Labor Management Relations 2019

Best Lawyers in America 2020

Illinois Super Lawyers: Employment Litigation: Defense 2014-2019

Burton Award for "Distinguished Legal Writing" 2014

Ethisphere's 2015 Attorneys Who Matter: Labor and Employment

Ethisphere's 2014 Attorneys Who Matter: Labor and Employment: Top Gun

Ethisphere's 2013 Attorneys Who Matter: Labor and Employment

Law 360 "Rising Star Under 40"

Law Bulletin Publishing Company "40 Illinois Attorneys Under Forty to Watch"

Benchmark Labor & Employment Stars 2019