



Contact

Steven J. Pearlman

Partner

Chicago

+1.312.962.3545

spearlman@proskauer.com

Steven J. Pearlman is a partner in the Labor & Employment Law Department and co-head of the Whistleblowing & Retaliation Group. Steven's practice covers the full spectrum of employment law, with a focus on claims of discrimination, retaliation and harassment, restrictive covenant violations, wage-and-hour violations, whistleblower retaliation and breach of contract. He has successfully tried cases in multiple jurisdictions, 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 conducts sensitive investigations and has testified in defense of investigations in federal court.

Chambers describes Steven as an "outstanding lawyer" who is "very sharp and very responsive." 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." He was elected as a Fellow to the College of Labor and Employment Lawyers.

Steven has served on *Law360's* Employment Editorial Advisory Board and is a

Contributor to Forbes.com. 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 government whistleblower programs (SEC, CFTC and OSHA).

Publications

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

Preserving Noncompete Enforcement Rights Amid COVID-19

The Top 10 Changes to Illinois Employment Law from 2019

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

How DOJ Compliance Guide Affects Employer Best Practices, *Law360*

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

What the Google Walkout Means for Employers, *Corporate Counsel*

The New Wave of Employee Biometrics Class Actions, *Law360*

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

SEC Re-Enters the Employment Law Arena, *Law360*

Time to Revisit Severance Agreements, *Law360*

Conciliation in the Wake of Mach Mining, *Law360*

Noncompetition Clause Cases In the Land Of Lincoln, *Law360*

A Transformative Year in Whistleblowing & Retaliation, *Ethisphere*

Why Employment Counsel Should Study FCPA Guidance, *Law360*

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

[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 Services

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
Economic Club of Chicago

Awards & Recognition

Fellows of the College of Labor & Employment Lawyers 2020
Chambers USA: Illinois: Labor & Employment 2017-2020
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 2019-2020
The Legal 500 United States: Labor & Employment: Labor Management Relations 2019
Best Lawyers in America 2020-2021
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