



**Labor and employment law litigator and counselor Rick Winegardner represents a broad range of employers across the country in every phase of the employment relationship. He delivers a combination of in-depth knowledge of the law and practical solutions to achieve his clients' business goals.**

An experienced trial lawyer who defends employers of all sizes in a range of industries, including defense, food, and trucking companies, against unsubstantiated accusations, Rick's litigation practice takes him to courts throughout the U.S. He litigates a wide range of employment matters, including discrimination and harassment; Family and Medical Leave Act (FMLA); breach of contract; golden parachute agreements; wage and hour laws (exemptions, overtime, commissions, etc.); wrongful termination; and employee privacy. He prosecutes and defends unfair competition claims, including the misappropriation of trade secrets, employee raiding, computer sabotage, and client solicitation.

Rick also advises and defends federal contractors subjected to litigation under the False Claims Act. Whether defending against retaliation claims or underlying fraud allegations, Rick frequently leads a team of assertive litigators who have been assembled to achieve the client's goals. Furthermore, Rick assists clients in the design, drafting and implementation of employment contracts, practices, policies, employee handbooks and noncompetition agreements, as well as in designing restructurings and reductions in force.

In addition, Rick represents clients at all levels of administrative proceedings, including matters before the EEOC, the DOL and the NLRB. He works diligently with employers to design and implement preventative training programs that mitigate the potential for unionization. Where preventative measures are not enough, Rick aggressively defends against unfair labor practice charges and helps clients in resisting union organizing drives and campaigns.

## Honors

## Richard P. Winegardner

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### EDUCATION

Ball State University, (B.S.), summa cum laude, 1989

University of Virginia School of Law, (J.D.), 1992

### BAR ADMISSIONS

Indiana

### COURT ADMISSIONS

Indiana Supreme Court

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Southern District of Indiana

U.S. District Court for the Northern District of Indiana

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Western District of Michigan

U.S. District Court for the Eastern District of Texas

### LANGUAGES

English

### PRACTICES

Arbitration and Grievances

Class and Collective Actions

Disability, Leave and Medical Issues

Discipline and Termination  
Discrimination Defense  
Downsizing and WARN Act  
EEO Compliance  
Employment  
Employment Litigation  
Executive Level (or C-Suite) Internal Investigations  
Human Resource Audits  
Labor and Employment  
Labor Relations  
Management and Employee Training  
Mergers and Acquisitions - Labor Issues  
National Labor Relations Board (NLRB)  
Non-Compete and Trade Secrets  
Sarbanes-Oxley and Dodd-Frank Acts  
Union Avoidance  
Wage and Hour  
Workplace Counseling  
Workplace Culture 2.0