Susan W. Pangborn

Partner

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Susan Pangborn is co-leader of the firm's Labor & Employment team. Susan litigates employment and restrictive covenant disputes and counsels clients on a variety of employment-related issues. She has represented employers in class and collective actions, as well as multi-plaintiff and single-plaintiff litigation. Susan has successfully litigated cases involving the alleged breach of restrictive covenants and misappropriation of trade secrets. She also conducts effective workplace investigations, including those involving alleged wrongdoing by high-level executives, and provides appropriate follow-up advice and training.

Susan has defended discrimination and wage-hour claims under federal and state statutes in more than 100 cases before both administrative agencies and courts across the United States. Susan has won jury trials and numerous cases brought in federal and state courts on summary judgment. She also represents employers in arbitrations brought under both collective bargaining agreements and alternative dispute resolution provisions.

In addition, Susan provides practical guidance to employers on employment-related issues, including wage-hour compliance, discrimination issues arising under federal and state statutes, and strategies for handling employee complaints, performance issues, and terminations. She partners with clients to ensure they understand how changes in applicable state and federal laws affect their policies and practices. She has assisted clients in structuring and implementing reorganizations and force reductions affecting employees across numerous states, and in exploring cost-saving alternatives to reductions-in-force.

Susan also focuses her practice on executive agreements and the area of restrictive covenants. She regularly helps employers protect their investment in their people and intellectual property by ensuring that confidentiality,

non-competition, and non-solicitation agreements comply with applicable state laws. She has represented both individuals and companies in litigation involving restrictive covenants including by obtaining and/or defeating motions for temporary restraining orders and preliminary injunctions.

Susan is listed in the 2026 and the 15 years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for Labor & Employment. She was recognized in *The Best Lawyers in America*® for Management Employment Law and Labor and Employment Litigation in 2027 and the nine years immediately preceding. Susan was named a Northern California "Super Lawyer" in 2021 and the four years prior for Employment & Labor and a Georgia "Super Lawyer" in the area of Employment Litigation: Defense in 2016 and the four years prior by *Super Lawyers* magazine.

Experience

Successfully represented employers in California employment class actions, defending claims of meal and rest break violations, improper rounding, failure to reimburse business expenses, waiting time penalties, failure to pay minimum wages or to calculate overtime properly, and wage statement violations under the California Labor Code and Private Attorneys General Act.

Conducted workplace investigation of discrimination and harassment claim brought by high-level employee of large technology company. We were able to help resolve the claim, avoiding litigation.

Represented a California employer in action brought by our client against a former employee and competitor alleging the improper use of confidential information and solicitation of employees. After we aggressively pursued litigation and injunctive relief, the competitor agreed to a settlement which included providing 10 days' notice of intent to hire any current employees.

Assisted financial services company in structuring and implementing nationwide reduction in force, providing advice on all aspects of the reorganization. Our team prepared relevant documents including enforceable separation agreements and internal communications and talking points.

Represented consumer products manufacturer in a lawsuit brought in the United States District Court for the Northern District of California by a former long-term employee whose employment had been terminated. The employee asserted claims of age discrimination under state and federal law, wrongful termination, and breach of contract. The court granted summary judgment.

Represented consumer products company in claim brought by a former employee who was let go during a force reduction. We obtained summary judgment, which was affirmed by the Ninth Circuit after oral argument.

Represented consumer products company in claim under the Employee Retirement Income Security Act ("ERISA"). Summary judgment was affirmed by the Ninth Circuit.

Represented office products company in a lawsuit in which the plaintiff claimed that our client breached an employment contract and was unjustly enriched by his efforts. The Northern District of Georgia granted summary judgment as to all counts. The Eleventh Circuit Court of Appeals affirmed the district court's decision.

Represented Emory University, Inc. in an action brought by a former employee who claimed she was discharged for engaging in protected activity under the False Claims Act. Summary judgment was granted. *Waters v. Emory University, Inc.,* No. 11-103 (N.D. Ga.) (Mar. 20, 2013).

Represented Nestlé Waters North America Inc. in a lawsuit brought in California by one of its production workers alleging that she was discriminated against because of a disability in violation of the California Fair Employment and Housing Act. The court granted summary judgment and dismissed all of the plaintiff's claims. The California Court of Appeals affirmed the dismissal. *Patterson v. Nestlé Waters, et al.*, California Superior Court for the County of San Bernardino, Rancho Cucamonga District, Case No. RCV 096524.

Represented a California-based company in litigation filed in the Middle District of Tennessee by a former employee who claimed that he was terminated because of his age. The court granted summary judgment in favor of the company in May 2014.

Represented one of the largest U.S. forest products manufacturers in litigation brought by an 18-year employee who claimed that she was terminated because of her age, race, and in retaliation for protected activity in violation of the California Fair Employment and Housing Act. In March 2014, the U.S. District Court for the Northern District of California granted summary judgment to the employer on all of the plaintiff’s claims. In March 2016, the Ninth Circuit Court of Appeals affirmed.

Represented UnumProvident Corporation, a leading benefits provider worldwide, in a lawsuit in which the plaintiff claimed that he was discriminated against because of a disability in violation of the Americans with Disabilities Act (ADA). The case was tried to a jury, which awarded a verdict for our client. *Rose v. UnumProvident Corp.*, No. 05-0526 (N.D. Ga. filed Feb. 23, 2005).

Represented The Boeing Company in a case that involved allegations brought by a current human resources professional of discrimination and retaliation under the Americans with Disabilities Act, Title VII and the Age Discrimination in Employment Act. We obtained summary judgment, which was affirmed by the Eleventh Circuit Court of Appeals. *Linda Simmons v. The Boeing Company*, Case No. 5:05-CV-28 (WDO).

Represented The Boeing Company in a lawsuit in which an employee claimed that he failed to receive certain promotions or job transfers because of his race or in retaliation for protected activity and that he was subjected to a hostile work environment. We obtained summary judgment on all of plaintiff's claims, which was affirmed by the Fourth Circuit Court of Appeals. *Jerry Lamb v. The Boeing Company*, Case No. 8:03-CV-03128-AW (D. MD) (4th Cir.).

The firm served as lead counsel for American Speech-Language-Hearing Association in a disability discrimination lawsuit and obtained dismissal of all the plaintiff’s claims. Our client prevailed on summary judgment on its cross-claim against the plaintiff for defamation, violation of the Lanham Act, and invasion of privacy. The Fourth Circuit Court of Appeals affirmed.

Education

University of Georgia School of Law J.D. (1987) *with honors*

University of Tennessee at Chattanooga B.S. Political Science, *magna cum laude*

Admissions

California (2012)

Georgia (1987)

Insights

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