



## David Gevertz

Shareholder

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David Gevertz is a shareholder in Baker Donelson's Labor & Employment Group and a member of the Firm's Board of Directors.

David Gevertz is a trial lawyer. He tries high-stakes corporate espionage, noncompete, fiduciary duty, government whistleblowing, and discrimination cases from coast to coast. He also guides companies through sensitive internal investigations, cross-border challenges, and mass layoffs. Clients and co-counsel seek him out for his courtroom experience, litigation savvy, and practical advice.

### Representative Matters

- Lead counsel in a highly publicized Department of Justice criminal investigation into municipal corruption involving the review of millions of documents, dozens of internal interviews, and indictments of a half-dozen employees and vendors.
- Lead counsel to eight overseas defendants in nine-figure international dispute brought in the U.S. alleging breach of contract, fraud, fiduciary duty, and discrimination claims. After extensive litigation, prevailed on every cause of action against every defendant, resulting in \$0 recovery.
- Lead counsel in suit brought against former employees who established a competing company by allegedly stealing trade secrets, customers, and coworkers. Won substantial damages, including punitive damages and attorneys' fees following extended trial.
- Accepted "courthouse steps" surrender of plaintiff in Sarbanes-Oxley and Dodd-Frank whistleblower case two days before trial, following favorable pretrial rulings and 94% decrease in settlement demand.
- Lead defense counsel in seven-figure, multi-plaintiff discrimination and retaliation case. Secured a complete defense verdict following five-day jury trial.
- Lead plaintiff's counsel in eight coordinated trade secret cases filed across the country against competitor. Secured a preliminary injunction in one case and a consent order, substantial damages, and relief in the others.
- Secured a TRO and two preliminary injunctions against departing executive and large competitor for breach of Georgia Trade Secrets Act. Obtained significant settlement and permanent injunctive relief.
- Won summary judgment and six-figure sanctions award against a former in-house counsel alleging whistleblowing and retaliation claims.
- Prosecuted trade secret theft case against a competing agricultural manufacturer, resulting in widespread injunctive relief that crippled the competitor's expansion plans and resulted in substantial seven-figure settlement.
- Lead defense counsel in wage and hour litigation where the plaintiff alleged thousands of hours of off-the-clock work. Secured full defense verdict after week-long trial.
- Successfully defended a publicly traded software company against a whistleblowing complaint alleging violations of Securities and Exchange laws and wire fraud, culminating in a summary decision dismissing all claims with prejudice.
- Defeated a California executive's discrimination and harassment claims at summary judgment and settled her breach of contract claim one week before the jury trial for a nominal sum following key motion in limine victories.

- Defeated case brought against a construction management company by a competitor after client lured 30+ engineers to leave, effectively shuttering competitor's Georgia facility. Case was abandoned after we won several initial motions before state and federal courts.
- Defeated preliminary injunction action sought against a lighting manufacturing company following the client's hire of a high-level R&D scientist from a competitor. The plaintiff sought a seven-figure damages award, which it ultimately abandoned.



## Professional Honors & Activities

- Listed in *Chambers USA* as a leading Labor & Employment lawyer in Georgia since 2009
- Selected six times as Top 100 attorney in Georgia by *Georgia Super Lawyers* (2010, 2014 – 18)
- Selected to *Georgia Super Lawyers* since 2009
- "One of the Top Ten Employment Lawyers Under 40" – *Employment Law360*®
- Listed in *The Best Lawyers in America*® for Labor & Employment Litigation since 2014 and Employment Law - Management since 2015
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell since 2009
- Board of Directors – Baker Donelson (2021 – present)
- Board of Directors – Emory Decatur Hospital Foundation Board of Trustees (2021 – present)
- Board of Directors – Callanwolde Fine Arts Center (2010 – 2016), Chair (2015 – 2016)
- Board of Directors – Covenant House of Georgia (2006 – 2013); Chair (2009 – 2011)
- Board of Directors – Atlanta Bar Association, Labor and Employment Section (2015 – 2017)
- Member – Leadership Atlanta Class of 2014
- Managing Director of Advocacy, Baker Donelson (2017 – 2019); Vice Chair, Labor & Employment Department (2010 – 2015)
- Co-chair – American Bar Association, Litigation Section, Employment and Labor Relations Committee (2018 – 2021)
- Co-chair – American Bar Association, Fair Labor Standards Legislation Committee, Ethics Subcommittee (2024)
- Advisor – Employment Opportunities Task Force, Mayor Shirley Franklin's Regional Commission on Homelessness (2005 – 2009)
- Anti-Defamation League's Steinberg Leadership Institute (2003)



## Publications

- "The End of Non-Competition Agreements? Not so Fast!" (April 2024)
- Senior Reviewer – "Chapter 29: Jurisprudential Bars to Action," *Employment Discrimination Law*, American Bar Association (2023)
- "Georgia Courts Upend Years of Lax Employee Restrictive Covenant Drafting" (October 2023)
- Contributing Author – "2023 Fair Labor Standards Act Midwinter Report of the FLSA Subcommittee," American Bar Association Labor and Employment Law Section (February 2023)
- "Colorado Adds Criminal Penalties to Unenforceable Non-Compete Agreements" (March 2022)
- "Did Time Run Out on Employee's Noncompete," *Litigation News*, American Bar Association (Fall 2020)
- "How Are the Laws Sparked by #MeToo Affecting Workplace Harassment" (February 2020)
- "Adjusting to Expanding Exemptions in the FLSA," *Litigation News*, American Bar Association (Winter 2020)



## Speaking Engagements

- "Ethical (and Unethical) Witness Preparation," ABA Section of Labor and Employment Law, Federal Labor Standards Legislation Committee, Puerto Rico (February 2024)
- "Advanced Employment Law: What You Need to Know" (December 2022)

- "The Ever-Changing Landscape of Noncompete Agreements" (December 2022)
- "Taking and Defending Powerful Depositions" (November 2022)
- "Taking or Defending Depositions of In-House Counsel" (July 2022)
- "Ethical Quandaries and Guidance for Internal and External Investigators" (November 6, 2020)
- "Navigating Sarbanes-Oxley and Dodd-Frank Whistleblower Litigation" (February 2020)



## Education

- Harvard Law School, J.D., 1995, cum laude
- Emory University, B.A., 1992, Phi Beta Kappa



## Admissions

- Georgia
- United States District Court for the Northern, Middle and Southern Districts of Georgia
- United States District Court, District of Colorado
- United States District Court, Northern District of Florida
- United States District Court, Northern District of Illinois
- United States District Court, Northern District of Oklahoma
- United States Court of Appeals, Fourth, Fifth, Sixth and Eleventh Circuits