



## Jennifer L. Curry

Shareholder

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Jennifer Curry is managing shareholder of Baker Donelson's Baltimore office and a member of the Firm's Board of Directors. She focuses her practice on advising and defending employers on all manner of employment and compliance issues.

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Ms. Curry works closely with employers of all industries and sizes to provide practical advice to clients facing challenging workforce issues involving discipline, leave issues under the ADA and FMLA, contract violations, termination, and restrictive covenants. She has spent countless hours crafting thoughtful employee policies, as well as training managers and supervisors on preventive litigation practices, focusing on how to comply with applicable laws and regulations, avoid workplace disputes, resolve employee relations problems, and satisfy legitimate employee expectations. When issues do arise, she regularly coordinates crisis management responses, negotiates restrictive covenant disputes, handles state and federal agency investigations, and leads clients through internal and government investigations involving claims of whistleblowing, harassment, discrimination, retaliation, and wage and hour issues. And, if these issues turn into litigation, Ms. Curry has represented clients in complex litigation in state and federal courts throughout the country as well as before the DOL, EEOC and OSHA.

As chair of the Firm's Labor & Employment Health practice, Ms. Curry has a specific focus on clients in the health care industry. Through years of experience working specifically with employers in the health care space, she knows the unique issues and challenges that arise from this specialized workforce and knows how to develop policies, practices, and protocols that meet compliance needs. Beyond advising health care clients on traditional labor and employment issues, she was at the forefront nationwide in developing policies and training protocols complying with Section 1557 of the Affordable Care Act and has since defended providers in countless complaints raised by employees and patients before the Office of Civil Rights at the Department of Health and Human Services, and in federal courts throughout the country. She has also developed a significant practice conducting complex compliance and risk management internal investigations for large health care practices and systems involving allegations of misconduct at every level, from physicians to administrators in the C-Suite, and has successfully litigated false claims retaliation and whistleblower cases in state and federal courts across the country brought against these providers. Along those same lines, she has represented dozens of health care entities – including nationwide practices – in breach of contract, restrictive covenant, and confidentiality litigation, as well as dissolution of physician partnerships.

Within health care employment law, Ms. Curry has further developed a niche working specifically with Graduate Medical Education (GME) programs and the various employment and academic issues that arise among students, residents, fellows, and researchers. She has worked with countless GME programs to develop ACGME-compliant academic policies and procedures and has advised program leadership through complex disciplinary and dismissal actions when enrollees are failing to meet their specialty's Core Competency expectations. Her experience further extends to creating Title IX policies and programs for stand-alone academic medical programs and leading clients through Title IX proceedings related to gender discrimination, sexual harassment, and sexual assault.

Ms. Curry also has more than 10 years of experience advising and defending educational institutions at all levels throughout the country. Beyond her experience creating student and staff policies and conducting compliance training, she is an ATIXA-certified Title IX Hearing Chair, Hearing Advisor, and Investigator. With

this training, she has served the offices of diversity and equity of dozens of colleges and universities in these capacities, conducting EEO and Title IX investigations and issuing written investigation reports, serving as Hearing Advisor as a guide through the Title IX process to both complainants and respondents, and presiding as Hearing Chair over and issuing findings in Title IX proceedings. Outside of the Title IX context, Ms. Curry has also served as an internal investigator regarding academic misconduct and other issues of wrongdoing. She works with independent schools throughout the country on creating student and employee policies, including social media and technology policies, conducting internal investigations regarding student and employee complaints, and training employees on appropriate conduct.

Beyond these focus industries, Ms. Curry advises and defends employers of all sizes and all industries in every aspect of the employer-employee relationship. She routinely appears before state and federal courts and agencies throughout Maryland and the District of Columbia. Ms. Curry devises practical strategies for clients navigating employment claims and disputes, and where advisable, she recommends and provides representation in alternative dispute resolution, including arbitration, mediation and settlement negotiations.

Ms. Curry is listed in *The Best Lawyers in America*<sup>®</sup> in Employment Law - Management and Litigation - Labor and Employment (2023 – 2025); *Chambers USA* as a leading Labor & Employment lawyer in Maryland (2024); *Maryland Super Lawyers* in the area of Employment Litigation (2022 – 2025); and as a Rising Star by *Maryland Super Lawyers* in the area of Employment Litigation (2013 – 2021).

## Representative Matters

- Defended a large health care system and several of its affiliates in state whistleblower retaliation lawsuit filed by a former employee. Won summary judgment on all claims at the trial court and secured confirmation of judgment before the Maryland Court of Special Appeals in a reportable opinion on a matter of first impression in state law.
- Defended a large physician-owned health care practice in a breach of contract and defamation lawsuit filed by former physician partner. Won a jury verdict in favor of the client on all counts, and obtained confirmation of judgment before the Maryland Court of Special Appeals.
- Defended a large public university based in Washington, D.C. in a lawsuit filed by an attending physician employee alleging retaliation under the False Claims Act, wrongful termination, and breach of contract. Secured dismissal or summary judgment on all claims.
- Defended a large health care practice in a lawsuit filed by a former affiliate and physician members alleging breach of contract, tortious interference, and wrongful termination. Reached a favorable settlement for the client at mediation.
- Defended a national health care provider and one of its employees in a lawsuit filed by a former employee alleging race and national origin discrimination and retaliation. Secured dismissal or summary judgment on all claims filed by the plaintiff.
- Conducted an internal investigation for a university covering multiple departments and multiple employees alleging fraud, abuse, harassment, discrimination, and retaliation against an independent contractor. Prepared a lengthy confidential report and presented findings and recommendations to the school's Office of General Counsel and the school's Board.
- Represented a national physical therapy provider and four of its affiliates and subsidiaries in a lawsuit filed by a former employee alleging retaliation under the federal and New York State False Claims Acts.
- Defended a complex breach of contract complaint filed against an individual related to an employment agreement that included non-competition, non-solicitation, and confidentiality provisions. Reached a favorable settlement for the client.
- Conducted an internal investigation of a complex gender harassment and discrimination suit filed by a female vice president of a large federal contractor. The investigation required the interviews of the entire executive staff of the organization.

- Represented a large financial institution in a lawsuit filed by a former employee alleging race and gender discrimination and retaliation. Conducted initial motions practice and significant discovery before the matter was resolved during mediation.
- Represented a hospital in enforcing a non-competition agreement against its former chief executive officer who resigned and began working for a competitor. Filed a lawsuit seeking injunctive relief, and the executive subsequently resigned from his new position and returned his shares in the hospital.
- Represented a hospital in an age discrimination claim raised by a patient pursuant to Section 1557 of the Affordable Care Act before the Office for Civil Rights with the United States Department of Health and Human Services. Obtained dismissal of the claim.



## Professional Honors & Activities

### Professional & Firm Honors

- Listed in *The Best Lawyers in America*® for Employment Law - Management and Litigation - Labor and Employment (2023 – 2025)
- Listed in *Chambers USA* as a leading Labor & Employment lawyer in Maryland (2024)
- Listed in *Maryland Super Lawyers*, Employment Litigation Defense (2022 – 2025)
- Listed as a Maryland Rising Star in *Maryland Super Lawyers*, Employment Litigation Defense (2013 – 2021)
- Named to *The Daily Record's* Influential Marylanders (2023)
- Selected for *The Daily Record's* "Business & Employment Law Power List" (2022)
- Selected for *The Daily Record's* "Leading Women" list (2021)
- Recipient – Baker Donelson's 2020 Work-Life Warrior Award
- Selected for *The Daily Record's* 2018 VIP List – Very Important Professionals Successful by 40 (2018)

### Professional Activities

- ATIXA Certified Title IX Hearing Chair, Hearing Advisor, and Hearing Investigator Board of Trustees
- Member – Baltimore City Bar Association
- Member – Federal Bar Association
- Member – Maryland State Bar Association
- Member – Greater Baltimore Committee
- Leadership Advisory Council – Cristo Rey Jesuit High School (2014 – present)
- Member – Baker Donelson's Diversity Committee
- Chair – Baker Donelson's Women's Initiative Committee
- Baltimore Bar Foundation (2017 – present)
- Board of Trustees – Cristo Rey Jesuit High School (2023—)
- Board of Directors – [Baltimore City Chamber of Commerce](#) (Vice Chair, 2018 – 2021)



## Publications

- "Maryland's New Whistleblower Retaliation Standard" (November 2023)
- "HHS Seeks to "Address Gaps" in Section 1557 Rule with New Proposed Rulemaking" (August 2022)
- "Key Changes to the Title IX Regulations in 2022 Proposed Amendments" (July 2022)
- "Federal Agencies Announce Enforcement of Vaccine Rules as Supreme Court Prepares to Hear Arguments in Legal Challenges" (December 2021)
- "Fifth Circuit Reversal of Nationwide Stay Leaves Enforcement Status of CMS Vaccine Mandate Uncertain," republished January 7, 2022, in *Westlaw* (December 2021)
- "Federal Courts Pause Enforcement of CMS Vaccine Mandate Nationwide" (December 2021)
- "Ahead of Revised Title IX Regulations, Biden Administration Policy Directive Extends Title IX Protections to Gay and Transgender Students" (August 2021)

- "Employers and Health Care Providers Take Note: Recent Announcements Forecast Increased Government Enforcement of Discrimination Laws Regarding Gender Identity and Sexual Orientation," republished September 16, 2021, in *Westlaw* (August 2021)
- "Updated Title IX Regulations Expected from Biden Administration" (March 2021)
- "Department of Labor's Newly Proposed Joint Employer Rule Short on Details at the Moment, But Not Short on Potential Impact on Businesses and Franchisors " (March 2021)
- "Executive Order Requires Federal Contractors to End Implicit Bias Training or Face Sanctions" (October 2020)
- "DOL Releases New FFCRA Child Care Guidance" (August 2020)
- "OSHA Expected to Issue More COVID-19 Citations in Light of Recent Lawsuit," republished August 6, 2020, in *Westlaw* (July 30, 2020)
- "Three Key Takeaways for Health Care Employers from April 14, 2020 CDC Guidance" (April 16, 2020)



## Speaking Engagements

- Panelist – "Power in the Workplace," *The Daily Record's* Women's Perspectives webinar (December 2022)
- Panelist – "Legal and Regulatory Panel: How the Industry Can Prepare for and Adapt to the Changing Legal and Regulatory Environment," Association for Home & Hospice Care of North Carolina 2022 Annual Convention & Expo (May 2022)
- "COVID-19 Vaccine Issues for Employers," District of Columbia Human Rights Association Annual Conference (November 2020)
- "Navigating COVID-19 Safety Issues for Medical Personnel," Patient Care Associates Annual Conference (June 2020)
- "Understanding the New Sick and Safe Leave Requirements for ALL Maryland Employers," webinar, Baltimore City Chamber and Baker Donelson (May 2018)



## Webinars

- Expectations of Long Term Care Facilities in a Time of Change: Facility Planning for LGBTQ+ Residents (August 2022)
- Navigating the Vaccine Mandate and Exemptions Process for SNFs (May 2022)
- COVID-19 Compliance Continues (April 2022)
- Stayed? Enforceable? Catching Up on the Status of the Federal Vaccine Mandates (January 2022)
- Distressed Institutions of Higher Education: An Exploration of Options (November 2021)
- Handling Accommodation Requests: A Study in Updated Case Law and Real-World Examples (October 2021)
- COVID-19 Vaccination Mandates: What Employers Need to Know About Religious and Medical Exemptions (September 2021)
- What Your Facility Needs to Know About LTC Vaccine Mandates in Maryland (August 2021)
- Can You Mandate COVID-19 Vaccines? (May 2021)
- 2021 Health Care Outlook (February 2021)
- The (Updated) Employer's Guide to the COVID-19 Vaccine (January 2021)
- Managing the COVID-19 Vaccination in Your Workforce and Community (December 2020)
- Health Care, Gender and Religion, Oh My! (October 2020)
- Return to School Plan: Key Legal, Policy, and Operational Considerations for Independent Schools (August 2020)
- Q&A Session: Return to Work and Work Continuity Planning (June 2020)
- COVID-19: Getting Back to Work (June 2020)
- Develop a Well-Rounded Return to Work Plan (May 2020)

- Medical Care in a World of COVID-19: What Texas Physicians and Health Care Facilities Need to Know as We Reopen the Economy (May 2020)



## Education

- University of Maryland School of Law, J.D., 2006
- University of Michigan, B.A., 2003



## Admissions

- District of Columbia
- Maryland
- New York
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland
- U.S. District Court for the Northern District of New York