

SHERYL J. WILLERT

Williams Kastner

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Sheryl Willert is Managing Director of Williams Kastner, and a Member in the Seattle office. She concentrates her practice on counseling, investigations, litigation and alternative dispute resolution experience. She has litigated cases involving all aspects of employment law for both unionized and nonunionized employers in both the public and private sector. She is a national speaker on such topics as sexual harassment, age discrimination, and race discrimination, and has successfully defended individuals and corporations in such matters. Additionally, Ms. Willert has litigated cases involving professional negligence, product liability, personal injury, contracts, and civil rights.

Ms. Willert is a past President of the Defense Research Institute (DRI), the nation's largest association of civil litigation defense attorneys. She is also the organization's first female and first African-American officer. Ms. Willert currently serves as Chair of the Board of the National Foundation for Judicial Excellence, is on the KeyBank Advisory Board and is a member of the Federation of Defense & Corporate Counsel, the American Bar Association, the National Bar Association, the American College of Trial Lawyers and the Litigation Counsel of America. She is a frequent speaker for DRI, the National Employment Law Institute, the American Bar Association and many state and local organizations. Ms. Willert has also published a number of articles on employment related issues, and has been named to *Super Lawyers* by *Washington Law & Politics* magazine every year since the publication began its annual review of Washington's top lawyers in 1998. Ms. Willert was also named a Top Lawyer in Labor Law by *Seattle Magazine* in 2003 and has been selected by her peers to be listed in *The Best Lawyers in America* for more than 10 years.

In 2007, Ms. Willert was designated by the *Puget Sound Business Journal* as one of the region's "Women of Influence," a recognition of women in commerce, service and philanthropy who are "a force in the Seattle community." In 2009, DRI-The Voice of the Defense Bar, the nation's largest organization of civil defense attorneys, renamed its Pioneer Diversity Award after Sheryl J. Willert. The award, now known as the Sheryl J. Willert Pioneer Diversity Award, recognizes an individual attorney for his or her demonstrated commitment to diversity in the legal profession.

Ms. Willert received her B.A. degree with distinction from Duke University in 1975 and her J.D. degree from Vanderbilt University in 1978.

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Experience

Litigation regarding public and private sector wrongful discharge, civil rights, and other labor and employment issues

Litigation on professional negligence, personal injury, products liability and contract matters

Investigations for management on internal complaints

Consultations and representation on wage and hour issues including overtime and prevailing wage

Consultation with top management regarding long-term employment strategy, recruitment, screening and testing programs and issues

Review of personnel manuals and employment contracts

Extensive negotiation and alternative dispute resolution experience

Admitted to Bar

Washington State

United States District Court, Western District of Washington

United States District Court, Eastern District of Washington

United States Court of Appeals for the Ninth Circuit

Representative Trial Experience

Sheryl Willert served as deputy prosecuting attorney (criminal division) in King County from May 1978 to October 1979, during that timeframe, she tried hundreds of jury and non-jury misdemeanors. Additionally, between 1978 and October, 1979, Ms. Willert tried multiple felonies in categories

Memberships

Washington State Bar Association

National Bar Association

King County Bar Association

Labor Law Section

American Bar Association

Labor and Employment Section

Litigation Section

Member, Standing Committee on Continuing Education of the Bar

Alternative Dispute Resolution Section

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USLAW Network
Board of Directors

American College of Trial Lawyers
Fellow

Defense Research Institute
President (2002-2003)
President Elect (2001-2002)
Chair, Labor & Employment Committee (1993-1995)
Member, Board of Directors (1995-1999)

Federation of Defense & Corporate Counsel
Employment Litigation & Civil Rights Section
Faculty of Litigation Management College

Litigation Counsel of America
Fellow

National Employment Law Institute
Member, Advisory Board

National Foundation For Judicial Excellence
Chair of the Board (2008 – Present)
President (2007-2008)
Vice-President (2006-2007)

Washington Defense Trial Lawyers

Washington Women Lawyers

Media Coverage

"An Early Pioneer in the Area of Diversity," *The Metropolitan Corporate Counsel*, February 2010.

"Company Phone Texts Private?," *CNN Tonight*, December 15, 2009.

"High Court to Examine Privacy at Work Case," *The Washington Times*, December 15, 2009.

"Flat-Fee Model Makes Dent in Billable-Hours World," *Puget Sound Business Journal*, August 28, 2009.

"Diversity Award Named for Past DRI President," *For The Defense*, August 2009.

"Managing Reductions in Force," USLAW Radio interview with Dan Walker, August 13, 2009.

"New Compliance Challenges: False Claims Act Amendments – FERA With More Pending," *The Metropolitan Corporate Counsel*, July 2009.

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"Employers: Could Google Latitude Get You Sued?," *PC World*, February 11, 2009.

"The Pacific Northwest – The Gateway to China," *The Metropolitan Corporate Counsel*, January 2009.

"Billing Gets Creative in Souring Economy," *The National Law Journal*, November 11, 2008.

"Responding to Crisis-Related Employment Issues," *The Metropolitan Corporate Counsel*, November 2008.

"Studios' 'Final Offer' Safe for Now," *Hollywood Reporter*, October 7, 2008.

"Boeing Strike Could Be a Long One," *Aviation Week and Space Technology*, September 12, 2008.

"Supreme Court Eases Age Bias Suits for Workers," *The New York Times*, June 20, 2008.

"Supreme Court Rules in Favor of Older Workers," *Los Angeles Times*, June 20, 2008.

"Employer Advocates Remain Wary of New Bias Law's Potential Effects," *Bureau of National Affairs*, May 22, 2008.

"Employment Lawsuits," *Ringler Radio*, March 31, 2008.

Lectures and Seminars

"Labor & Employment Update," *Association of Washington Cities*, North Bend, WA, November 19, 2009.

Co-Presenter, "How to Avoid 'A Bad Day at the Office,'" *BOMA Labor and Employment Law Seminar*, Seattle, WA, November 16, 2009.

Panelist, "The Labor & Employment Rules Change: Current and Future Compliance Issues Under the Obama Administration," *Williams Kastner Labor & Employment Fall Half-Day Seminar*, Seattle, WA, October 29, 2009.

Panelist, "Ethics: Is Your Communication With A Client or Within Your Company A Privileged and Confidential Communication?," *Legal Challenges to Chinese Companies Doing Business in the United States*, American Bar Association, Beijing, China, September 10, 2009.

Presenter, "Workplace Discrimination and Harassment," *29th Annual Labor Relations Institute*, Association of Washington Cities, Yakima, WA, May 21, 2009.

Moderator, "EEO Update," *ABA Section of Labor and Employment Law*, Seattle, WA, May 6, 2009.

Panelist, "Telling Your Story at Trial: Direct and Cross-Examination of Witnesses," *ABA Section of Litigation Annual Conference*, Atlanta, GA, April 30, 2009.

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Panelist, "Reductions in Force: Reducing the Legal and Personal Risks," *Williams Kastner Labor & Employment Half-Day Seminar*, Seattle, WA, March 12, 2009.

Presenter, "Building a Book of Business for Attorneys of Color," King County Bar Association, February 4, 2009.

Presenter, "Terminations and Reductions in Force," Yakima Valley Human Resources Association, Yakima, WA, January 28, 2009.

Co-Presenter, "Employment Law Update," Washington State Medical Group Management Association webinar, Seattle, WA, January 27, 2009.

Co-Presenter, "Never on a Sunday: Termination and Layoff Advice," *Williams Kastner Fall Update Seminar*, Seattle, WA, October 29, 2008.

"Never on a Sunday: Termination and Layoff Advice," Associated General Contractors of Washington roundtable discussion, Seattle, WA, October 28, 2008.

"The Law Firm of the Future," DRI Annual Meeting, October 2008.

The Minority Counsel Symposium, Johnson & Johnson Corporate Diversity Focus Group, Fall 2008.

"Employment Update," American Bar Association webinar, Seattle, WA, Fall 2008.

"Privacy in the Public Sector Workplace," *28th Annual Public Sector EEO and Employment Law Conference*, National Employment Law Institute, San Francisco, CA, August 28, 2008.

Commission on Racial and Ethnic Diversity Program, American Bar Association Midyear Meeting, Summer 2008.

"Diversity in a Law Firm," Strong & Hanni, Salt Lake City, UT, Summer 2008.

"Ethical Considerations in Client Development and Advertising," National Foundation for Judicial Excellence, June 2008.

"Perspectives on Law Firm Management and Compensation," Seattle Chapter of Law Firm Legal Administrators, June 2008.

Co-Presenter, "Reduction in Workforce," *Williams Kastner Labor & Employment Half-Day Seminar*, Seattle, WA, May 29, 2008.

Co-Presenter, "Employment Law Update," *28th Annual Labor Relations Institute*, Association of Washington Cities, Yakima, WA, May, 2008.

"Why Being a Female Lawyer is a Great Thing: Oh the Places We Can Go!," *Sharing Success: A Seminar for Women*, Defense Research Institute, March 2008.

"Law Firm Economics," Washington State Bar Association Leadership Institute, March 2008.

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“Terminations: How to Avoid Litigation When You Have to End the Employment Relationship,” The Alternative Board presentation, Seattle, WA, January 23, 2008.

Co-Presenter, “Tips and Traps in Employee Handbooks,” *Williams Kastner Labor & Employment Breakfast Seminar*, Seattle, WA, January 24, 2007.

Co-Presenter, “Corporate Affairs: An Employer’s Guide to Restrictions on Workplace Relationships,” *Williams Kastner Labor & Employment Fall Update Seminar*, Bellevue, WA, October 19, 2006.

Co-Presenter, “Employer Preparations for Possible Avian Flu Pandemic,” *Williams Kastner Labor & Employment Breakfast Seminar*, Seattle, WA, September 2006.

Conference Chair and Opening Plenary Session Moderator, “Smart Business Begins with Diversity,” *USLAW NETWORK Membership Meeting and Client Conference*, San Diego, California, September 2006.

“Privacy Rights in the Public Sector,” *National Employment Law Institute Public Sector EEO and Employment Law Conference*, San Francisco, California, August 2006.

“Summary Judgment Techniques,” *National Employment Law Institute Employment Litigation Workshop*, Washington, DC, June 2006.

“Effective Marketing Tools for Minority Lawyers,” *DRI Diversity Seminar*, Chicago, Illinois, June 2006.

“Things That Tribes Should Know About the FMLA,” *Williams Kastner Tribal Employment Seminar*, Shelton, WA, April 2006.

Co-Presenter, “What’s New in Sexual Harassment Law,” *Williams Kastner Labor & Employment Half-day Seminar*, Seattle, WA, March 2006.

“Damages in Employment Cases and Approaches to Punitive Damages,” *DRI Damages Seminar*, Las Vegas, Nevada, March 2006.

“General Motions Practice in Employment Cases,” *Washington State Bar Association*, March 2006.

Co-Presenter, “Sometimes What You Do Outside the Workplace *Can* Land You in Trouble,” *Williams Kastner Labor & Employment Breakfast Seminar*, Seattle, WA, February 2006.

“Developments in Law of Workplace Harassment,” *National Employment Law Institute 2005 National Employment Law Conference*, November 2005.

Co-Presenter, “Employee Handbooks and Evaluations: A Guide to Effective Communication with Your Workforce,” *Williams Kastner Labor & Employment Fall Update*, Bellevue, Washington, September 21, 2005.

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“Motions Practice,” *National Employment Law Institute 2005 Law Conference*, June 2005.

Speaker, “You Mean That Person Is My Employee?!!” *Bellevue Chamber of Commerce’s Women In Business Conference*, Bellevue, Washington, March 2005.

Speaker, “Sexual Harassment Claims,” *Northwest Emergency Physician Directors Conference*, March 2005.

Keynote, *DRI International Liability: New Theories of Liability from the United States*, Sydney, Australia, November 8, 2004 and Melbourne, Australia, November 10, 2004.

Speaker, “Corporate Governance Issues – Has America Gone Crazy? Questions and Concerns of Australian Lawyers and CPAs Involving Corporate Governance Issues,” *DRI International Liability: New Theories of Liability from the United States*, Sydney, Australia, November 8, 2004 and Melbourne, Australia, November 10, 2004.

Moderator, “Successfully Managing Your Employees, Partners and Your Firm’s Bottom Line,” and Speaker, “The New Ethics of Client Confidentiality and Disclosure,” *DRI 2004 Annual Meeting*, New Orleans, Louisiana, October 8, 2004.

Co-Presenter, “How to Avoid Creating the Smoking Gun: Discovery Issues Before the Lawsuit is Filed,” *Williams Kastner Labor & Employment Fall Update*, Bellevue, Washington, September 22, 2004.

Speaker, *Electronic Discovery – Changing the Landscape of Litigation*, Seattle, Washington, June 30, 2004.

“Employment Discrimination and Harassment Law: Who Decides, What is Covered, and Who Pays?” *DRI’s Joint International Conference: “Be Prepared Today for Tomorrow’s Liability Exposures,”* Barcelona, Spain, May 11, 2004.

“Recent Developments Family and Medical Leave Act, 29 U.S.C. § 2601 et seq.” *NELI 2003 Employment Law Conference*, San Francisco, California, November 21, 2003.

“Compensating Counsel: Alternatives to the Billable Hour,” *AIA Emerging Issues 2003 Conference*, Kissimmee, Florida, September 30, 2003.

“The Sexual Harassment Claim Today’s Challenge,” *WDTL Annual Meeting and Convention*, Coeur d’Alene, Idaho; July, 2003.

“A Diverse Court is a Smart Court,” Washington Minority & Justice Commission, Seattle, Washington; May, 2003.

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“The Sexual Harassment Claim: Today's Challenge,” *Minority Corporate Counsel Association (MCCA) Meeting*, Chicago, Illinois; May, 2003.

“New Developments Family and Medical Leave Act and Americans With Disabilities Act,” *2003 NPELRA Annual Training Conference - What Lies in the Future of the ADA and FMLA*, Newport Beach, California; April, 2003.

“Family and Medical Leave Act Developments,” *National Employment Law Institute 2001 Law Conference*, November 16, 2001.

“Improving the Effectiveness of Claims Witnesses,” *FICC Litigation Management College*, June 18-21, 2001.

“Pre-Trial Techniques for Identification of Potential Witness and Preservation of Testimony,” *DRI Young Lawyers Seminar*, Miami, Florida, June, 2001.

“Investing in Diversity,” *Washington State Bar Association Law Office Expo, Management & Technology*, Seattle, Washington, March 2001 and *DRI Young Lawyers Seminar*, Miami, Florida, June, 2001.

“Drafting and Litigating Terms of Employment Agreements and Executive Separation Agreements,” *DRI Employment Law Seminar*, Chicago, Illinois, May 2001.

“E-Privacy Strategies for Protecting your Business & Employee Rights in Today's High Tech Environment,” *Drake Bean Moran (DBM) Human Resources Roundtable*, Seattle, Washington, February, 2001.

Publications

Co-Author, "Obama Administration Changes Employment Rules of the Game," *The Metropolitan Corporate Counsel*, April 2009.

Co-Author, "Privacy of Workplace Drug Testing Procedures and Results," *The Joan Fullam Irick Privacy Project: Phase III, International Association of Defense Counsel*, 2007.

Co-Author, “Mandatory Arbitration – Do Your Employees’ Duties Cross State Lines?” *Williams Kastner Labor & Employment Advisor*, August 2004.

Co-Author, “Litigation Going Paperless: An Introduction to the Complexities of E-Discovery,” *Williams Kastner Labor & Employment Advisor*, June 2004.

“The Benefits of Diversity”, *The National Law Journal*, September 8, 2003

“Safeguarding Trade Secrets in the Information Age,” *The Practical Lawyer*, February 2003.

Co-Author, “Building a Diverse Court: A Guide to Recruitment and Retention,” *Washington State Minority and Justice Commission*, 2002.

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“The Ever-Changing Face of Employment Law,” *DRI Quarterly Report*, February, 1999.

“The Sexual Harassment Claim - Today’s Challenge,” *The Corporate Analyst*, August, 1997.

“Class Actions -- What Every Human Resource Director Should Know,” *HR NOW*, May 1997.

“The Sexual Harassment Claim - Today’s Challenge,” *Corporate Counsel’s Guide to Legal Audits and Investigations*, February, 1997.

“Ethical Considerations for Employment Lawyers,” *For the Defense*, October 1995.