



AAA Mediation.org™

**FN-4107754 MN-4107754 LN-4107754,
Esq.**

Houston, Texas



Current Employer-Title	The Clifford Law Firm PLLC - Managing Member
Profession	Arbitrator, Mediator, Attorney
Work History	Managing Member, The Clifford Law Firm PLLC, 2017-Present; Of Counsel, Oberti Sullivan LLP, 2017; Partner, Seyfarth Shaw LLP, 2005-2017.
Experience	<p>Practicing employment law for 18 years. Counsel in 100+ collective and class actions involving claims for overtime pay under state and federal law. Representation of both employees and employers in state and federal courts throughout the country. Substantial experience with training, counseling, and litigating all aspects of employment law, including wage-and-hour (classification of workers as contractors or overtime-exempt employees, salary-basis issues, regular-rate issues, travel pay, day-rate plans, tip credits, reimbursement issues affecting minimum-wage compliance, training pay, compensation for pre- and post-shift activities, and other off-the-clock issues), discrimination (all forms, including adverse impact), harassment (quid pro quo and hostile work environment), constructive discharge, retaliation, whistleblower (DOL-enforced statutes), and employment agreements (commissions, bonuses, cause determinations, severance entitlement, and restrictive covenants).</p> <p>Experience includes advising on and litigating claims under Title VII, Section 1981, the TCHRA, the ADA, the ADEA, the FMLA, USERRA, the WARN Act, the Davis-Bacon Act, Sabine Pilot, and several DOL-enforced whistleblower statutes. Substantial experience with overtime and minimum-wage claims under the FLSA and state laws with unique wage-and-hour requirements, including California, Colorado, Pennsylvania, Massachusetts, Puerto Rico, and New York, among others.</p>
Mediator Experience	Mediator for 850+ employment cases. Mediations conducted in person or via Zoom.
Representative Issues Handled as a Mediator	Multi-party mediation experience includes several hundred class and/or collective actions involving wage-and-hour matters under federal and state law. Substantial experience mediating disputes with complex wage-and-hour issues (e.g., exemption status, contractor classification, computation issues, and disputes about compensable nature of time). Substantial experience mediating claims of

discrimination (e.g., age, race, national origin, sex, and disability), accommodations, harassment, and retaliation under federal and state law. Substantial experience mediating disputes involving employment agreements (e.g., restrictive covenants, severance entitlement, cause determinations, commissions, bonuses, and various forms of executive compensation).

Mediator Style & Process Preferences	Carefully review pre-mediation submissions, if any; arrange for pre-mediation conference calls (at no additional cost) in appropriate cases. Provide full and undivided attention throughout the mediation. Actively listen to statements made by participants during mediation. Use knowledge, skill, experience, and social awareness to guide parties towards resolution. Provide follow-up services (at no additional cost) to facilitate post-mediation settlement discussions.
Education	University of Houston Law Center (JD-2005); University of Houston Clear Lake (BA-2001).
Professional Licenses	Admitted to the Bar: Texas (2005); US District Court: Eastern (2006), Southern (2006), Northern (2006), and Western (2009) Districts of Texas; US Court of Appeals: 5th Circuit (2008).
Professional Associations	Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization; Panel of Employment Arbitrators, American Arbitration Association; Credentialed Advanced Mediator, Texas Mediator Credentialing Association; Committee Member, American Bar Association – Fair Labor Standards Legislation Committee; Member, Houston Bar Association – ADR Section; Member, Association of Attorney Mediators; Member, Texas Bar College Honorary Society; Chair, Houston Bar Association – Labor and Employment Section.
Recent Publications & Speaking Engagements	Chapter Author, “Chapter 24 – The Regular Rate,” Wage & Hour Collective and Class Litigation, ALM Law Journal Press; Presenter, “New Rules for Overtime Pay: Who, What, When, Where, Why, and How,” ACC Back-to-School Symposium; Presenter, “Data Privacy and Security: Employee Rights v. Employer Responsibilities,” Houston Bar Association – Labor and Employment Section; Presenter, “Top Five Wage and Hour Issues for Energy Companies,” Liquid Pipeline Roundtable; Presenter, Pitfalls for the HR Professional,” VCC Petrochemical Industry Conference; Presenter, “Turbulent Times: Employment Law Issues in the Energy Industry,” Houston Bar Association – Labor and Employment Section; Presenter, “Employment Law Traps for The Unwary: Agencies Are Getting Busy,” ACC Symposium; Presenter, “Fair Labor Standards Act: Recent Trends and Developments,” Houston Bar Association - Labor and Employment Section; Presenter, “Overtime Based on Bonus Payments – Irregular Rules and The Regular Rate,” Houston Ship Channel Group; Presenter, “Litigating the Metes and Bounds of FLSA Notice Forms,” Houston Bar Association – Labor and Employment Section; Presenter, “Sexual Harassment: Preventative Measures and Remedial Actions,” Space Center Houston; Presenter, “FLSA Update and Insights,” Houston Bar Association – Labor and Employment Section.
Mediation Rate	\$3,900 Per Day
Languages	English
Citizenship	United States of America
Locale	Houston, TX

The AAA’s Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA’s Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator’s resume. If you have any questions about a mediator’s experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.