

## Sean Scullen

### PARTNER

Co-National Chair, Labor & Employment Practice Group; Co-Chair, Class Action Subgroup

#### Milwaukee

t. (414) 277-5421

[sean.scullen@quarles.com](mailto:sean.scullen@quarles.com)



## About Sean

Pragmatic, collaborative and results-oriented employment counsel

Sean Scullen is a no-nonsense legal professional with a wide array of experience and particular strengths advising on wage and hour issues and mounting solid defenses against class actions. Having deep experience working with employers in the higher education, health care, manufacturing and financial services industries, Sean focuses on:

- **Employment law counseling**
- **Employment litigation and litigation prevention**

As a friendly competitor says, Sean impresses both clients and peers as a “lawyer with buckets of common sense.” He works smart and controls costs, develops options and gives clear recommendations, always placing the highest priority on delivering solutions aligned with a client’s business objectives.

Sean is national co-chair of the Quarles Labor & Employment Practice Group.

## Experience in Action

- **Representing both private and public sector employers in all areas of labor and employment law**, including multijurisdictional defense of litigation, employment discrimination and whistleblower claims, collective bargaining, contract administration, grievance arbitration, non-competition and trade secret litigation, and federal and state wage and hour, FMLA, USERRA, state military leave and OSHA compliance.

## Education and Honors

University of Notre Dame, Mendoza College of Business (Certificate of Executive Management, 2013)

University of Wisconsin Law School (J.D., *cum laude*, 1999)

- ABA/BNA Award for Outstanding Study in Labor and Employment Law (1999)

- Order of The Coif

Santa Clara University (B.S., *magna cum laude*, 1994)

- Honors Program
- Phi Beta Kappa

## Bar Admissions

Wisconsin

## Court Admissions

U.S. Supreme Court

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 11th Circuit

U.S. District Court, Northern District of Illinois

U.S. District Court, Eastern





- **Advising on benefits disputes and related litigation**, including claims under ERISA related to denial of benefits, coverage disputes and investigations regarding fiduciary compliance and related matters.
- **Helping higher education institutions comply with federal and state laws**, including Title IX, the Family Educational Rights and Privacy Act, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.
- **Helping clients avoid or litigate class action and multi-plaintiff matters**, including collective/class wage and hour claims.
- **Developing claim-avoidance strategies for clients to respond to the increase in litigation**, particularly in the wage and hour area.

District of Wisconsin  
U.S. District Court, Western  
District of Wisconsin

## Recent Success

- Successfully defended a class and collective action brought by and on behalf of hundreds of day laborers (many undocumented) alleging minimum wage and overtime violations, and their claims of retaliation.
- Defended claims brought against a meat processing facility related to time employees spent donning and doffing protective equipment. The client paid no damages in connection with the claims.
- Obtained a favorable settlement in connection with defending a client against a class and collective action by and on behalf of a significant class of mortgage loan officers in multiple states. The plaintiffs claimed minimum wage and overtime violations in connection with allegations of improper classification.
- Represented a client in an OSHA-reportable fatality from the early phase of internal investigation through OSHA's onsite investigation and internal and external communications. Successfully litigated and resolved issue violations and assisted the client with proactive follow-up workplace safety audit and policy changes.





## Capabilities

- Labor, Employment & Benefits
- OSHA and Workplace Safety
- Class Action Defense
- Banking & Financial Institutions
- Higher Education
- Financial Institutions Litigation
- Data Privacy & Security
- Employment Advice, Counseling and Training
- Employment Litigation and Dispute Resolution
- Intellectual Property Litigation
- Internal Investigations and Compliance
- Litigation & Dispute Resolution
- Research Institutions & Higher Education
- Wage and Hour Compliance and Defense

## Professional Recognitions

- Recognized as Best Lawyers® 2019 Milwaukee Employment Law - Management "Lawyer of the Year"
- Selected for inclusion in the 2011-present Wisconsin Super Lawyers® lists (Employment & Labor)
- Listed in *Best Lawyers in America*® (2010-present: Employment Law - Management; Labor Law - Management)
- Listed in Chambers USA® (2004-present) and noted as "an exceptional talent who has made an early impact" (2004), "demonstrates a legal sensitivity beyond his years" (2005), "young and sharp" (2006), and Labor & Employment (2008-2010)
- Selected for inclusion in the 2006-2009 Wisconsin Super Lawyers® lists: Rising Stars

## Professional & Civic Activities

- State Bar of Wisconsin (Member, Labor and Employment Section)
- American Bar Association (Member, Labor and Employment Section)
- Human Resources Management Association of Southeastern Wisconsin, Inc. (Member)
- Elmbrook Education Foundation (Board of Directors)
- Safe & Sound (Board of Directors)

