Mekesha H. Montgomery

Partner

mmontgomery@fbtgibbons.com | 615.251.5585

150 3rd Avenue South
Suite 1900
Nashville, TN 37201

Industries

Finance

Industrials

Manufacturing

Mobility

Practice Areas

Labor & Employment

Collective Bargaining & Arbitrations

Corporate Law

Employment Discrimination & Wrongful Termination

Outside General Counsel Services

Wage & Hour

Bar Memberships

Tennessee

Kentucky

Ohio

Mekesha is Chair of the firm's Litigation Department. She represents management in the areas of union negotiations and arbitration and employment discrimination/wrongful discharge. She has successfully represented companies defending against class and collective actions alleging employment discrimination and wage and hour violations, including class actions under the FMLA, collective actions under the FLSA and EEOC-initiated class actions. Mekesha regularly provides advice and counsel to management responding to union-initiated grievances and has represented management in numerous labor arbitrations. She also has significant experience dealing with issues arising from covenants not to compete and with ERISA and Employee Benefits Litigation.

Mekesha's labor and employment practice includes working with employers to:

- Negotiate collective bargaining agreements that are beneficial to the business but at the same time maintaining or even improving relationships with the union;
- Win labor arbitrations;
- Successfully defend employment discrimination cases;
- Navigate complex and time-consuming class and collective actions to successful resolutions;
- Build policies and procedures that help to avoid litigation; and
- Defend or prosecute non-compete/non-solicitation agreements.

Understanding that each client has different pain points and objectives in dealing with labor and employment matters, Mekesha

stays informed with what is happening within the clients' industries she serves by attending industry events, reading industry publications and satisfying her natural nosiness through facility tours and field trips. This approach allows her to understand not only the legal challenges her clients are facing, but how those challenges directly impact operations. As a result, she can help to steer clients through a multitude of issues with an immediate understanding of the business context of the legal decisions.

Mekesha previously led the firm's Labor & Employment Practice Group.

Other Info About Mekesha

Experience

Obtained jury verdict for employer in sexual harassment, gender discrimination, age discrimination and retaliation case.

Enforced individual employee arbitration agreement resulting in prompt settlement of previously highly contested case.

Settled on the eve of trial for nuisance value case where plaintiff had previously demanded a six-figure settlement after winning several key pre-trial motions.

Obtained preliminary injunction against two former employees violating covenants not to compete.

Defeated conditional certification motion for putative FLSA collective action.

Obtained summary judgment for employer in case of first impression in Kentucky state court construing wage statute.

Obtained dismissal of case after successfully enforcing arbitration agreement in age discrimination case.

Obtained summary judgment in favor of employer in intentional infliction of emotional distress case.

Obtained order from United States District Court for D.C. Circuit vacating NLRB order reinstating employee who published newsletter

critical to management.

Obtained orders in two different cases denying class certification based on alleged FMLA violations.

Obtained summary judgment in favor of employer in age, gender and disability discrimination case.

Obtained defense verdict in favor of employer at trial in whistleblower action.

Education

University of Kentucky College of Law, J.D., 1999
Kentucky Law Journal; Associate Editor, 1997-1999
University of Kentucky Moot Court, 1997-1998; Secretary/Treasurer, 1998-1999

University of Kentucky, B.A., 1996, *cum laude*
Departmental honors
Phi Beta Kappa

Courts

Kentucky Supreme Court

Ohio Supreme Court

Tennessee Supreme Court

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the Eastern and Western Districts of Kentucky

U.S. District Court for the Southern District of Ohio

U.S. District Court for the Eastern, Middle and Western Districts of Tennessee

Recognition

The Best Lawyers in America®, Employment Law – Management, 2013-2027

Selected for inclusion in "In Charge List – Legal," *Nashville Post*, 2021

Selected for inclusion in *Mid-South Super Lawyers®,* 2012-2014, 2020

Selected for inclusion in "Women of Influence" List, *Nashville Business Journal*, 2019

Selected for inclusion in "Most Powerful Women" List, *Nashville Post*, 2019

Selected as Nashville ATHENA Award Nominee, Cable, 2017

Professional Affiliations

American Bar Association

Tennessee, Kentucky and Ohio Bar Associations

Nashville Bar Association

Lawyers' Association for Women, Marion Griffin Chapter

Women Presidents' Organization

Civic Activities

Greater Nashville Habitat for Humanity, Board of Directors, Administration Committee

Thistle Farms, Board of Directors

Advancing Women in Nashville, Co-Founder

Women's Business Collaborative Leadership Circle

Firm Committees

Labor & Employment Practice Group, former Leader

Partner Personnel Committee, former Chair

Associate Personnel Committee, former Member

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