



## Andrew M. Gould

### **PARTNER**

Dallas

andrew.gould@wickphillips.com

T: 214.740.4022

F: 214.692.6255

Andrew Gould represents companies in the defense of federal wage and hour claims, federal and state employment discrimination claims, wrongful discharge claims, unfair labor practice claims under the National Labor Relations Act, contract negotiations, and denial of benefit claims under the Employee Retirement Income Safety Act. He regularly advises corporations on restrictive covenant law and general employment matters; strategic employment decisions; restructuring; labor union relations; employment investigations; and the Americans with Disabilities Act, including public accommodations. Mr. Gould represents clients across the United States in a wide range of industries, including professional services, sports and entertainment, telecommunications, manufacturing, aviation, and pharmaceuticals.

Mr. Gould also represents a variety of clients in complex business litigation matters, such as partnership disputes, breach of fiduciary duty cases, business tort cases, and ownership of intellectual property disputes. Some of Mr. Gould's noteworthy results include securing the complete verdict in favor of a leading innovator of wind turbine technology against its former employee's efforts to unwind an earlier \$6 million transaction in the company; the reversal of a trial verdict, and successful resolution of the dispute between law partners involved in the residential mortgage services business; and, along with partner Marcia Jackson, securing a complete defense jury verdict on a gender discrimination suit for a major retail electricity provider.

Board certified in Labor and Employment Law by the Texas Board of Legal Specialization, Mr. Gould leads the labor and employment practice at Wick Phillips. Mr. Gould is also a Fellow of the College of Labor and Employment Lawyers. Prior to joining the firm, he was in private practice at Akin, Gump Strauss Hauer & Feld LLP and the Dallas office of the commercial litigation boutique, Bickel & Brewer. He also worked in the U.S. Department of Labor, New York Office of the Solicitor.

### **Articles**

- The Texas Supreme Court's Latest On Post-Employment Non-Competition Agreements, Headnotes, Dallas Bar Association (July 2015)
- From 2007-2014, at the request of a client, I wrote several articles under the by-line, Gould on Labor, regarding employment law and personnel matters for a trade publication named Optical Lab Products. The articles are available at [goo.gl/cwAIG0](http://goo.gl/cwAIG0). The following is a sampling of the titles: Rules Of The Game (March 2014); 2013 In Review (January 2014); Contracts: Simple Is Better (November 2013); CEOs Can Face Personal Liability (September 2013); The NLRB's New

Focus (July 2013); Compliance With Wage And Hour Regulations (May 2013); Employees Who Tweet (January 2013); Workplace Harassment: Back To Basics (November 2012); Unpaid Interns: Wise Or Foolish? (July 2012); Politics And The Workplace: A Refresher (January 2012); Unemployment Discrimination (November 2011); Preventing Competition Without A Non-Compete (November 2010); To Sever With (Or Without) Severance (July 2010); This Won't Hurt A Bit: Health Reform's Impact (May 2010); Think Before You Sue: Courts Should Be A Last Resort (March 2010); A Brief Review Of 2009 And What To Watch In 2010 (January 2010); No Such Thing as a Risk-Free Termination (May 2009); 'I Plead The Fifth!' — Employee Rights in Connection with Company Investigations (January 2009); Political Expression In The Workplace (June 2008); Leaves of Absence — the Family Medical Leave Act (March 2008); Withdrawing A Job Offer Before Employment Begins (September 2007); Follow This Checklist Before Firing Employees (May 2007)

- If You're Asking for the Facebook Passwords of Job Candidates, You're Asking for Trouble, GPSolo eReport, American Bar Association (August 2012)
- Co-Author, Spot Concerted Activity Issues in the Workplace, Texas Lawyer (April 2011)
- Chapter Author and Monitor, Constructive Discharge, Texas Employment Law (James Publishing) (1998-2004)
- Co-Author with John V. Jansonius, Experts In Employment Litigation: The Role Of Reliability In Assessing Admissibility, 50 Bayl. L. Rev. 267 (1998)

#### Awards & Honors

- Best Lawyers in Dallas, *D Magazine* (2005, 2012-2024)
- Ranked in Chambers USA, Labor and Employment - Texas (2023)
- *The Best Lawyers in America*® – Employment Law - Management, Litigation - Labor and Employment (2019-2024)
- Dallas 500 Business Leaders, *D CEO* (2016, 2017, 2021-2022)
- Texas Super Lawyers (2008-2023)
- Texas' Best Lawyers® (2020)
- Fellow, Litigation Counsel of America
- Member, Wage & Hour Defense Institute
- Lawyer of the Year, Best Lawyers® 2020 Labor Law-Union, DFW
- Fellow, College of Labor & Employment Lawyers
- Life Fellow, Dallas Bar Foundation
- Editor, Hofstra Law Review

#### Speeches

- Speaker, "I Thought We Settled That Case?!? Settlement Agreements and Potential Challenges to Fully Resolving Employment Disputes," Dallas Bar Association- Labor and Employment Section, Dallas, Texas ([Download presentation here](#));
- "Constructive Discharge," "Texas Commission on Human Rights Act," and Discrimination Based on National Origin, Religion, and Other Grounds," Texas Employment Law (James Publishing, 1998);



- Co-authored “Experts in Employment Litigation: The Role of Reliability in Assessing Admissibility,” 50 Baylor L. Rev. 267 (1998);
- Speaker, “Coping with Mobile Employees: Seven Steps to Minimizing Unfair Competition,” Texas Personnel Law Update, Dallas, Texas;
- Speaker, Advanced Workshop on Protecting and Extracting Value from Trade Secrets, Law Seminars Int'l, Houston, Texas;
- “Recruiting,” Employment Issues For Technology Companies;
- Speaker, “Evaluating Your Recruiting Practices, Policies, and Procedures,” Human Resource Audits, Dallas, Texas;
- Speaker, “They're Stealing Our Employees! What You Need to Know to Protect Your Employees from Corporate Raiding and Predatory Hiring,” AeA HR Series, Dallas, Texas;
- Speaker, “Non-Competition Agreements: Common Scenarios and Practical Considerations,” In-house Counsel Lecture Series, Dallas, Texas. Speaker, MySpace® in Your Space: Legal Implications of Technology Regarding Hiring, the FCRA, and Other Employment Practices, Dallas Bar Assoc., Dallas, Texas.

#### All Practice Areas

- Employment Law
- General Litigation
- Traditional Labor Work

#### Education

- Hofstra University Deane School of Law (J.D., with honors, 1994)
- University of Michigan (B.A., 1991)

#### Memberships

- Board Certified, Labor and Employment Law, Texas Board of Legal Specialization (2003)
- Legal Committee, and Board Member of the Perot Museum of Nature and Science (2017-2026)
- Committee Member, State Bar of Texas, Grievance Committee, District 6 (2015-2021)
- Member, Wage & Hour Defense Institute
- Member, Trial Law Institute
- Member, American Bar Association, Labor and Employment Section
- Member, American Employment Law Council
- Member, Dallas Bar Association, Labor & Employment Section
- Member, Jewish Federation of Dallas
- Member, New York State Bar Association, Labor & Employment Section
- Member, Society of Human Resources Management
- Member, State Bar of New York
- Member, State Bar of Texas, Labor & Employment Section
- Member, Texas Bar Foundation
- Past Member, City of Dallas Commission on Innovation and Productivity
- Member, Board of Directors, Jonathan’s Place



**Admissions**

- Texas
- New York
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Southern District of New York
- United States District Court for the Northern, Southern, Eastern and Western Districts of Texas