

# David Woodard

## **PARTNER**

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David Woodard practices in the area of employment litigation, where he represents management in employment discrimination, wrongful discharge and ERISA claims.



### **OFFICE LOCATION**

301 Fayetteville St., Suite 1900

Raleigh, NC 27601

P.O. Box 1801

Raleigh, NC 27602

### **JURISDICTIONS LICENSED**

North Carolina

## **BIOGRAPHY**

David regularly advises and defends clients in race, age, disability and sex discrimination and harassment cases before the EEOC and in state and federal court; reviews handbooks and termination issues; and provides compliance advice to employers on matters of employment law.

## **AREAS OF FOCUS**

## **EMPLOYMENT**

### **Representative Experience**

*McNeil v. Scotland County* – Obtained summary judgment for employer in suit where plaintiff alleged race discrimination and retaliation in violation of Title VII of the Civil Rights Act as well as violation of the Americans with Disabilities Act. Successfully defended the judgment in the Fourth Circuit Court of Appeals.

*McDonald v. Black & Decker (U.S.) Inc.* – Obtained summary judgment for employer in employee's claim under the North Carolina Retaliatory Employment Discrimination Act that she had been retaliated against for filing a workers compensation claim.

*Biery, et al v. Estes Express Lines* – Successfully defended and obtained dismissal of class action claim brought by former employees under the Employee Retirement Income Security Act (ERISA).

*Webster v. Black & Decker (U.S.) Inc., et al.* – Obtained summary judgment in claim for benefits under the Employee Retirement Income Security Act (ERISA) and for breach of fiduciary duty against Employer. Successfully defended the judgment in the Fourth Circuit Court of Appeals.

*Champion v. Black & Decker (U.S.) Inc.* – Obtained summary judgment in claim for benefits under the Employee Retirement Income Security Act (ERISA). Successfully defended the judgment in the Fourth Circuit Court of Appeals.

*Spease v. Public Works Commission of the City of Fayetteville* – Obtained summary judgment in Title VII discriminatory discharge claim and successfully defended judgment in Fourth Circuit Court of Appeals.

## **ADMINISTRATIVE EMPLOYMENT LAW**

## **AFFIRMATIVE ACTION PLANS & AUDIT DEFENSE**

## **EMPLOYMENT LITIGATION**

## **LITIGATION AVOIDANCE COUNSELING**

## **OCCUPATIONAL HEALTH & SAFETY**

## **POLICIES, CONTRACTS, & HANDBOOKS**

## **CREDENTIALS**

### **CERTIFICATIONS & SPECIALIZATIONS**

Certified Yellow Belt in Legal Lean Sigma by the Legal Lean Sigma Institute®

## **EDUCATION**

Campbell University, JD, 1992, *cum laude*

North Carolina State University, BA, 1988

### **NOTABLE ACCOMPLISHMENTS**

Recognized as a Leading Attorney by Chambers USA: America's Leading Lawyers for Business (Labor and Employment) 2016-2018

Recognized in The Best Lawyers in America (Litigation – Labor and Employment) 2013-2017, 2021

## **PROFESSIONAL & COMMUNITY ACTIVITIES**

Legal Trustee and Board Chair, Board of Trustees, The Raleigh School, 2009 – 2011

Wake County Bar Association

North Carolina Bar Association