

Fred Gaona, III



Senior Associate
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Fred Gaona, III practices Labor and Employment law. Mr. Gaona has extensive litigation experience on behalf of management in connection with all types of employment disputes, including claims under Title VII, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Family Medical Leave Act, the Fair Labor Standards Act and numerous state statutes. Mr. Gaona also handles general litigation matters and resolves disputes related to non-competition agreements. Mr. Gaona also has experience defending class action lawsuits and cases in arbitration.

While earning his J.D. degree from the Ohio State University College of Law, Mr. Gaona received the Nancy Rogers' Writing Prize in Dispute Resolution and the CALI Award for the Mediation Practicum Course. He was also a member of the University's ABA Negotiation Team, served as a mediator at the Franklin County Small Claims Court, and earned a Certificate in Dispute Resolution.

Mr. Gaona is a frequent speaker on employment law issues. He has given presentations on topics including the Family Medical Leave Act, the Fair Labor Standards Act, the Americans with Disabilities Act, Texas arbitration law, and electronic issues in the workplace. Prior to beginning his law career, Mr. Gaona worked as a computer analyst in Austin, Texas.

Practice Areas

- › Labor and Employment
- › Employment Litigation
- › ADA and Disability Law
- › Class and Collective Actions - Both State And Federal Claims
- › Non-Competes, Unfair Competition and Trade Secrets
- › Wage and Hour
- › Human Resources Policies and Procedures
- › Collection Cases
- › Breach of Contract
- › Defamation

Industries

- › Health Care
- › Retail
- › Finance
- › Insurance
- › Publishing
- › Education
- › Transportation
- › Technology
- › Manufacturing and Sales
- › Public Employers

Representative Experience

- › Counsel and litigation in employment-related matters including age, race, national origin, disability and sex discrimination charges, and sexual harassment claims, wrongful termination suits, defamation actions, family leave issues, employee benefits, health and safety matters, and wage-hour disputes
- › Representation pertaining to misappropriation of trade secrets, unfair and non-competition matters, managed care litigation, and contract disputes
- › Counsel and litigation in all areas of general litigation including breach of contract cases, collection cases and premises liability
- › Frequent speaker on labor and employment issues
- › Frequently trains executives and managers on compliance issues related to labor and employment law

Publications and Presentations

- › “Changing Demographics & Emerging Populations in Employment Law,” State Bar College Summer School Program, July 2009
- › “Ex Parte Communications: Can You or Can’t You,” South Texas College of Law Advanced Employment Law Seminar, July 2009
- › “Making an Offer They Can’t Refuse - Setting Fees & Other Office Management Issues,” Dallas Minority Attorney Program, April 2009
- › “Electronic Discovery in Employment Law Cases: New Rules, New Tactics, New Duties,” University of Houston Advanced Employment Law Seminar, December 2008
- › “Hot Topics in Employment Law,” Texas Minority Counsel Program, October 2008
- › “Have Employment Arbitration Agreements Had Their 15 Minutes of Fame?,” South Texas College of Law Advanced Employment Law Seminar, July 2008
- › “Attacking and Defending Arbitration Clauses: Both Sides of the Battle,” South Texas College of Law Advanced Employment Law Seminar, July 2007
- › “Determining Who Is Covered Under the ADA and What They Are Entitled To,” Lormans, 2007
- › “The FMLA’s Job Restoration Rights and Retaliation Claims”, Lorman, May 2006
- › “Electronic Issues in the Workplace,” University of Houston Advanced Employment Law Seminar, April 2006

Education

J.D., The Ohio State University College of Law, 2000

B.A., University of Notre Dame, *cum laude*, 1995

Bar Admissions

Texas

Court Admissions

U.S. District Court, Eastern District of Texas
U.S. District Court, Northern District of Texas
U.S. District Court, Southern District of Texas
U.S. District Court, Western District of Texas
U.S. Court of Appeals for the Fifth Circuit

Awards & Recognitions

- › Texas Super Lawyer Rising Star 2007 - 2010
- › Nancy Rogers' Writing Prize in Dispute Resolution, The Ohio University College of Law
- › John J. Kennedy Award for the best honors thesis on Latin America, University of Notre Dame

Professional Affiliations

- › Dallas Association of Young Lawyers
- › Dallas Bar Association, Labor and Employment Section
- › Dallas Hispanic Bar Association
- › State Bar of Texas, Labor and Employment Section
- › State Bar of Texas, Hispanic Issues Section
- › Texas Young Lawyers Association

Previous Law Firm Experience

- › Epstein Becker & Green, PC
- › Baker & McKenzie, LLP
- › Burford & Ryburn, LLP

Civic & Community Involvement

- › Texas Minority Counsel Program
Steering Committee 2006 - 2010
- › Dallas Hispanic Bar Association
Co-chair, Membership and Social Committee, 2008
Board of Directors, 2009 - 2010
Vice President, 2009
- › State Bar of Texas Hispanic Issues Section
Elected Secretary of Hispanic Issue Section, 2008-2009

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