



**NATHAN L. WHATLEY**  
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**McAFEE & TAFT**  
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## BIOGRAPHY

Nathan Whatley represents management in all phases of litigation before federal and state courts, regulatory and administrative agencies and in arbitration matters. He also handles litigation matters involving the enforcement of non-competition and confidentiality agreements, breach of employment contracts, handbook and personnel policy violations, wage and hour disputes and other issues arising out of employer/employee relationships.

Nathan has litigated in Oklahoma, Texas, Illinois, California, South Carolina, Arkansas, Alabama, Washington, Tennessee, Georgia, Louisiana, New York, New Jersey, New Mexico, Kansas and Missouri.

Nathan also routinely counsels clients in connection with employee discipline, terminations and reductions in force; wage and hour issues; handbooks and policies; drug and alcohol programs; executive compensation, employment and non-competition agreements; and individual and group severance programs and related matters. He also provides training to management and non-management employees in all areas affecting the employer/employee relationship and regularly conducts on-site client training in areas such as sexual harassment, drug and alcohol testing, employee leave and disability and EEOC compliance and investigation.

Nathan is a frequent speaker and writer on a variety of labor and employment topics. In addition to having served as editor of the newsletter for the Labor and Employment Law Section of the Oklahoma Bar Association, he has authored white papers for the Society for Human Resource Management and articles for the *Oklahoma Law Review*, *Oklahoma Bar Journal* and *Oklahoma Employment Law Letter*. His major writing credits include authoring "Oklahoma Employment Law: Practice and Forms Manual," published by Data Trace Publishing Company in 2010; co-authoring "Entertainment and Media Law Client Strategies," published by Aspatore Books in 2007; and serving as a contributing writer to "Age Discrimination In The Workplace: A Primer For Human Resource Professionals," published by the Society for Human Resource Management in 1999.

Nathan has previously served as leader of McAfee & Taft's Labor & Employment Practice Group. His experience and expertise in employment law has earned him inclusion in *Chambers USA Guide to America's Leading Lawyers for Business*, *The Best Lawyers in America* and *Oklahoma Super Lawyers*.

## REPRESENTATIVE EXPERIENCE

- Nationwide defense of employment litigation and arbitration matters.
- Representation of employers in litigation relating to employment contracts, commission disputes and non-compete agreements.
- Representation of employers before the EEOC and various state human rights agencies.

- Representation of employers in wage and hour and FMLA investigations by U.S. Department of Labor.
- Representation of employers in state wage and hour and unemployment claims.
- Representation of employers before the National Labor Relations Board.
- Representation of national retailer in false arrest and related tort actions.
- Representation of property owners in ADA accessibility actions.
- *Burks v. Oklahoma Publishing Co.*, 81 F.3d 975 (10th Cir. 1996)
- *Bell v. Dillard Dept. Stores, Inc.*, 85 F.3d 1451 (10th Cir. 1996)
- *Danner v. Dillard Dept. Stores, Inc.*, 949 P.2d 680 (Okla. 1997)
- *Frusher v. Dillard Dept. Stores, Inc.*, 166 F.3d 1220 (10th Cir. 1998)
- *Gripe v. City of Enid*, 213 F.3d 1184 (10th Cir. 2002)
- *Kuykendall v. Gulfstream Aerospace Technologies*, 66 P.3d (Okla. 2002)

## ADMISSIONS

- Oklahoma, 1992
- U.S. District Courts for the Western, Northern and Eastern Districts of Oklahoma
- U.S. District Court for the Northern District of Texas
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Supreme Court

## EDUCATION

- J.D., with highest honors, University of Oklahoma, 1992; Order of the Coif; *Oklahoma Law Review*
- B.A., with highest honors, University of Oklahoma, 1989; Phi Beta Kappa; Golden Key National Honor Society

## PROFESSIONAL ORGANIZATIONS AND MEMBERSHIPS

- Oklahoma County Bar Association
- Oklahoma Bar Association (Former Chair, Labor & Employment Section)
- Oklahoma City Metro Employer Council (Executive Board)
- Sooner Human Resources Society (General Counsel)
- Society for Human Resource Management

## CIVIC INVOLVEMENT AND LEADERSHIP

- Norman Chamber of Commerce