

Samuel M. Mitchell

Associate

Overview

Sam Mitchell represents and advises local, national, and multi-national employers in a variety of complex labor and employment matters. He serves clients of varying disciplines, including food, consumer products, and industrial manufacturers, prominent healthcare and higher education systems, PBMs, real estate developers, staffing agencies, and clients in the water industry.

Sam's extensive litigation experience includes defending employers in federal and state courts against claims arising under Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the National Labor Relations Act, the Dodd-Frank Act, multiple whistleblower laws, and other federal, state, and local employment laws. Sam routinely represents employers in administrative proceedings before federal and state agencies including discrimination, retaliation, and harassment charges. Sam also frequently counsels employers on the protection of trade secrets and the drafting and enforcement of restrictive covenants.

A passionate and accomplished legal writer, Sam gives clients the upper hand in motion practice and on appeal. Sam's high rate of success on achieving summary judgment for his clients in state and federal court is considerable, having secured numerous complete dismissals of a broad range of employment and other civil rights cases during his years of practice. Sam also specializes in judicial review of decisions issued by federal agencies, state agencies, and local governments.

Sam's clients turn to him as a trusted counselor on myriad issues related to the coronavirus pandemic. Sam specializes in assisting his clients navigate the complex world of state and federal unemployment programs, including those under the CARES Act. Sam also actively advises clients on designing and implementing safe and effective return to work policies, particularly in office settings, and compliance with related federal, state, and local laws and public health guidance.



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Industries

Cannabis
Higher Education
Water

Practices

Employment Litigation
Labor & Employment Relations
Unfair Competition & Trade Secrets

Sam maintains an active *pro bono* practice with a focus on representing indigent prisoners at both the trial court and appellate court levels. He most recently secured a favorable settlement on behalf of an indigent prisoner in a years' long federal lawsuit in the Eastern District of Wisconsin involving a claim of First Amendment retaliation. Sam is also a deputized State Public Defender who represents clients before Wisconsin circuit courts and courts of appeal.

Honors & Recognitions

- State Bar of Wisconsin's Pro Bono Honor Society, 2019

Professional Activities

- Member, State Bar of Wisconsin
- Member, Defense Research Institute
- Member, Wisconsin Defense Counsel
- Member, Milwaukee County Bar Association
- Member, Dane County Bar Association
- Member, Milwaukee Young Lawyers Association
- Member, FUEL Milwaukee

Education

- University of Wisconsin Law School, Juris Doctor (J.D.), 2016; Managing Editor, *Wisconsin Law Review*; Executive Board, Moot Court Board
- University of Notre Dame, Bachelor of Arts (B.A.), 2013;

Admissions

- Wisconsin
- Illinois
- United States District Court, Eastern and Western Districts of Wisconsin
- United States Court of Appeals, Seventh Circuit

Community Involvement

- Member, Milwaukee Athletic Club
- *Pro Bono* Attorney, Blue Lotus Farm and Retreat Center
- *Pro Bono* Attorney, Milwaukee Museum of Art
- *Pro Bono* Attorney, Sculpture Milwaukee
- Skipper, Milwaukee Community Sailing Center

Related News

PUBLICATION

December 17, 2020

DOL Strengthens Religious Exemption for Federal Contractors

PUBLICATION

December 7, 2020

Wisconsin Sets New Deadline For Employers Requesting Unemployment Charging Relief

PUBLICATION

September 11, 2020

Seventh Circuit: Religious Organizations are not Exempt from All Employment Discrimination Claims by Ministerial Employees

PUBLICATION

August 26, 2020

Seventh Circuit Creates Third Standard to Assess DOJ Dismissal Authority of FCA Claims

PUBLICATION

August 6, 2020

Wisconsin Employers Must Act Now to Obtain Relief of Account Charging for COVID-19 Related Unemployment Benefits

PUBLICATION

July 15, 2020

SCOTUS Endorses Broad Exception from Employment-Discrimination Suits for Religious Employers

PUBLICATION

May 15, 2020

Wisconsin Work-Share Program – An Alternative to Layoffs

April 27, 2020

SCOTUS Decides Landmark Clean Water Act Case

PUBLICATION

April 14, 2020

Key Provisions in the CARES Act for Higher Education Institutions

PUBLICATION

April 7, 2020

Title VII and COVID-19: Mitigating Community Spread of Workplace Discrimination

PUBLICATION

March 31, 2020

Relief for Workers Affected by Coronavirus Act: Expanded Unemployment Benefits under the CARES Act

PUBLICATION

January 23, 2020

EPA and Department of the Army Release Navigable Waters Protection Rule, Clarifying Jurisdictional Waters Under Federal Control

NEWS

January 22, 2020

Law360

Three Michael Best attorneys coauthored Law360's article A Noncompete Consideration Split In Ill. State, Federal Courts

PUBLICATION

January 13, 2020

EEOC and NLRB Make Employer Friendly Arbitration Agreement

PUBLICATION

December 26, 2019

NLRB Issues Employee Email Use and Workplace Investigation Decisions Friendly to Management

PUBLICATION

December 16, 2019

NLRB Targets Obama Election Rules

PUBLICATION

November 8, 2019

SCOTUS Hears Oral Arguments in Major Clean Water Act Case

PUBLICATION

October 30, 2019

Seventh Circuit Again Rejects Whistleblower Carve-out for Unprotected Public Employee Speech

PUBLICATION

October 24, 2019

Courts Split Over U.S. Justice Department False Claims Act Dismissal Attempts

PUBLICATION

September 16, 2019

NLRB Adopts Management-Friendly Standard on Unilateral Employer Actions