



## Frank C. Morris, Jr.

Member of the Firm

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**FRANK C. MORRIS, JR.**, is a Member of the Firm in the Litigation and Employee Benefits & Executive Compensation practices, in the Washington, DC, office of Epstein Becker Green. He co-chairs the firm's ADA and Public Accommodations Group.

Mr. Morris' experience includes:

- Advising clients on and litigating employment, labor, disabilities, non-compete, confidentiality, benefits, information access and privacy, wage and hour, and general litigation matters in state and federal courts and administrative agencies
- Representing health care related entities, retailers, restaurants, and other hospitality related businesses, governmental entities, builders, owners, managers, architects, and lenders in public accommodation issues, including website accessibility, under the ADA and in fair housing, fair credit, and related state and local law matters
- Serving as an expert witness in ADA and Fair Housing Act matters
- Representing clients with respect to social media, Internet, and e-mail policies and litigation
- Representing and advising clients, including Audit Committees, in Sarbanes-Oxley, Dodd-Frank, and other whistleblower litigation and conducting investigations
- Advising clients on the range of employment and labor issues related to acquisitions, mergers, and RIFs and defending claims arising from those transactions
- Advising on various issues under the Patient Protection and Affordable Care Act (PPACA) and on Wellness Plans and ADA and GINA issues
- Successfully trying various jury and bench trials, including particular knowledge of handling expert witnesses and class and collective action litigation
- Serving as a mediator in various disputes

- Litigating data breach, privacy, and cybersecurity claims including class actions
- Litigating U.S. Supreme Court and Court of Appeals cases raising issues under Title VII, the ADEA, ERISA, Executive Order 11246, the National Labor Relations Act, the Freedom of Information Act, the Privacy Act, the ADA, and the Rehabilitation Act

After law school, Mr. Morris joined the National Labor Relations Board in Washington, DC, in the appellate branch of the Division of Enforcement Litigation, and handled cases in all of the United States Courts of Appeals, as well as NLRB Supreme Court matters. He later entered private practice in Washington, representing private and public employers in EEO, disability, labor, and general litigation matters. He also served as counsel for an employer's group, the Equal Employment Advisory Council.

Mr. Morris writes, speaks, and teaches regularly on various employment and litigation topics. He is regularly asked to share his trial experience in various ALI-ABA programs and in the annual Georgetown University Employment Law and Litigation Update. Mr. Morris has joined various Federal and state court judges on the faculty for a Georgetown-sponsored program "Litigating Employment Cases: Views from the Bench." He also co-chaired the ALI-ABA Video Law Review "How to Present and Challenge Experts: Persuading the Jury."

Mr. Morris authored the book *Current Trends in the Use (and Misuse) of Statistics in Employment Discrimination Litigation*, as well as articles on disability, public accommodations, equal employment, Sarbanes-Oxley, Dodd-Frank, fair housing law, benefits, and labor topics for journals, including *Employee Relations Law Journal*, *The National Law Journal*, and *The Practical Litigator*. He co-chaired the Federal Judicial Center and the American Law Institute-American Bar Association Video Law Review Program on the ADA, which included over 150 federal judges among the participants. He also co-chairs the annual ALI-ABA course "Current Developments in Employment Law," 1994-present, where among other topics, he presents the ADA and FMLA updates and analysis as well as on emerging issues and legislative developments. He co-chairs many ALI-ABA teleseminar/webinars on current employment law and litigation topics and an annual Supreme Court review. He serves as a member of ALI-ABA's Employment and Labor Law Advisory Board. He is a member of the Editorial Advisory Boards of *National Disability Law Reporter* (LRP Publications) and the *Corporate Counsel's Guide to the Americans with Disabilities Act* (Business Laws, Inc.). He has addressed the trial and appellate judges of the Judicial Conferences for the Third, Fourth, Fifth, Sixth, Seventh, and Eleventh Circuits on disability law and developments under the ADA and employment law. He also served as co-chair of a committee charged by DC Superior Court judges with developing pattern jury instructions for FMLA and family responsibilities discrimination cases.

Mr. Morris is an adjunct professor of law at George Washington University Law School, where he teaches Discrimination Law and has taught Employment Claims and Litigation. He also served as a faculty member of the Cornell University of New York State School of Industrial and Labor Relations EEO Studies Program, as well as a frequent lecturer on equal employment, disabilities, and public accommodation law, benefits, Sarbanes-Oxley, Dodd-

Frank and whistleblower issues, affirmative action, family and medical leave, labor relations, ADR, and litigation topics for various associations, business, educational, and other groups.

Mr. Morris was selected by his peers for inclusion in *The Best Lawyers in America*®(2013 to 2019) in the field of Employment Law—Management and named to the *Washington, DC Super Lawyers*list (2007, 2009 to 2018) in the areas of Employment & Labor: Employer, Employee Benefits, and Appellate. He was also recommended in the Labor and Employment Disputes (Including Collective Actions): Defense category by *The Legal 500 United States* (2014, 2016 to 2018). Mr. Morris was also included in *Who's Who Legal: The International Who's Who of Management Labour & Employment Lawyers* (2007 to 2017) and *Washington DC & Baltimore's Top Rated Lawyers* (2012 to 2017).

### **Education**

- University of Virginia School of Law (J.D., 1973)
  - Earle M. Shawe Award for distinguished work in labor law
- Northwestern University (B.S., 1970)
  - *with distinction*

### **Court Admissions**

- Supreme Court of the United States
- District of Columbia Court of Appeals
- Pennsylvania Supreme Court
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- U.S. District Court, Eastern District of Pennsylvania

- U.S. District Court, Eastern District of Wisconsin

### **Bar Admissions**

- District of Columbia
- Pennsylvania

### **Practice Areas**

- ADA and Public Accommodations
- Appellate
- Class Actions
- Data Breach/Cybersecurity Litigation
- Employee Benefits and Executive Compensation
- Employment Litigation
- ERISA and Benefit Plan Litigation
- First Amendment
- Foreign Multinational Counseling and Litigation
- Government Investigations/Civil & Criminal
- Insurance Coverage and Reinsurance Disputes
- Labor & Employment Litigation
- Labor Management Relations
- Mergers, Acquisitions & Divestitures
- Trade Secrets & Employee Mobility
- Real Estate
- Social Media and the Workplace
- Wage and Hour
- Whistleblowing and Compliance
- White Collar Criminal Defense and Internal Investigations

### **Industries**

- Artificial Intelligence
- Health Care and Life Sciences Industry
- Hospitality
- Financial Services

### **Memberships**

- American Bar Association
- District of Columbia Bar Association
- Federal Bar Association
- Pennsylvania Bar Association