



DANIEL K. O'TOOLE

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EDUCATION

University of Missouri - Columbia
School of Law
(J.D., 1990)

Southwest Missouri State University
(B.A., 1987)

PRACTICE AREAS

Employment & Labor

ADMITTED TO BAR

Missouri
Illinois

PROFESSIONAL ACTIVITIES

The Missouri Bar
Illinois State Bar Association
American Bar Association
Bar Association of Metropolitan St. Louis

CIVIC & CHARITABLE ACTIVITIES

Ronald McDonald House Charities
(Human Resources Committee)

LAW PRACTICE

Mr. O'Toole is Leader of the firm's Litigation practice group. He concentrates his practice in the area of employment and labor law, where he has defended employers in litigation, including class action lawsuits, involving allegations of race, age, sex, national origin, religious and disability discrimination. Mr. O'Toole has also defended employers in non-compete and trade secrets litigation as well as numerous labor arbitration proceedings.

Mr. O'Toole is experienced in drafting employment contracts, employee handbooks and personnel policies. He counsels clients on employment related matters, including proper hiring and termination practices, EEO policies and procedures, and frequently delivers presentations on employment and labor related topics.

SIGNIFICANT ACCOMPLISHMENTS

Leader of the firm's Litigation Practice Group

Successfully defended employer in state court jury trial of Workers' Compensation retaliation claim. This lawsuit was brought by an employee who worked for the company for twelve years and who had filed four workers' compensation claims in the six months prior to his discharge

Successfully represented new employee of client who was sued by former employer alleging theft of trade secrets and proprietary information

Obtained summary judgment for an employer in a lawsuit in federal court brought by a former employee alleging violation of the Americans with Disabilities Act and then successfully represented the employer on appeal of the judgment

Obtained summary judgment for employer in FMLA litigation brought against it by former employee and successfully defended the judgment on appeal

The Best Lawyers in America for Labor and Employment Law (2008-present)

2008-2009 *Missouri/Kansas Super Lawyers*® for Labor and Employment Law

Chambers USA: America's Leading Lawyers for Business for Labor and Employment Law (multiple years)

AV® Peer Review Rated, *Martindale-Hubbell*

PRESENTATIONS & PUBLICATIONS

Author, "Missouri Supreme Court Finally Recognizes and then Expands the "Narrow" Public Policy Exception," *Missouri Lawyers Weekly* (February 2010)

Speaker, "Union Avoidance in Anticipation of EFCA," The Ever Changing Landscape of Employment & Labor Law seminar (February 2010)

Speaker, "An Update on New Developments," The Ever Changing Landscape of Employment & Labor Law seminar (January 2010 & February 2010)

Speaker, "Recent Developments in Employment and Litigation," Missouri Employment Law and Practice CLE (June 2009)

Speaker, "Employment Law," Missouri Bar Annual Law Update CLE (May 2009)



PRESENTATIONS & PUBLICATIONS (cont'd):

Presenter, "Maximizing Strategic Relationships with Outside Counsel," Lex Mundi and Association of Corporate Counsel webinar (2009)

Workshop Leader, 2009 FMLA Master Class for Missouri Employers presented by the *Missouri Employment Law Letter* (2009)

Author, "ADA Amendment Expands Protection," *Missouri Lawyers Weekly* (October 2008)

Author, "Chapter Eight: Employer-Employee Law," Employee Disabilities Cumulative Supplement to *The Missouri Bar Handbook* (1994)

Author, "The Catch-22 of Summary Jury Trials," *Journal of Dispute Resolution* (1990)

Monthly Contributor to the *Missouri Employment Law Newsletter*

Author, Chapter titled "Burden of Proof," *The Missouri Bar Employment Discrimination Law Deskbook*

Author, "Retaliation for Complaints of Employment Discrimination," *Missouri Lawyers Weekly*

