



DANIEL K. O'TOOLE

PARTNER

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Dan O'Toole, a respected leader and trial strategist, is a key member of Armstrong Teasdale's Litigation practice group and Employment and Labor practice area. In his practice, Dan defends employers against a broad range of complaints and threats of legal action involving workplace situations.

Because of his background and achievements in employment and labor law, Dan has been recognized repeatedly by *Chambers USA*, *The Best Lawyers in America*, *Super Lawyers* and for the last several years was included as one of the "Top 50" lawyers in the St. Louis area. In addition, The Best Lawyers in America named him 2018 Lawyer of the Year in Employment Law.

His experience includes numerous trials and arguments before state and federal courts and administrative tribunals, including the Equal Employment Opportunity Commission, the Missouri Human Rights Commission and the U.S. Department of Labor.

The matters he handles include allegations of discrimination and wrongful termination under the Family and Medical Leave Act, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Missouri Human Rights Act and other state and federal laws. This work encompasses the defense of employers against retaliation and whistleblower claims and other wrongful discharge allegations. In another area of employment law, Dan provides counsel on cases alleging the disclosure of trade secrets and violations of noncompete agreements.

Outside of the courtroom, Dan helps clients take steps to avoid costly lawsuits involving such personnel matters as workforce reductions, restructuring and compliance. His insights into the complex and rapidly changing world of employment and labor relations prepare clients to make sound business decisions in the alleviation, prevention and resolution of conflicts. Dan also drafts, reviews and improves policies, handbooks and employment contracts.

A dynamic, engaging and often humorous speaker, Dan is frequently invited to present training seminars on such employment law issues as supervisory duties, interviewing and screening job applicants, sexual harassment prevention and investigation and EEOC policies and procedures, and proper termination practices.

In his administrative position at Armstrong Teasdale, Dan plays an instrumental role in developing the firm's strategy for current and long-term growth. He is also a member of the firm's Contingent Fee Committee. In addition, Dan led the firm's Employment and Labor practice area for 13 years.

SERVICES AND INDUSTRIES

Employment and Labor

Litigation

Noncompete and Trade

Secrets

ADMISSIONS

Missouri

Illinois

Arkansas

U.S. District Court, Eastern
District of Missouri

U.S. District Court, Western
District of Missouri

U.S. District Court, Southern
District of Illinois

U.S. District Court, Eastern
District of Arkansas

U.S. District Court, Western
District of Arkansas

EDUCATION

- University of Missouri School of Law (J.D., 1990)
 - Journal of Dispute Resolution, Volume 1990 (Lead Articles Editor)
- Southwest Missouri State University (B.A., 1987)

PROFESSIONAL ACTIVITIES

- The Missouri Bar
- American Bar Association
- Armstrong Teasdale Executive Committee

CHARITABLE AND CIVIC INVOLVEMENT

- Ronald McDonald House Charities of Metro St. Louis (Human Resources Committee)

ACCOLADES

- Benchmark Litigation Labor & Employment Star (2020-present)
- *The Best Lawyers in America*[®]; Labor and Employment Litigation, Employment Law—Management, Qui Tam Law (2008-present); Lawyer of the Year, Employment Law—Management (2016, 2018); Lawyer of the Year, Labor and Employment Litigation (2020)
- Selected as a 2013 Top Rated Lawyer in Labor & Employment by *Martindale-Hubbell* and *American Lawyer Media* (ALM)
- [Missouri/Kansas Super Lawyers](#)[®] (2008-present); *Super Lawyers*[®], Business Edition (2011-present); *Super Lawyers*[®], Top 100 Missouri & Kansas (2010-2013); *Super Lawyers*[®], Top 50 St. Louis (2010-present)
- *Chambers USA: America's Leading Lawyers for Business* for Labor and Employment Law, Band 1 (multiple years)
- AV[®] Peer Review Rated, *Martindale-Hubbell*

EXPERIENCE

Summary Judgment for Higher Education Client on MHRA Claims

Obtained summary judgment for a higher education client on Missouri Human Rights Act (MHRA) claims in state court where the claims were based on gender and race discrimination, sexual harassment, hostile work environment and retaliation.

Summary Judgment for Client on Failure to Accommodate Medical Restriction

Obtained summary judgment for client in federal district court on allegations the client had improperly failed to accommodate a medical restriction for an employee. After the summary judgment was reversed on appeal, we petitioned for and obtained a hearing en banc, where the Eighth Circuit vacated the panel's adverse opinion and affirmed

summary judgment in favor of the client.

Summary Judgment for Client Over Retaliation, Section 1981 Claims

Obtained summary judgment in the Eastern District of Missouri for a Fortune 100 client in a lawsuit alleging retaliation and Section 1981 claims. A former high-level manager claimed he was demoted due to racial discrimination. We were able to present evidence showing the demotion was the result of ongoing performance issues.