



Shane Blackstone

Of Counsel

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Shane focuses his practice on employment litigation, with an emphasis on non-competition, trade secret, and other restrictive covenant cases; wage and hour class and collective actions; multi-plaintiff and single plaintiff employment discrimination and harassment cases; and ERISA benefits claims. He also represents clients in complex non-litigation employment issues, including structuring large-scale reductions in force (RIFs), negotiating executive employment and separation agreements, and workplace investigations.

Shane represents clients in significant employment litigation matters and has appeared before courts throughout the country, including the United States Courts of Appeals, the Delaware Court of Chancery, and numerous other state and federal trial courts. His client representations have included a broad range of industries, including financial and banking services, luxury goods, oil and gas, and professional services.

Shane also advises clients on large-scale reductions in force, including regarding WARN Act compliance and disparate impact discrimination issues. Shane also negotiates executive employment arrangements, both at the inception of employment and upon separation. He conducts internal investigations for clients on sensitive employment issues from pay disparity and sexual harassment complaints to allegations of large-scale employee fraud. Shane also leads the Firm's Affirmative Action and OFCCP Compliance practice, advising federal contractor clients on affirmative action issues and representing them in OFCCP audits.

Key Matters

Employment Discrimination & ERISA Litigation

- Represented global luxury goods conglomerate in high profile multi-forum retaliation litigation brought by former executive; lead counsel at arbitration hearing resulting in decision in client's favor
- Represented regional specialty pharmacy in multi-plaintiff age discrimination cases following acquisition and installment of new management team
- Represented global luxury fashion companies in a variety of single plaintiff employment discrimination cases
- Represented foodservice distributor in ERISA denial of benefits and breach of fiduciary duty litigation; settled on highly favorable terms following successful motion to dismiss

Wage & Hour Litigation

- Represented major financial institution in call center class and collective action alleging off-the-clock violation under the FLSA and Illinois law
- Represented global safety consulting and certification company in FLSA collective action alleging misclassification of engineering employees as exempt for overtime purposes
- Representation of an international construction services firm in FLSA collective action and state law class action alleging misclassification of construction manager employees as exempt for overtime purposes
- Represented international consulting firm in FLSA collective action alleging the misclassification of employees as exempt for overtime purposes

Non-Compete & Trade Secret Litigation

- Represented public healthcare information technology company in multi-forum non-competition and trade secret litigation; obtained settlement providing complete victory and significant monetary recovery to client
- Represented global luxury goods conglomerate in action to enforce non-competition obligations against executive and competitor luxury company; obtained preliminary injunction and substantial monetary recovery
- Represented one of the world's largest hedge funds against a former employee based on misappropriation of trade secrets; obtained TRO and preliminary injunction ultimately leading to criminal charges against former employee
- Represented multi-national electronics company and its employee in trade secret misappropriation litigation brought by former employer
- Represented steel grating manufacturer in trade secret misappropriation injunction action

Significant Non-Litigation Matters

- Advise oil and gas industry private equity clients, and their portfolio companies, in variety of employment, restrictive covenant, wage and hour compliance, and workplace issues
- Represent variety of federal contractor clients in OFCCP audits; advise clients on implementation of affirmative action programs
- Represented one of the largest international consulting firms through large scale restructuring actions, including advising business leaders on risks, WARN Act exposure, and adverse impact issues
- Represented one of the largest hedge funds in restructuring of operation and divestiture of business lines to avoid WARN Act exposure

- Conducted numerous internal investigations for clients concerning a wide range of alleged misconduct, including pay discrimination allegations, sexual harassment and discrimination, and wide-spread employee fraud and double-dealing

Commercial Class Action Litigation

- Represented global insurance group in series of class actions alleging consumer fraud, deceptive trade practices, and breach of contract in connection with the processing of workers’ compensation claims and the payment of statutory late fees
- Represented international financial services company in series of purported class and representative actions under California’s Unfair Competition Laws challenging foreign currency conversion fees
- Represented national insurance company in 15 related class actions in various federal and state courts

Recent Experience

ClearCompany Sale to Gemspring Capital Management

The Sterling Group Creation of Compost360 and Acquisition of Nature’s Choice

Concentric Equity Partners Acquisition of The Boat House Group

Coastal Waste & Recycling Sale to Macquarie Asset Management

Farmer Bros.’s Sale of Its Direct Ship Business to Treehouse Foods

Industrial Opportunity Partners Acquisition of the Assets of 4M Metals

Breckenridge Geophysical Sale to Dawson Geophysical Company

ProFrac Holdings II, LLC, Acquires Monarch Silica, LLC

NTG, LLC’s Sale of Nick the Greek Restaurant Chain to Anil Yadav’s YTG Enterprises LLC

Norwest Equity Partners Acquires QTI Fibers

Credentials

EDUCATION

Shane received a J.D., *cum laude*, in 2000 from Loyola University Chicago School of Law and B.S., *cum laude*, in psychology from Valparaiso University in 1996.

ADMISSIONS

- Illinois
- New York

Related Insights & News

BLOG

Human Capital Disclosures after the Supreme Court's Recent Affirmative Action Decision

FEBRUARY 12, 2024

RECOGNITIONS

Winston Team Led by Michael Roche Featured in Litigator of the Week Column

MARCH 17, 2023

CLIENT ALERT

Chicago Strengthens Its Anti-Sexual Harassment Laws

JUNE 30, 2022

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Congress Passes Bipartisan Legislation Banning Forced Arbitration of Sexual Harassment and Assault Claims

MARCH 1, 2022

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OSHA Releases Emergency Temporary Standard for Private Employers

NOVEMBER 5, 2021

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Illinois Passes Landmark Restrictive Covenant Legislation

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California Supreme Court Complicates Break Premium Calculations – Base Rate of Pay Not Enough

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Occupational Safety and Health Administration Issues New Guidance for Employers Responding to the COVID-19 Pandemic

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May Employers Require COVID Vaccinations? The EEOC Speaks

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Supreme Court Holds Title VII Prohibits Discrimination Against LGBT Employees

JUNE 17, 2020

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Getting Back to Work in the COVID-19 Era: Human Resources and Employment Law Considerations for Operating in the Great Re-Awakening

MAY 18, 2020

CLIENT ALERT

Department of Labor Issues New Joint Employer Rule

FEBRUARY 4, 2020

Capabilities

Labor & Employment

Trade Secrets, Non Competes & Restrictive Covenants

ERISA Litigation

Cryptocurrencies, Digital Assets & Blockchain Technology

Financial Services

Professional Services