

Brooke C. Bahlinger

Associate

bbahlinger@foley.com

Dallas

214.999.4031



Brooke Bahlinger is a skilled litigator who helps companies defend employment claims and protect their trade secrets and confidential information.

Brooke represents clients in all aspects of labor and employment matters, including pleadings and motion practice, discovery, mediation, settlement, trial and appeal. Brooke also has experience litigating and presenting complex matters to government agencies, including the EEOC, DOL and NLRB. Brooke also advises clients in mergers and acquisition matters.

Brooke has successfully defended companies against claims exceeding US\$5 million. She maintains an active trial docket while also providing necessary business counseling.

Representative Experience

Discrimination, Harassment, and Retaliation

- Represented numerous companies in many instances of litigation and EEOC charges filed by former employees alleging race, disability, FMLA, age, religion, sex and national origin discrimination, harassment and retaliation.

Workers' Compensation

- Successfully defended a non-subscriber company in a 5-day jury trial against claims for negligence, loss of consortium and loss of household services.
 - Conducted direct examination of several company witnesses
 - Conducted cross examination of one plaintiff

Constitutional Claims

- Prevailed on summary judgment in the defense of five constitutional law claims for healthcare provider.

Unfair Competition/Trade Secrets/Restrictive Covenants

- Prosecuted and defended several temporary restraining order or temporary injunction proceedings, primarily focusing on trade secret misappropriation.

Strategic Consultations

- Conducted many confidential company investigations reporting directly to the C-suite, with matters including harassment, discrimination, and retaliation.
- Advised clients regarding new laws affecting their workplaces.
- Drafted several employment agreements and handbooks.

Awards and Recognition

- Foley Receives 29 National Tier 1 Practice-Area Rankings in 2023 U.S. News – Best Lawyers ‘Best Law Firms’ List
 - National Tier 1
 - Employment Law – Management
 - Litigation – Labor & Employment
 - Metropolitan Tier I (Dallas/Fort Worth)
 - Employment Law – Management
 - Litigation – Labor & Employment

Affiliations

- Dallas Association of Young Lawyers, 2020 Leadership Class
- Dallas Women Lawyers Association, Mentoring Circles
- STEER Mentoring Program
- Women’s Mentoring Circles Committee Member

Community Involvement

- Dallas Volunteer Attorney Program
- DAYL Leadership Class “Dallas Eviction Assistance and Resources” Project (2020-2021)

Presentations and Publications

- Strafford Webinar, “Healthcare Workers and Vaccine Mandates: Navigating the Evolving Landscape, Implementing and Enforcing Compliance” (March 8, 2022)
- “Vaccine Mandate Roundtable for Health Care Providers: A Discussion on Open Compliance Issues Related to OSHA and CMS Vaccine and Testing Mandates,” (November 22, 2021)
- Co-author, “How Employers Can Navigate NLRB’s Pro-Employee Shift,” *Law360* (October 18, 2023)
- Co-Author, “[California Pay Transparency Bill Awaits Governor’s Signature](#),” Labor and Employment Law Perspectives (September 6, 2022)
- Author, “[Virtual Form I-9 Document Examination: Here to Stay?](#),” Foley Dashboard Insights (August 29, 2022)

- Co-Author, “No Lag: Ensuring Labor and Employment Compliance in the Esports Industry,” *Texas Lawyer* (August, 2022)
- Co-Author, “[Key Takeaways from AmericaMakes: 2022 RAPDI + TCT Additive Manufacturing \(3D Printing\) Conference](#),” *Dashboard Insights* (May 27, 2022)
- Co-Author, “[Mediation Preparation Fundamentals](#),” *Lexis Practical Guidance* (April 20, 2022)
- Co-Author, “[No Lag: Ensuring Compliance with Labor and Employment Law in the Esports Industry](#),” *Labor and Employment Law Perspectives* (May 2, 2022)
- Author, “[A Spin on Things: Pending Legislation Seeks to Render Restrictive Covenants Unenforceable if an Employer Takes Action under Mandatory Vaccine Policy](#),” *Coronavirus Resource Center and Labor and Employment Law Perspectives* (November 29, 2021)
- Co-Author, “[OSHA’s Emergency Temporary Standard: A Step-By-Step Guide](#),” *Coronavirus Resource Center and Labor and Employment Law Perspectives* (November 8, 2021).
- Co-Author, “[OSHA Emergency Temporary Standard: It’s Out!](#),” *Coronavirus Resource Center: Back to Business, Labor and Employment Law Perspectives* (November 4, 2021)
- Author, “[Examining the Current State of Vaccine Mandates](#),” *ERE Media* (November 1, 2021)
- Author, “[New California Law Requires Certain Employers to Offer Jobs to Previously Laid-Off Employees](#),” *Foley’s Labor and Employment Law Perspectives* (May 10, 2021)
- Co-Author, “[Florida Enacts Covid-19 Business Liability Shield](#),” *Foley’s Labor & Employment Law Perspectives* (March 30, 2021)
- Co-Author, “DOL Finalizes New Rule on Independent Contractor Classification,” *Foley’s Labor & Employment Law Perspectives* (January 6, 2021)
- Co-Author, “A Shield for Employers: State COVID-19 Indemnity Laws,” *Foley’s Coronavirus Resource Center: Back to Business* (November 30, 2020)
- Author, “CROWN Acts Prohibit Discrimination Based on Natural Hairstyles,” *Foley’s Employment Law Update*, (July 13, 2020)
- Co-Author, “A Shield for Employers: State COVID-19 Indemnity Laws,” *Foley’s Coronavirus Resource Center: Back to Business* (June 22, 2020)
- Author, “Is Twitter Trending? The Company Decides on Permanent Remote Work,” *Foley’s Labor & Employment Law Perspectives* (May 18, 2020)
- Co-Author, “The Unemployment Benefit as Defined by the CARES Act,” *Foley’s Coronavirus Resource Center* (April 7, 2020)
- Author, “Overcoming the Surge: How *Clark v. City of Seattle* Highlights the Conflicts Between Federal, State, and Local Labor Laws,” *Louisiana Law Review*, 79 La. L. Rev. (2019)

Sectors

- [Cloud Computing Infrastructure & Solutions](#)
- [Innovative Technology](#)
- [Manufacturing](#)
- [Racial Justice & Equity](#)
- [Supply Chain](#)

Practice Areas

- [Labor & Employment](#)
- [Litigation](#)

Education

- Paul M. Hebert Law Center, Louisiana State University (J.D. magna cum laude)
 - Executive Senior Editor, *Louisiana Law Review*
 - Junior Associate, *Louisiana Law Review*
 - Tullis Internal Moot Court Competition
 - ABA External Client Counseling Competition
 - Paul M. Hebert Scholar
 - Chancellor's Scholar
- Centenary College of Louisiana (B.A, summa cum laude)
 - History and Political Science
 - Dean's List
 - Zeta Tau Alpha
 - Alpha Chi Honor Society
 - Phi Alpha Theta Honor Society
 - Recipient, Weems, Schimpf, Gilsoul, Haines, Landry & Carmouche Pre-Law Award
 - Recipient, Centenary College of Louisiana Political Science Excellence Award
 - Recipient, Centenary College of Louisiana Historical Research Award

Admissions

- Texas
- United States District Court – Northern District of Texas
- United States District Court – Southern District of Texas
- United States District Court – Western District of Texas
- United States District Court – Eastern District of Texas