



# Michael Murphy

*Partner*

*Albany*

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## Education

- Albany Law School, JD
- State University of New York at Oswego, BA

## Practices & Industries

- Commercial Litigation
- Health Care Controversies
- Labor & Employment
- Torts & Products Liability Defense
- Transportation

## Admitted to Practice

- New York

## Court Admissions

- US Court of Appeals for the Second Circuit
- US District Court for the Eastern District of New York
- US District Court for the Northern District of Illinois
- US District Court for the Northern District of New York
- US District Court for the Southern District of New York
- US District Court for the Western District of New York
- US Supreme Court

## Biography

Michael handles complex litigation with an emphasis on labor and employment, municipal, and civil rights and constitutional law. He has an exceptional record of accomplishment in litigation throughout New York State and maintains an active trial practice in state and federal courts and before the Equal Employment Opportunity Commission and NYS Division of Human Rights.

Michael's clients are local and national leaders in business, government, and community organizations. He frequently represents clients in sensitive, high-profile litigation and investigations.

## Bar Associations

- Federal Court Bar Association, Northern District of New York, Founding Member, Past President, Nominations Committee Member, Past Rules Committee Member
- New York State Bar Association
- Albany County Bar Association

## Selected Memberships & Affiliations

- American College of Trial Lawyers, Fellow
- ALFA International, Labor & Employment Practice Group Steering Committee Member and Board of Directors Chair Emeritus
- Defense Research Institute
- Merit Selection Panels for Appointments of US District Court Magistrate Judges, Chair and Member

## Representative Experience

- Procured a landmark qualified immunity decision from the US Court of Appeals for the Second Circuit, with the decision protecting the interests of law enforcement.
- Represented the interests of a statewide not-for-profit in an enforcement action brought by the Charities Bureau of the New York State Attorney General.
- Represented a municipal authority in a multi-plaintiff civil rights action that involved an investigation by the federal agency with regulatory jurisdiction over the authority.
- Represented a multi-state health care provider in dual actions in US District Court and before the American Arbitration Association.
- Tried multiple civil rights actions on behalf of a city police department and represented the department in Department of Justice investigation into events giving rise to the lawsuits.
- Represented an employer in a fully litigated preliminary injunction hearing alleging theft of trade secrets.
- Represented the defendants in a claim brought by a former employee alleging that his former employer and the president of the board of directors terminated him in retaliation for reporting alleged violations of the employer's policies. The jury unanimously concluded that the defendants did not retaliate against the plaintiff.

## Prior Experience

- Carter Conboy, Managing Director and Shareholder
- Ainsworth, Sullivan, Tracy, Knauf, Warner & Ruslander, PC, Partner

## Selected Community Activities

- Trinity Alliance of the Capital Region, Leadership Volunteer and Outside Counsel

## Selected Honors

- *The Best Lawyers in America*®: Albany "Lawyer of the Year": Litigation – Labor and Employment, 2020; Civil Rights Law, 2020–2024; Litigation – Labor and Employment, 2019–2024
- Selected to *Super Lawyers* Upstate New York: Employment Litigation: Defense, 2008–2023
- Martindale-Hubbell AV Preeminent Peer Review Rated for Very High to Preeminent Ethical Standards and Legal Ability, 2008–2019
- *Fortune Magazine*, *American Lawyer*, *Corporate Counsel*, and *National Law Journal*, Top Labor & Employment Lawyer, 2012–2014

## Selected Speaking Engagements

- ALFA International Labor & Employment Practice Group Seminar, "Arbitration: Thumbs Up or Thumbs Down?"
- New York State Bar Association, "Introductory Lessons in Ethics and Civility"
- ALFA International Labor & Employment Practice Group Seminar, "A Good Offense Is the Best Offense"
- ALFA International Seminar, "Corporate Yin-Yang? Yes, Small Steps Can Leave Big Footprints! Making Corporate Social Responsibility a Reality"
- New York State Funeral Directors Association, "Joint Employment and Independent Contractors in 2016 and Beyond: Who's the Boss?"

## Selected Media

- *USLAW Magazine*, "Preserving Your Company's Confidential Business Information in the Age of Working Remotely and Cybersecurity Threats"
- USLAW NETWORK Short Takes, "Emotional Wellness: Learn the Signs of Emotional Wellness and How to Overcome Stresses That Can Block Your Path to Success"

## Selected Alerts & Blog Posts

- NYS Governor Hochul's COVID-19 Designation Triggers Need for HERO Act Exposure Prevention Plan Implementation
- The Impact of New York's HERO Act on Employers
- What Employers Can Expect Under the Biden Administration: Diversity Training
- President's Executive Order on Diversity Training: Impact on Colleges and Universities
- Department of Labor Issues Guidance on President's Executive Order on Diversity Training

## Selected Podcasts

- *Barclay Damon Live: Labor & Employment Podcast*—"Best Practices for Handling Discrimination Lawsuits in State Court, Part 2," With Michael Murphy
- *Barclay Damon Live: Labor & Employment Podcast*—"Best Practices for Handling Discrimination Lawsuits in State Court," With Michael Murphy