

# David E. Gottlieb

---

David E. Gottlieb is a Partner at Wigdor LLP. Mr. Gottlieb is a leading employment rights attorney and a zealous advocate for employees who have been subjected to harassment, discrimination, retaliation wage and hour violations and other forms of unlawful workplace misconduct. Mr. Gottlieb has successfully represented thousands of plaintiffs in individual, multi-plaintiff, collective and class action litigation before a wide array of federal and state trial and appellate courts, administrative agencies, and arbitral forums.

## Publicity

Mr. Gottlieb has handled numerous high-profile matters that have garnered national media attention. Mr. Gottlieb and his cases have been featured on CNN, FOX, NBC, ABC, CBS, CNBC, Cheddar TV, National Public Radio, 1010 WINS, *The New York Times*, *The Wall Street Journal*, *The Washington Post*, *USA Today*, *Yahoo News*, *Financial Times*, *Forbes*, *Fortune Magazine*, *Fast Company*, *Bloomberg*, *Reuters*, *Business Insider*, *The Guardian*, *The Daily Beast*, *HuffPost*, *New York Law Journal*, *New York Daily News*, *New York Post*, *New York Business Journal*, *Newsweek*, *Gothamist*, *Institutional Investor*, *Business Insurance*, *MarketWatch*, *Law360*, *Adweek*, *Above the Law*, *Vox*, *People Magazine*, *The Hollywood Reporter*, and *TMZ* and many others.

Among his notable cases, Mr. Gottlieb currently represents five award-winning anchorwomen at NY1 in a high-profile age and gender discrimination lawsuit against Charter Communications that cast a light on the unlawful double standards to which women are subjected in broadcast media. The lawsuit prompted the New York City Council to introduce a historic legislative package aimed at studying and preventing age discrimination in the workplace. Mr. Gottlieb also represents a group of consumers in a putative class action alleging New York Sports Clubs unlawfully charged its customers' credit cards for monthly membership fees while its gyms were closed due to the COVID-19 pandemic.

## Experience and Types of Cases

Mr. Gottlieb's cases have touched virtually every professional industry including: banking, finance, hospitality, retail, advertising, manufacturing, transportation, fashion, education, government, communications, architecture, sports and media.

## **Sexual Harassment**

- Represented multiple victims of sexual harassment and assault by university professors;
- Represented multiple victims of sexual harassment against international law firms;
- Represented victim of sexual misconduct against major fashion retailer and its former creative director;

- Represented female sexual assault and harassment victim at large retailer which resulted in a judgment in her favor;
- Represented female sexual harassment victim at large international media publication;
- Represented victim of sexual assault by well-known journalist;
- Represented female sexual assault and harassment victim at large food manufacturer who was terminated following her complaints of misconduct;
- Representation of five plaintiffs in connection with high-profile gender discrimination and disparate impact matter against major worldwide financial services firm;
- Represented numerous female executives, managing directors, directors, vice presidents and analysts at numerous banks throughout the world with claims of sexual harassment, hostile work environment, glass-ceilings, failure-to-promote and unlawful termination;
- Represented transgender woman in sexual harassment, discrimination and retaliation claims against one of the country's largest retailers;

### **Discrimination and Retaliation Cases**

- Represented five award-winning anchorwomen at NY1 in an age and gender discrimination lawsuit against Charter Communications;
- Represented numerous victims of discrimination on the basis of gender, pregnancy, race, national origin, disability and/or sexual orientation and retaliation against global financial services firms;
- Represented numerous store detectives in a class action lawsuit against pharmacy giant CVS alleging that they were directed to engage in racial profiling and discrimination against customers in New York;
- Represented numerous executive assistants to male financial professionals alleging a wide range of sexual misconduct and harassment, followed by retaliation;
- Represented several employees with claims against major coffee retailer, ranging from disability discrimination to sexual harassment and retaliation;
- Represented a former editor in a lawsuit alleging racial discrimination against major media publication;
- Represented domestic workers for high-worth families alleging discrimination and retaliation;
- Represented multiple former employees of a New York medical facility alleging sexual harassment, disability discrimination and retaliation;
- Represented an executive of a New York manufacturing company in a lawsuit alleging racial discrimination, gender discrimination, and retaliation against the company's President and CEO;
- Represented multiple employees in pregnancy discrimination, sexual harassment and retaliation lawsuits against Tribeca-based architecture firm Despont Studios.

## **Wage and Hour Class Action Lawsuits**

Mr. Gottlieb also has extensive experience representing employees in class actions alleging unlawful wage practices. In particular, he has successfully litigated wage and hour class actions against numerous restaurant and hospitality industry employers.

- Lead counsel in a class action alleging federal and state wage and hour violations against Domino's Pizza franchises across New York and Connecticut;
- Lead counsel in a class action on behalf of home loan officers in a lawsuit alleging wage and hour violations against one of the largest banks in the world;
- Represented numerous taxi and limousine drivers in both class action and individual wage and hour actions;
- Lead counsel in a class action alleging wage and hour violations against renowned restaurant Tao;
- Lead counsel in a class action alleging wage and hour violations against New York City nightclub Lavo;
- Lead counsel in a class action alleging wage and hour violations on behalf of the service staff at upscale Chinese restaurant Phillippe;
- Lead counsel in a class action alleging federal and state wage and hour violations against Michelin-starred chef David Bouley and his signature restaurant, Bouley;
- Lead counsel in a class action alleging federal and state wage and hour violations on behalf of service employees at iconic Theatre-district restaurant Café Un Deux Trois;
- Lead counsel in a class action against Real Housewife-owned restaurant Angelo's of Mulberry Street;
- Lead counsel in a class action against New York City hotspot 230 Fifth alleging numerous wage and hour violations;
- Lead counsel in a class action against the De Seversky Mansion at the New York Institute of Technology, alleging improper collection of tips;
- Lead counsel in class action against New York City landmark P.J. Clarke's alleging violations of wage and hour laws.

## **Notable Outcomes**

The following are samples of Mr. Gottlieb's notable results:

- Represented a class of home loan officers who alleged failure to pay overtime and other wage violations, which was resolved for over \$4,500,000;
- Represented a class of limousine drivers who alleged misclassification as independent contractors, unlawful tip retention and numerous other wage violations, which was resolved for \$3,500,000;
- Represented a woman who was sexually assaulted by her supervisor leading to her constructive discharge, which resulted in a judgment of approximately \$2,000,000;
- Represented a class of service employees at the de Seversky Mansion at the New York Institute of Technology alleging unlawful tip retention, which was resolved for \$1,625,000;

- Represented a class of servers and bartenders in a class action sexual harassment and wage-and-hour dispute, which settled for an aggregate total of \$1,800,000;
- Represented a collective of employees against one of the largest architectural firms in the world, alleging an array of unlawful wage practices, resulting in payment in excess of \$1,500,000;

## **Additional and Pro Bono Representation**

Mr. Gottlieb has also acted as the pro bono general legal counsel for a prominent New York City-based LGBTQ advocacy organization.

Mr. Gottlieb previously worked for The Innocence Project, a nationally recognized organization devoted to the exoneration of wrongfully convicted inmates. Among other accomplishments, Mr. Gottlieb was involved in the matter of *Williams v. Carter*, No. 03-cv-1067 (S.D. Ind. 2003), wherein a death row inmate received an eleventh-hour stay of execution and ultimately clemency on account of exculpatory DNA evidence.

## **Awards**

Mr. Gottlieb has been recognized by Best Lawyers, a widely regarded peer review service, as a leading attorney in the area of Labor and Employment Litigation. He has also been selected to the New York Metro Super Lawyers list, a distinction that is reserved for the top 5% of attorneys in each state. Mr. Gottlieb was selected to the Super Lawyers Rising Stars list for six years in a row (2014 -2019). Mr. Gottlieb was also named to the Lawdragon Leading Plaintiffs Employment Lawyers list for 2019 and 2020.

## **Education**

Mr. Gottlieb received his Undergraduate Degree from the University of Arizona and his Juris Doctorate from the University of Miami School of Law.

## **Admitted to Practice**

Mr. Gottlieb is admitted to practice before the U.S. District Courts for the Southern and Eastern Districts of New York, as well as the Second Circuit Court of Appeals.