

K. MAXWELL BERNAS

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Max Bernas' legal practice is focused on the representation of management clients in matters related to labor and employment law.

Max provides representation and counsel to his clients in a wide range of employment matters including discrimination, accommodations, wage and hour compliance, joint-employer considerations, pay equity, and leaves of absence. He routinely represents employers in administrative actions, investigations, and litigation claims before state and federal courts, and local administrative agencies. Max regularly counsels businesses in a broad range of industries including higher education, hospitality, and retail.

Prior to joining FordHarrison, Max was an associate at a mid-sized regional business litigation firm in Washington, DC, focusing his practice on product liability, professional liability, commercial litigation, civil rights and labor and employment law. He has successfully represented clients in administrative investigations and bench trials, and negotiated numerous settlements outside of the courtroom.

While attending the George Washington University Law School, Max was a law clerk for a boutique plaintiff's employment litigation firm in Washington, DC, where he assisted with the prosecution of employment claims throughout Washington, DC, Maryland, and Virginia Courts.

Following graduation from law school, Max began his practice on the plaintiff side litigating a high volume of complex personal injury claims before transitioning to the defense side. This well-rounded experience representing plaintiffs and defendants provides Max with a unique understanding when defending civil suits and developing strategies to avoid litigation.

Earlier in his career, Max served as a Legislative Assistant in the Office of Congressman Albio Sires where he managed a legislative portfolio comprised of banking, housing, financial services, and insurance.

EDUCATION

- » George Washington University Law School (J.D., 2016)
- » George Washington University (B.A., *magna cum laude*, 2010)

BAR ADMISSIONS

- » District of Columbia
- » Maryland
- » Virginia
- » Georgia

COURT ADMISSIONS

- » U.S. Court of Appeals for the Fourth Circuit
- » U.S. District Court for the District of Columbia
- » U.S. District Court for the District of Maryland
- » U.S. District Court for the Eastern District of Virginia
- » U.S. District Court for the Northern District of Georgia

Representative Experience

- » Received no-cause finding for EEOC discrimination charges on the basis of age and race filed against a national cyber security contractor.
- » Obtained favorable settlement on behalf of national health and fitness consulting firm involving claims of failure to accommodate under the Americans with Disabilities Act and violations of the Fair Labor Standards Act.
- » Served as local counsel in class action against a private prison entity involving claims under the Fair Labor Standards Act.

Honors & Awards

- » "Ones to Watch," *Best Lawyers in America*

News & Insights

- » SourceBook - Co-Editor, FordHarrison's Labor & Employment Sourcebook, Religious Discrimination and National Origin Discrimination
- » August 17, 2023 - Fourteen Atlanta-Based FordHarrison Attorneys Listed in the 2024 Best Lawyers in America and Five Listed in Ones To Watch
- » May 19, 2022 - U.S. Supreme Court Holds that Spending Clause Antidiscrimination Statutes do not Permit Recovery of Damages for Emotional Distress
- » April 13, 2022 - Virginia Repeals Permanent COVID-19 Workplace Safety Standard
- » May 24, 2021 - Virginia Enacts New Overtime Wage Law

Events

- » August 24, 2022 - "Discrimination Cases and Emotional Distress Damages: Implication of Cummings v. Premier Rehab Keller," Strafford Publications Webinar

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