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Experience

Hunter, Maclean, Exley & Dunn, P.C.

Partner

- Personal Emphasis--Employment law

Savannah, GA
1985 to Present

United States District Court, Southern District of Georgia

Law Clerk

- The Honorable Dudley H. Bowen, Jr.

Augusta, GA
1983 to 1985

Education

University of Georgia School of Law

J.D.

- *Cum Laude*; Order of the Coif; Woodruff Scholar

Athens, GA
1983

Dartmouth College

A.B. in history with high distinction

- *Magna Cum Laude*; Phi Beta Kappa

Hanover, NH
1980

Professional and Community

- Member--Supreme Court of the United States; United States Court of Appeals, Eleventh and Fifth Circuits; Northern, Middle, and Southern Districts of Georgia; Supreme Court of Georgia; Georgia Court of Appeals
- State Bar of Georgia--Disciplinary Investigative Panel, 2006-2009; Fellow, Lawyers Foundation of Georgia; Section of Labor and Employment Law; Young Lawyers Section--Employers' Duties and Problems Committee and Executive Council, 1991-1994
- American Bar Association--Section of Labor and Employment Law; Fellow, American Bar Foundation
- Savannah Bar Association--Executive Committee, 2000-2005; President Elect, 2003-2004; President, 2004-2005
- University of Georgia School of Law Alumni Council, 2007-present
- Dartmouth Lawyers' Association
- Society for Human Resource Managers, Savannah Chapter
- Savannah Country Day School--Board of Trustees, 2003-present; Secretary, 2006-2007; Vice Chair, 2007-2009; Diversity Committee Chair, 2007-2009; Board Chair, 2009-present
- Telfair Museum--Personnel Committee, 2007-present

- Hospice Savannah--Personnel Committee, 2003-present
- Rotary, Savannah East--1998-present; Board Member, 2003-2007; Vice President, 2004-2005; President-Elect, 2005-2006; President, 2006-2007
- Chatham-Savannah Citizen Advocacy Board--1998-2001; Chair, Ways & Means, 2000-2001; Nominating Committee, 2005-present
- Dartmouth Alumni Council--2004-2007; Class of 1980 Secretary, 1985-1990; 1995-2005 (Secretary of the Year, 2004)
- Wesley Monumental United Methodist Church--Stewardship Campaign Chair, 1994-1996; Board of Trustees, 1996-1998 (Secretary--1996-1997); Finance Committee Chair, 1997-1998; Staff-Parish Committee Chair, 1999-2001; Nominating Committee, 2002-2005; Lay Leader, 2006-2008
- Savannah Drug Free Workplace Council--Chair, 1995
- Frank Callen Boys & Girls Club--Board, Chair of HR Committee, 1994-1996
- Leadership Savannah--1992-1994

SELECTED REPORTED CASES

- Caley v. Gulfstream Aero. Corp., 333 F. Supp. 2d 1367 (N.D. Ga. 2004), *aff'd*, 428 F.3d 1359 (11th Cir. 2005), *cert. denied*, 547 U.S. 1128 (2006).
- Keener v. Convergys Corp., 205 F. Supp. 2d 1374 (S.D. Ga. 2002), *question certified to Georgia Supreme Court*, 312 F.3d 1236 (11th Cir. 2002), *certified question answered*, 276 Ga. 808 (2003), *aff'd in part and rev'd in part*, 342 F.3d 1264 (11th Cir. 2003).
- Counts v. American General Life and Accident Ins. Co., 111 F.3d 105 (11th Cir. 1997).
- Brown v. Gulfstream Aerospace Corp., 85 Fair Empl. Prac. Cas. 1046 (S. D. Ga. 2001).
- Finn v. Great Dane Trailers, Inc., 67 Empl. Prac. Dec. ¶43, 772 (S.D. Ga. Oct. 6, 1995).
- EBM Group Corp. v. Gulfstream Aerospace Corp., 145 F.R.D. 8 (D.D.C. 1992).
- Savage v. Jefferson-Pilot Life Ins. Co., 1991 U.S. Dist. LEXIS 16521 (S.D. Ga. Oct. 28, 1991).
- Jones v. Westside Urban Health Center, Inc., 771 F. Supp. 359 (S.D. Ga. 1991).
- Waters v. Kemp, 845 F.2d 260 (11th Cir. 1988).
- Sayler Marine Corp. v. Dixie Metal Co., 194 Ga. App. 853 (1990).
- Richmond County Hosp. Auth. v. Richmond County, 255 Ga. 183 (1985).

COURT CASES FILED, CONCLUDED BY COURT

- Colquitt v. Fram Renewable Fuels, L.L.C.--*State Court granted defendant's motion to compel arbitration after plaintiff, former company president, filed suit for tortious interference.*
- Hobby v. Momentum Resources II, Inc.--*Superior Court granted defendant's motion for summary judgment on plaintiff's claim of disability discrimination based on Georgia law.*
- Cooksey v. South Atlantic Forest Products, Inc.--*Superior Court granted defendant's temporary restraining order to enforce employment covenants.*
- Young v JCB--*Federal district court granted motion to enforce settlement after plaintiff attempted to set settlement aside.*

- Taylor v. Memorial Health University Medical Center, Inc.--Summary judgment for the defendant on Title VII claim brought by Caucasian employee asserting that she was treated more strictly than African-American employees.
- Caley v. Gulfstream Aerospace Corp.; Jackson v. Gulfstream Aerospace Corp.--Federal district court granted defendants' motion to compel arbitration and dismissed the cases without prejudice. Eleventh Circuit affirmed, and Supreme Court denied certiorari.
- Wagner v. Murphy Oil USA--Jury verdict for the defendant in FLSA case affirming that that former store manager was properly classified for wage/hour purposes and therefore exempt from overtime.
- Matos v. Fulcrum Properties, Inc.--Summary judgment for defendant on state tort claims. Jury verdict for defendant on Title VII and § 1981 claims of racial/national origin harassment, disparate treatment, and retaliation.
- Brown v. Gulfstream Aerospace Corp.--Eleventh Circuit affirmed dismissal of case after plaintiffs had voluntarily requested dismissal to revisit administrative remedies with the EEOC, but EEOC declined to accept jurisdiction. When plaintiffs attempted to reopen case, district court agreed that Title VII race claims were barred by limitations period.
- Varady v. Ashland, Inc.--Court granted defendant's motion to dismiss because of plaintiff's failure to timely serve the complaint.
- Clabbers v. Gulfstream Aerospace Corp.--Summary judgment for defendant on equal pay and sex discrimination claims because plaintiff filed her claims beyond the applicable limitations periods. The Eleventh Circuit affirmed on appeal, and the Supreme Court denied certiorari.
- Binnie v. Gulfstream Aerospace Corp.--Superior Court affirmed decision of Georgia Department of Labor denying unemployment benefits.
- Burkett v. Vidalia Medical Associates--Summary judgment for defendant on retaliation and constructive discharge claims. Jury verdict for defendant on sexual harassment and negligent hiring and retention claims.
- Peavy v. Gulfstream Aerospace Corp.--Summary judgment for defendant in this ERISA case arising out of a denial of long term disability benefits.
- Butler v. RGIS--Summary judgment for the defendant in this ADA case where the admittedly disabled plaintiff asserted the company had not reasonably accommodated her disability with modifications to the testing requirements.
- Kepczynski v. Gulfstream Aerospace Corp.--Summary judgment for the defendant in this case asserting national origin discrimination (English).
- Conquest v. Moore Industries, Inc.--Summary judgment for the defendant in this age discrimination case in the Northern District of Georgia.

- Dorsey v. Memorial Medical Center, Inc.--Summary judgment for the defendant in this race discrimination case after the EEOC had issued a "for cause" determination. Court granted defendant's motion in limine to exclude consideration of "for cause" determination.
- Collier v. Savannah Foods & Industries, Inc.--Summary judgment for the corporate and supervisor defendants in this sexual harassment case because Plaintiff did not timely file suit within 90 days of the EEOC right to sue letter. Upon the corporate defendant's request, discovery was limited to the question of timely filing so that discovery upon the merits was not necessary.
- Moore v. Scapa Machine Paper Clothing, Inc.--Court granted transfer of venue from the Savannah Division to the Waycross Division in this Southern District of Georgia case. Plaintiff, who claimed that carpal tunnel syndrome was a disability, then voluntarily dismissed the case after the possibility of sanctions were raised.
- Shepherd v. Gulfstream Aerospace Corp.--Summary judgment for the corporate and supervisor defendants in this race discrimination case. Affirmed by the Eleventh Circuit on appeal.
- Simpson-Shuman v. Liberty Regional Medical Center--Plaintiff voluntarily dismissed this religious discrimination case after possibility of sanctions was raised.
- Bowers v. Kmart--Partial summary judgment for Defendant in this ADA case in the Northern District of Georgia.
- Hendrix v. Great Dane Trailers, Inc.--The court dismissed this race case because of Plaintiff's failure to provide discovery. Court of Appeals dismissed appeal because Plaintiff did not pursue it.
- Harris v. Intermarine USA L.P.; Weaver v. Intermarine USA L.P.--The Superior Court first disqualified Plaintiffs' counsel because of a conflict of interest. After Plaintiffs failed to obtain new counsel within the time allotted by the Court, the Court dismissed the actions for failure to prosecute.
- Beasley v. CSX Intermodal--Plaintiff sued for age discrimination although he had signed a release and been paid as part of a company-wide reduction in force. CSXI counterclaimed for breach of contract. The court granted summary judgment for CSXI on both plaintiff's claim and on CSXI's counterclaim for attorney's fees. Affirmed by the Eleventh Circuit.
- Gonsalves v. Friedman's Inc.--Plaintiffs began this sexual harassment/age discrimination/state tort case with two separate complaints for six individual plaintiffs who had worked at three separate stores and threatened a class action. When the case concluded, the Northern District of Georgia had dismissed four of the plaintiffs' claims outright and all but one minor claim each for the remaining two plaintiffs. The case settled for nuisance value.

- Counts v. American General Life and Accident Insurance Co.--*The Eleventh Circuit affirmed the district court's grant of summary judgment for the Defendant in this ERISA case involving the denial of long term disability benefits.*
- Spears v. Brasseler--*Defense jury verdict in this sex discrimination/national origin case.*
- Page v. First Bank of Coastal Georgia--*Plaintiff claimed sex discrimination and an alleged violation of the Equal Pay Act caused her psychiatric disability. Defendant counterclaimed for an overpayment of disability benefits. The Court granted Defendant's motion for summary judgment in all respects with the exception of a two week Equal Pay Act claim, where had she prevailed, Plaintiff's maximum recovery would have been \$50.00. Plaintiff paid Defendant to settle the case.*
- Brown v. CSX Transportation--*Summary judgment for Defendant in this Americans with Disabilities Act case.*
- Wilkins v. Kmart--*Summary judgment for Defendant in this race case.*
- Wilkerson v. Kmart--*Summary judgment for Defendant in this race case.*
- Scott v. Planters Inn--*Summary judgment for Defendant in this race case. Case turned on the number of employees on the employer's payroll.*
- Finn v. Great Dane Trailers, Inc.--*Summary judgment for Defendant in this age and reverse discrimination case.*
- Sheppard v. Evergreen--*Dismissal with prejudice in favor of the Defendant in this race case.*