

# TACITA A. MIKEL SCOTT

## PARTNER



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### PRACTICE AREAS

- Commercial Litigation
- Employment Counseling and Training
- Employment Litigation
- Restrictive Covenants Litigation
- Trade Secrets Litigation
- Products Liability and Mass Tort Litigation
- Trial, Insurance Defense and Coverage

### ADMISSIONS

- Georgia
- New York

Tacita A. Mikel Scott is a Partner in the Firm's Atlanta office with over 18 years trial experience. She is a member of the litigation and employment practice groups. Tacita's expansive litigation practice focuses on all aspects of business litigation, including claims involving breach of contract, business torts, creditors' rights, general liability, and vendor disputes.

As part of her employment practice, Tacita assists management and executives throughout the United States in all areas of employment law, including such issues as, (i) Harassment and discrimination claims; (ii) Overtime and other wage and hour claims (including collective actions); (iii) Family and Medical Leave Act claims; (iv) Restrictive covenant and trade secrets claims; (v) Whistleblower claims (vi) ERISA claims (including union withdrawal assessments); and (vii) contract drafting/negotiations. Tacita also routinely advises employers on the avoidance of employee related problems and finding creative solutions to workplace issues. She often trains, and speaks to, management, lawyers, and human resources professionals on employment issues.

Tacita has litigated a wide array of cases in Federal and State courts, governmental agencies and arbitration tribunals for companies, municipalities and government agencies of all sizes and has extensive experience negotiating complex settlements. As both a pragmatic counselor and a skilled advocate, Tacita is well equipped to temper the urge to litigate with the need to negotiate, which enables her to support the process that best fits her clients' goals.

In addition to graduating Leadership Atlanta, the National Diversity Council has recognized Tacita as one of the most influential women in Georgia, and Atlanta Woman magazine named Tacita one of "Atlanta's 25 Power Women to Watch." She has also been repeatedly recognized by Atlanta Magazine as a Georgia Super Lawyers Rising Star, tanking her in the top 2.5 percent in the state, and is frequently included in Who's Who in Black Atlanta, a publication that celebrates black achievement. Tacita is also a recipient of The Black Gents of Hollywood's Excellence Award, and the Mothers Against Drunk Driving's Community Champion Award.

### REPRESENTATIVE MATTERS

Over 18 years business and employment litigation experience handling all facets of the litigation process from initial pleadings to trial to appellate motions.

Business litigation representative matters include:

- Successfully represented and defended municipality in terminating \$100 million vendor contract
- Jury verdict in employment-related trade secrets case
- Obtained dismissal of trade secret suit brought by competitor between granting of TRO and preliminary injunction hearing through aggressive accelerated discovery and persuasive motion practice
- Represented self-insured employer in dispute with insurance company over payment of third party claims; obtained highly favorable settlement of entire claim amount plus attorneys' fees
- Defended Fortune 50 company in multi-million dollar dispute with customer; obtained highly favorable settlement that included a new contract with customer of greater

value through creative negotiations

#### Employment law/litigation representative matters include:

- Defended high-profile educational institution in race discrimination, FLSA, and breach of contract action; obtained highly favorable settlement with payment of de minimis amount through aggressive discovery
- Defended corporation in wage and hour collective action; obtained highly favorable settlement with payment of de minimis amount through offensive discovery tactics
- Defended a corporation and individual in restrictive covenants litigation (customer non-solicitation, employee non-solicitation); obtained highly favorable settlement with payment of de minimis amount through aggressive discovery and creative negotiations
- Obtained voluntary dismissal of race claim through aggressive discovery and savvy motion practices
- Sexual harassment training of over 2500 employees for single employer
- Human resources outpost to proactively avoid disputes, conduct audits, and resolve lawsuits

#### PROFESSIONAL HONORS, AWARDS AND ACTIVITIES

- Board of Directors (Emeritus Council), Goodwill Industries of North Georgia; Member, 2018 Strategic Planning Committee; Former Chair, Legal Committee; Former Member, Executive Committee and 2014 Strategic Planning Committee
- Board of Trustees, The Lawyers Committee for Civil Rights Under Law
- Board of Directors, The Georgia Diversity Council; Chairperson of Board
- Adjunct Professor, Kingdom Business University
- Board of Advisors, Destiny University
- Board of Governors, American Institute for Managing Diversity (25th Anniversary Committee)

#### PUBLICATIONS

- *Tax Law Considerations*, Legal Eagle Column in Creflo Dollar Ministerial Association ("CDMA") Magazine, THE MAX, multi-part bi-monthly series from February 2012 through October 2012
- *Best Practices for Managing Tort Liability Risks*, Legal Eagle Column in CDMA Magazine, THE MAX, multi-part bi-monthly series from April 2011 through December 2011
- *Leased Employees and Other Contingent Workers: Panacea or Pandora's Box?* The John Liner Review 22, No. 4 (Winter 2009): 62
- *Supporting Our Troops in the Workplace: An Introduction to the Uniformed Services Employment and Reemployment Rights Act of 1994*, The John Liner Review 20, No. 2 (Summer 2006): 23
- *Till Termination Do Us Part: A Primer on Effectively Managing Today's Work force*, The John Liner Review 17, No. 2 (Summer 2003): 43 Court of Appeal

#### SPEECHES

- Repositioning for Excellence and Compliance (Solutions TV, Atlanta, GA, December 2011)
- Repositioning for Transformation (Solutions TV, Atlanta, GA, December 2011)

- Importance of Education (Young Women Leadership Program Kick-Off Symposium, Atlanta, GA, (October 2011)
- Leadership Lessons for Women of Color (Georgia Diversity Council Women in Leadership Symposium, Atlanta, GA, September 2011)
- What is a Personal Brand and Why Is It Important to Have? (Georgia Diversity Council Women in Leadership Symposium, Atlanta, GA, September 2011)
- Overcoming Workforce Barriers (Georgia Diversity Council's Multicultural Roundtable, Atlanta, GA, May, 2011)
- Employment Law Considerations (National Bar Association's Religion Law Conference, Atlanta, GA, April 2011)
- Networking Strategies (National Diversity Council's Women in Leadership Symposium, Atlanta, GA, September 2010)
- Employment Law Considerations, Tax Law Considerations, Corporate Formation Considerations, Constitutional Law Considerations, and Employment Law Considerations (CDMA's Ministers and Leaders Conference, Atlanta, GA, March, 2010)
- FLSA Basics (National Bar Association's Employment Law Conference, Atlanta, GA, March 2010)
- Avoiding and/or Resolving Potential FLSA Collective Actions (National Bar Association's Employment Law Conference, Atlanta, GA, March 2010)
- Perspectives on Post-Certification Discovery in FLSA Actions (National Bar Association's Employment Law Conference, Atlanta, GA, March 2010)
- Employment Law Overview (Atlanta, GA, November 2009)
- Establishing Credibility in the Workplace (National Diversity Council Women in Leadership Symposium, Atlanta, GA, November 2009)
- Marketing Strategies for All Levels (National Bar Association Annual Convention, San Diego, CA, August 2009)
- Representing Religious Institutions: A Snapshot of Legal Considerations (Institute of Continuing Legal Education in Georgia 6th Annual Nonprofit Law Seminar, Atlanta, GA, April 2009)
- Real and Perceived Barriers to Leadership (National Diversity Council Women in Leadership Symposium, Atlanta, GA, November 2008) Leased Employees and Other Contingent Workers: Panacea or Pandora's Box? (National Employment Law Council Annual Conference, Atlanta, GA, May 2008)
- 2007 Labor & Employment Law Update: Wage and Hour Overview (National Bar Association's Annual Convention, Atlanta, GA, July 2007)
- The OFCCP's Internet Applicant Rule: An Administrative Nightmare or Sweet Dream? (National Bar Association Commercial Law Section's 19th Annual Corporate Counsel Conference, Birmingham, AL February 2006)
- A Primer on the Uniformed Services Employment and Reemployment Rights Act of 1994, as Amended (National Bar Association Commercial Law Section's 19th Annual Corporate Counsel Conference, Birmingham, AL, February 2006)
- FLSA Compliance Audits (Minority Corporate Counsel Association's 4th Annual CLE Expo, Chicago, IL, February 2005)
- Minimum Wage Requirements: Wage and Hour Law Update in Georgia (Lorman Education Services, Atlanta, GA, March 2004)
- Overtime Requirements: Wage and Hour Law Update in Georgia (Lorman Education

Services, Atlanta, GA, March 2004)

- Hours Worked Under FLSA: Wage and Hour Law Update in Georgia (Lorman Education Services, Atlanta, GA, March 2004)
- Employers Should Be Prepared for Emergencies, Including Terrorist Attacks (Atlanta, GA, July 2003)
- Basic Principles of Employment Law/Discrimination Issues (Selected Topics in Structuring and Operating a Business in Georgia, Atlanta, GA, May 2003)

## **EDUCATION**

- J.D, Vanderbilt University (1994)
- B.A., magna cum laude, Spelman College (1991)