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Scott is a partner in Kaufman & Canoles Labor & Employment Practice Group. His practice focuses on employment and non-competition issues. He also regularly advised clients on labor and employment issues in corporate mergers and acquisitions.

practice areas

- Labor & Employment
- Mergers, Acquisitions and Strategic Alliances

representative matters

- *Adams v. City of Norfolk*, 274 F.3d 148 (4th Cir. 2001) (affirming summary judgment in favor of City of Norfolk on applicability of 29 U.S.C. §207(k) exemption for cross-trained Firefighter/EMTs)
- *Bell-Holcombe v. Ki, LLC*, 582 F.Supp.2d 761 (E.D. Va. 2008) (12)(b)(6) motion to dismiss Equal Pay Act retaliation claim granted)
- *Cantol, Inc. v. McDaniel*, 2006 U.S. Dist. LEXIS 24648 (E.D. Va. April 28, 2006) (12)(b)(6) motion to dismiss claim to enforce post-employment restrictive covenant granted)
- *City of Virginia Beach v. Hay*, 258 Va. 217 (1999) (upholding City Attorney's authority to dismiss assistant city attorney from employment without a grievance procedure remedy)
- *Creech v. Nguyen*, 1998 U.S.App., LEXIS 26819 (4th Cir. August 7, 1998) (reinstating jury verdict in favor of inmate on inadequate medical care claim)
- *Davis v. Old Dominion Tobacco Co.*, 2010 U.S. Dist. LEXIS 136292 (E.D. Va. December 10, 2010) (Granting summary judgment in favor of defendant on claims under ERISA, ADA, ADEA and rejecting arguments that severance agreement containing a release of claims was procured through fraud or undue influence)
- *Drexler v. Inland Mgmt. Corp.*, 509 F.Supp.2d 560 (E.D. Va. 2007) (permitting removal of case even though various proceedings concerning a lis pendens had already taken place in state court)
- *Fuqua v. Tarmac of Am., Inc.*, 228 F.Supp.2d 755 (E.D. Va. 2002) (summary judgment in favor of employer on claim that a SERP required certain payments upon a change in control)
- *James v. City of Chesapeake*, 424 F.Supp.2d 852 (E.D. Va. 2005) (summary judgment in favor of City on police officer's claim of discrimination in promotion denial)
- *Nusbaum v. Terrangi*, 210 F.Supp.2d 784 (E.D. Va. 2002) (summary judgment in favor of inmate on First Amendment "Establishment Clause" claim)
- *Pollard v. GPM Invs., LLC*, 2011 U.S. Dist. LEXIS 24199 (E.D. Va. March 10, 2011) (granting summary judgment in favor of defendant on FLSA collective claims by convenience store manager and deli managers that they were not properly classified as exempt executives under the FLSA)
- *Rosen v. City of Va. Beach*, 68 Fed. Appx. 384 (4th Cir. May 30, 2003) (affirming summary judgment in favor of City Manager and Police Chief in slander and Due Process case)

representative matters (continued)

- *Speight v. Albano Cleaners, Inc.*, 21 F.Supp.2d 560 (E.D. Va. 1998) (summary judgment in favor of employer in race discrimination case based on Faragher/Ellerth affirmative defense)
- *Tyndall v. Dynaric, Inc.*, 997 F.Supp. 721 (E.D. Va. 1998) (summary judgment in favor of employer on Title VII unequal pay/promotion denial race discrimination claim)
- *Wise v. City of Norfolk*, 2000 U.S. App. LEXIS 33334 (4th Cir. May 30, 2000) (affirming summary judgment in favor of City on decision to classify Lieutenants and Captains as exempt executives under FLSA)

recognition and honors

- Best Lawyers in America, 2006–2012
- Virginia's Legal Elite; *Virginia Business Magazine*, 2004–2005, 2008–2011
- Virginia Super Lawyers; *Law & Politics*, 2006–2011
- Virginia Super Lawyers, Corporate Counsel Edition; *Law & Politics*, 2009–2010
- Leadership Hampton Roads, Class of 2002
- AV® Rated; Martindale-Hubbell
- Law Clerk; The Honorable Walter E. Hoffman, Senior United States District Judge, U.S. District Court for the Eastern District of Virginia, Norfolk Division, August 1991–May 1992
- Law Clerk; The Honorable Henry Coke Morgan, Jr., United States District Judge, U.S. District Court for the Eastern District of Virginia, Norfolk Division, May 1992 –August 1992
- Second Place; 1987 Society for the Advancement of Management National Case Competition
- Leadership Development Program (Center for Creative Leadership and Eckerd College)
- University of Pittsburgh Law Review; *Order of the Coif*

associations

- Labor & Employment
- Virginia State Bar
- Virginia Bar Association
- Norfolk-Portsmouth Bar Association
- Federal Bar Association, Tidewater Chapter; Past President
- Virginia Beach Bar Association
- Downtown Republican Club; Board of Directors
- Community Alternatives, Inc., Virginia Beach, VA; President, Board of Directors
- United States Court of Appeals, Fourth Circuit, Judicial Conference; Permanent Member
- Historical Society of the United States District Court for the Eastern District of Virginia; Board of Directors

admissions

- Pennsylvania, 1991
- Virginia, 1994

education

- Eckerd College; B.A., *High Honors*, 1988
- University of Pittsburgh School of Law; J.D., *cum laude*, 1991

press and publication

- 40 K&C Attorneys Named “Best Lawyers in America” 2012
- 53 Kaufman & Canoles Attorneys Named Virginia Business Magazine’s Legal Elite 2011
- 36 K&C Attorneys Named as Super Lawyers 2011 and 14 Named as Rising Stars 2011
- HR Answers: Facebook Firing
- 39 Kaufman & Canoles Attorneys Named Virginia Business Magazine’s “Legal Elite” 2010
- 4 Kaufman & Canoles Labor & Employment Attorneys Named in Corporate Counsel Edition of Super Lawyers 2010
- 36 K&C Attorneys Named to Best Lawyers in America 2011
- 31 K&C Attorneys Named as Super Lawyers & 11 Named as Rising Stars 2010
- 39 K&C Attorneys Named *Virginia Business Magazine’s* Legal Elite 2009

press and publication (continued)

- 4 Kaufman & Canoles Attorneys Named in Corporate Counsel Edition of Super Lawyers 2009
- 35 Kaufman & Canoles Attorneys Named to Best Lawyers in America 2010
- 30 Attorneys Named Super Lawyers, 12 Named Rising Stars
- 36 Kaufman & Canoles Attorneys Named to Best Lawyers in America 2009
- 36 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* Legal Elite 2008
- 4 Kaufman & Canoles Attorneys Named in Corporate Counsel Edition of Super Lawyers 2008
- 28 Kaufman & Canoles Attorneys Named as Super Lawyers & 8 Named as Virginia Rising Stars 2008
- 34 Kaufman & Canoles Attorneys Named Best Lawyers in America 2008
- 30 Kaufman & Canoles Attorneys Named in Virginia Super Lawyers 2007
- 34 Kaufman & Canoles Attorneys Named to Best Lawyers in America 2007
- 28 Kaufman & Canoles Attorneys Named In Virginia Super Lawyers 2006
- 32 Kaufman & Canoles Attorneys Named to Best Lawyers in America
- 27 Kaufman & Canoles Attorneys Named to *Virginia Business Magazine's* Legal Elite
- 31 Kaufman & Canoles Attorneys Named to *Virginia Business Magazine's* Legal Elite