



## **Adam T. Klein**

Managing Partner

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**ADAM T. KLEIN** is Managing Partner of Outten & Golden LLP, and founded the firm's class action practice area. His practice focuses on the prosecution of [class actions](#) and impact litigation of employment discrimination and wage and hour claims. Mr. Klein currently serves as lead or co-lead plaintiffs' counsel in numerous major class action lawsuits involving discrimination claims in the financial services industry, the high tech industry, and challenges to the use of credit and criminal history records for employment decisions. At present, Mr. Klein is co-lead plaintiffs' counsel in lawsuits challenging employment practices at Goldman Sachs, Microsoft, and Sandia. Mr. Klein is lead class counsel in a now concluded lawsuit against the Census Bureau, which was filed in affiliation with a consortium of civil-rights organizations challenging the use of arrest and criminal history records as a screen for employment for 850,000 applicants. In 2016, the parties reached a landmark settlement with the federal government that requires the Census Bureau to reform its hiring practices for the 2020 decennial census as well as creating a class-member Records Assistance Project housed at the Cornell University ILR School and in coordination with the Lawyers' Committee for Civil Rights Under Law. The Census Bureau legal team led by Mr. Klein won the Public Justice 2017 Trial Lawyer of the Year Award.

Mr. Klein represents the Metropolitan Council of the New York State Conference of the NAACP in challenges to the use of criminal history records as a screen for employment. In addition, Mr. Klein serves as co-lead plaintiffs' class counsel in now settled nationwide discrimination class action lawsuits against Smith Barney (gender - *Amochaev v. Smith Barney*), Bank of America/Merrill Lynch (gender - *Calibuso v. Bank of America*), and Morgan Stanley (race - *Jaffe v. Morgan Stanley*). Each settlement provides class members with substantial monetary relief and creates systematic changes to company practices. Mr. Klein also served as co-lead plaintiffs' class counsel in a "glass ceiling" gender discrimination class action against MetLife, based on discrimination in promotions and compensation, which resulted in a settlement that created beneficial changes in the company.

Mr. Klein is a Co-Chair of the Lawyers' Committee for Civil Rights Under Law. For numerous years, Mr. Klein has been selected as one of the Lawdragon 500 leading lawyers in America as well as Best Lawyers in America, New York's Super Lawyers - Manhattan Edition, and as a member of the Hall of Fame in the Legal 500. Mr. Klein is a Fellow of the College of Labor & Employment Lawyers. Mr. Klein received his undergraduate degree from the School of Industrial and Labor Relations at Cornell University in 1987 and his law degree from Hofstra University in 1990. Mr. Klein was admitted to the New York state bar in 1991. He is also admitted to practice in the federal Second, Ninth, and Eleventh Circuits and the U.S. District Courts for the Southern, Eastern, and Western Districts of New York.

(\*Prior results do not guarantee a similar outcome.)

### **Bar Admissions & Professional Activities**

- Mr. Klein was admitted to the New York state bar in 1991. He is also admitted to practice in the federal Second, Ninth, and Eleventh Circuits and the U.S. District Courts for the Southern, Eastern, and Western Districts of New York.
- Co-Chair, Executive Committee of the Lawyers' Committee for Civil Rights Under Law
- Member, National Employment Lawyers Association (NELA) and former co-chair of its Class Action Committee, and he served on the Executive Board of NELA's New York Affiliate (NELA/NY) from 2000 to 2006.
- Served on the Executive Board of the Employee Rights Section of the American Trial Lawyers Association (now AAJ).
- Member, American Bar Association, where he served as the Plaintiffs' Co-Chair of the Committee on Technology and Federal Law Clerks Training Program, and is a member of the Committees on Equal Employment Opportunity and Employee Rights and Responsibilities of the Section of Labor and Employment Law and the Class Action and Derivative Suits Committee of the Section of Litigation.
- Past Plaintiffs' Co-Chair of the largest committee within the Labor and Employment Section - the Equal Employment Opportunity Committee.
- Fellow, American Bar Foundation
- Fellow, College of Labor and Employment Lawyers

- Member, Advisory Boards of the Labor and Employment Law Program and the Scheinman Institute on Conflict Resolution at the School of Industrial and Labor Relations for Cornell University
- Member, Advisory Board of the National Wage and Hour Clearinghouse

## **Speaking Engagements**

Mr. Klein has testified before the Equal Employment Opportunity Commission and Congress on issues relating to employment law. Mr. Klein is also a frequent lecturer and has participated in programs relating to employment law sponsored by the American Constitutional Society, the Institute for Judicial Administration, the American Bar Association, Cornell University, Georgetown University Law School, New York University Law School, the Law and Education Institute, the Practicing Law Institute, the National Employment Lawyers Association, the Bar Association of the City of New York, the Impact Fund, the American Conference Institute, and Strafford Publications.

### **2017**

- Speaker: "Impact Analysis: When To Use It & The Statistics To Support It," National Employment Lawyers Association (NELA), NELA 2017 Annual Convention, San Antonio, TX

### **2016**

- Speaker: "Deep Diving Equal Pay," American Bar Association, Section of Labor & Employment, National Conference on Equal Employment Opportunity Law, Austin, TX

### **2015**

- Faculty: "The Boundaries of the Employment Relationship: Who is an Employee? Who is the Employer?," NYU Labor & Employment Law, Institute of Judicial Administration, NYU University School of Law, Eighteenth Annual NYU Workshop on Employment Law for Federal Judges, New York, NY
- Speaker: "Judge and Magistrate Judge Class and Collective Actions — What is Viable and What is Not?," Law Education Institute, National CLE Conference, Vail, CO
- Speaker: "Class and Collective Actions — Rapid Fire Case Law Update," National CLE Conference - Labor & Employment, Vail, CO
- Speaker: "Title VII Class Certification—Issues Certification and Targeting Specific Employment Practices Post Dukes and Comcast," ABA Labor & Employment Section, National Conference on Equal Employment Opportunity Law, Miami Beach, FL

## 2014

- Speaker: "Legal issues and Safeguards Associated with Performance Evaluation Programs," BA Section of Labor and Employment Law, 8th Annual Labor and Employment Law Conference, Los Angeles, CA
- Speaker: "Challenges to Subjective Selection Systems; 'Pattern or Practice' Promotion and Pay Claims in Higher-Level Jobs," New York University, Title VII of the Civil Rights Act After 50 Years, NYU 67th Annual Conference on Labor, New York, NY
- Panelist: "Your Day in Court?: The Undermining of Access to Justice," American Constitution Society for Law and Policy (ACS) Convention, Washington, DC

## 2013

- Panelist: "Compensation and Discrimination/Equal Pay Issues in the Financial Services Sector," ELA, Third Transatlantic Conference, London, England
- Moderator: "Advanced Class Action Topics," ABA Section of Labor & Employment Law, National Conference on Equal Employment Opportunity Law, Savannah, GA
- Lecturer: "Managing Wage & Hour Risks," Practising Law Institute, New York, NY
- Panelist: "Employment Discrimination," Hofstra, Hofstra Labor & Employment Law Journal 30th Anniversary Reception and Symposium, New York, NY
- Speaker: "Gender Pay Disparity: 50 Years after the Equal Pay Act," ABA Labor & Employment Section, 7th Annual Labor and Employment Law Conference, New Orleans, LA

## 2010

- Lecturer: "Managing Wage & Hour Risks," Practising Law Institute, New York, NY

## 2009

- Speaker: "Criminal History, Bad Credit Scores, and Hiring Discrimination: Title VII and the Use of Criminal Records and Credit History as Hiring Criteria," The American Bar Association Section of Labor and Employment Law and the ABA Center for Continuing Legal Education, Teleconference
- Speaker: "Evidence Issues/Use of Experts," Center for Labor and Employment Law, Twelfth Annual NYU Workshop on Employment Law for Federal Judges, New York, NY
- Speaker: "Reacting to the Changing American Workforce and Workplace, Part I: Lifestyle Behaviors & Relationships," The 13th Annual Corporate Counsel Institute, Washington, DC
- Speaker: "Class and Collective Actions Update," National CLE Conference - Labor & Employment, Vail, CO
- Speaker: "Cross-Border Class Action Litigation," As the World Turns: Perspectives on International Labor and Employment Law, New York, NY

- Speaker: "Making the Call Whether to Settle: Assessing Damages, Settlement Structure, Administration and More," American Conference Institute, 7th National Advanced Forum on Wage Hour Claims and Class Actions, New York, NY

## **Awards & Recognition**

- 2018 Lawdragon 500 Leading Plaintiff Employment Lawyers
- Lawdragon 500 Leading Lawyers in America
- Best Lawyers 2008-2019
- Super Lawyers 2007-2018
- Hall of Fame in the Legal 500