



## **Darnley D. Stewart**

Counsel

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**DARNLEY D. STEWART** is Counsel at Outten & Golden LLP, in the New York office, after retiring as a partner in July 2018. She represents employees in litigation and negotiation in all areas of employment law, including executive and professional contracts and compensation, whistleblowing, discrimination based on disability, race, gender and pregnancy, and discrimination class actions.

Before joining the firm, Ms. Stewart was a partner at Bernstein Litowitz Berger & Grossmann LLP (1999 - 2007) and a named partner at Giskan Solotaroff Anderson & Stewart LLP (2008 - 2015). She was the first female President of the Executive Board of the New York affiliate of the National Employment Lawyers Association ("NELA/NY") and served in that capacity between 2008 and 2014. She is also the Vice-President of the Board of Workplace Fairness and serves on the Advisory Board of New York University's Center for Labor and Employment Law.

Ms. Stewart has had substantial success in the courtroom prosecuting class and individual discrimination claims. Most recently, she served as co-lead trial counsel in a case entitled *Strauch et al v. Computer Sciences Corporation* ("CSC"), a class action filed on behalf of 1000 technology support workers. On December 21, 2017, after two weeks of trial, the jury returned a verdict in favor of the plaintiffs, finding that CSC had wrongly and willfully denied the employees overtime pay. In 2011, she obtained a plaintiff's verdict at trial in two different cases. In the first, *Castro v. City of New York, et al*, Ms. Stewart was lead trial counsel in an individual retaliation case brought against the City of New York, which resulted in a plaintiff's verdict of \$400,000, including punitive damages of \$50,000 against each of the two named defendants. In *McMillan v. Millennium Broadway Hotel*, an individual race discrimination case, Ms. Stewart obtained a plaintiff's verdict of \$1.125 million, including a punitive damages award of \$1 million. To see the *New York Times* article on that result please [click here](#).

Ms. Stewart has also prosecuted class action impact cases against several large companies, including Ford Motor Company, Gerber, Coastal Corporation, First Union Bank, National Car Rental, General Motors, Nissan, Toyota, and Bank of America. In connection with her work on *Coleman, et al. v. General Motors Acceptance Corporation*, Ms. Stewart was named as a finalist for "Trial Lawyer of the Year" in 2004 by the Trial Lawyers for Public Justice. She has also been named as one of the leading 500 plaintiffs' lawyers in the country and one of America's top 1000 litigators by *Lawdragon* magazine. In addition, Ms. Stewart was selected for inclusion in several lists including: New York Super Lawyers for 2006 - 2017, one of the New York Area's Best Lawyers for 2011 - 2018, and a Best Lawyer in America for 2009-2019. Ms. Stewart was named Best Lawyers "Lawyer of the year" in 2013 and 2018 for Employment Law - Individuals.

Ms. Stewart received her B.A. from Princeton University in 1984 and her J.D. from Northeastern University School of Law in 1990. After law school, Ms. Stewart clerked for the Hon. R. Ammi Cutter and the Hon. Mel L. Greenberg on the Massachusetts Court of Appeals.

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

- Ms. Stewart is admitted to practice law only in New York.
- Member, American Bar Association
- Member, National Employment Lawyers Association ("NELA") and its New York affiliate ("NELA/NY")
- Vice-President, Workplace Fairness
- New York/Second Circuit representative for the Judicial Nominating Committee of NELA National
- Former President, NELA/NY 2008-2014
- Member, Social Media Committee for NELA/NY
- Member, Attorneys Fees Committee for NELA/NY
- Member, Advisory Board of NYU's Center for Labor and Employment Law

### **Speaking Engagements**

## **2018**

- Panelist: "Litigating Sexual Harassment Cases," NELA/NY, Spring 2018 Conference, New York, NY

## **2017**

- Speaker: "Fact or Fiction - Implicit Bias In the Workplace and Courtroom; Psychological Tests, Screening and Jury Selection," PLI Program, Psychological Issues in the Workplace 2017

## **2015**

- Speaker: "Representing LGBT Clients after Obergefell," New York State Bar Association, New York, NY
- Speaker: "Sex and Race Discrimination Updates," NYU Workshop on Employment Law for Federal Judges, New York, NY

## **2014**

- Speaker: "Gender Pay Bias Challenges Under Title VII, EPA, and President Obama's Executive Orders," NYU School of Law, NYU 67th Annual Conference on Labor, New York, NY
- Speaker: "Sex and Race Discrimination Updates," New York University School of Law, NYU Workshop on Employment Law for Federal Judges, New York, NY

## **2013**

- Speaker: "Discrimination Class Actions: United We Stand, Divided We Fall," Practising Law Institute
- Moderator: "Advanced Deposition Issues," NELA/NY, Spring Conference
- Speaker: "Review of the U.S. Supreme Court Term, Including Decisions on Arbitration and Class Action Waivers," College of Labor and Employment Lawyers, Regional Conference

## **2012**

- Speaker: "Discrimination Class Actions: Wal-Mart v. Dukes One Year Later," Practising Law Institute
- Speaker: "Moving Forward: Getting What You Want," Northeastern University, Women In the Law 2012 Conference, Boston, MA
- Moderator: "Workplace Technologies & Implications for Financial Services Industry," ABA Section of Labor and Employment Law, National Symposium on Technology In Labor and Employment Law
- Speaker: "Wal-Mart v. Dukes and the Future of Aggregate Claims," Yale University, 18th Annual Rebellious Lawyering Conference, New Haven, CT

## **2010**

- Speaker: "The Pros and Cons of Starting Your Own Firm," Northeastern University, Women In the Law Brownbag Lunch, Boston, MA

## **2008**

- Speaker: "Turning the Federal Rules on E-Discovery To Your Client's Advantage," NELA, Annual Meeting
- Speaker: "Class and Collective Actions," New York University School of Law, NYU Workshop on Employment Law for Federal Judges, New York, NY

## **2007**

- Speaker: "Using Technology In Your Practice," American Bar Association, Technology In the Workplace and Practice Committee Meeting
- Speaker: "Requests for Electronic Documents - Negotiation and Motion Practice," NELA/NY, Spring Conference, New York, NY

## **2006**

- Speaker: "Topics for Legal and Ethical Considerations In the World of the Internet," American Bar Association, Technology In the Workplace and Practice Committee Meeting

## **Awards & Recognition**

- Recognized as a Best Lawyer in America by Best Lawyers for 2009-2021
- Legal 500 United States Recommended Labor and Employment Lawyer 2019
- New York Super Lawyer 2006-2019
- New York Women Super Lawyer 2019
- Lawdragon 500 Leading Plaintiff Employment Lawyers 2018
- One of the New York Area's Best Lawyers for 2011-2018
- Best Lawyers' "Lawyer of the Year" for Employment Law-Individuals in 2013 and 2018
- One of the 500 Leading Plaintiffs' Lawyers and one of America's Top 1000 Lawyers by *Lawdragon Magazine* 2006

- Finalist, “Trial Lawyer of the Year,” 2004 from the Trial Lawyers for Public Justice