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Bradley L. Mitchell

Shareholder

bradley.mitchell@stevenslee.com

Princeton

Phone: 609.987.6680

New York

Phone: 646.254.6385

Areas of Focus

Practice

Labor and Employment
Litigation

Industry

Financial Institutions
Higher Education

Brad has extensive experience in both the state and federal courts in New Jersey and New York, where he has represented numerous clients in a wide variety of complex litigation matters. Specifically, as part of his litigation practice Brad handles commercial and business disputes, contract disputes, employment disputes, and significant real estate and probate litigation matters.

In addition to his representation of his clients in court, Brad acts as outside general counsel and counsels his clients on employment issues, policy strategies and a variety of higher education issues. Over the past 30 years, Brad has represented both major corporations and institutions of higher education in his practice, including the Princeton Theological Seminary, Institute for Advanced Study, Rutgers University, the University of Pennsylvania, MedAvante, Inc., The Bancorp Bank, Kahn Lucas Lancaster, Inc., The Francis E. Parker Memorial Home, Doane Academy, Cenlar FSB and Nationstar Mortgage LLC.

In the higher education sector, Brad counsels his clients regarding policy and compliance issues, including issues related to Title IX, Title VI, FERPA, the Clery Act, as well as all manner of student, faculty and administration issues. Brad represents his higher education clients in matters before the Office of Civil Rights. Brad also has extensive experience representing his higher education clients on issues related to fundraising, and he represented a nationally-known university in a dispute with an alumni group regarding the institution's right to control fundraising on its behalf by third-parties.

Brad's counsel to his clients includes all aspects of employment law applicable to both businesses and higher education clients, including employer relations, employment discrimination, wrongful

discharge, employment and severance agreements and preparation of employment policies, practices and handbooks, among others. He advises employers regarding issues under Title VII, ADEA, ADA, FLSA, FMLA and WARN, as well as all aspects of New Jersey state employment law.

Brad's employment practice also involves representing his clients before state and federal trial and appellate courts, as well as before the EEOC and various state and local EEO agencies. Subject matters routinely include claims for sexual harassment, wrongful termination, discrimination, violation of whistleblower laws, wage and hour violations, misappropriation of trade secrets and violations of non-competition agreements. Brad was also involved in the successful trial and appeal of a significant New Jersey Supreme Court case where the Court clarified that an individual alleging harassment should communicate their disinterest in a relationship before bringing suit to hold an institution vicariously liable for its alleged failure to control a third-party.

Finally, Brad has significant experience representing his clients in complex real estate and probate matters. This experience includes his successful representation of a higher education institution in a nationally-publicized case involving the institution's right to develop historically significant land, as well as representation of a major university hospital at a trial deciding its entitlement to funds made newly available by a century-old failed trust.

In addition to the above, Brad also has experience in the following areas of practice:

- Insurance coverage claims
- Product liability claims
- Design patent and trademark infringement litigation
- License Agreement disputes
- Aviation accident defense

Affiliations

- Association of the Bar of the City of New York
- New York Bar Association
- New Jersey Bar Association
- American Bar Association
- Maritime Law Association

Education

- Fordham University School of Law, J.D.
- Columbia University, B.A., Economics

Bar Admissions

- New Jersey
- New York

Court Admissions

- U.S. District Court for the District of New Jersey
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Western District of New York
- U.S. District Court for the Northern District of New York
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Second Circuit