

Mr. Fox represents companies and tries cases in state and federal courts throughout the United States. Mr. Fox has extensive trial experience, having spent more than 300 days in trial. Mr. Fox was also lead trial counsel in the first of the four wage-hour class actions known to have been tried in California and was lead trial counsel in what are believed to have been the two largest disability law suits in the United States. He is an across-the-board employment lawyer representing management nationwide.

His cases involve:

- wage-hour and employment discrimination class actions
- trade secret claims
- employment contract disputes

- wrongful termination
- corporate investigations
- discrimination law, often including the use of statistics in employment matters

Mr. Fox helps companies nationwide build effective human resources system. He also provides strategic advice relating to employment practices to help them minimize their legal risk.

PROFESSIONAL EXPERIENCE

Mr. Fox was the California Employment Law Expert Witness offering testimony on behalf of the Board of Directors of The Walt Disney Company in the shareholder derivative lawsuit challenging Disney's estimated \$140 million severance package paid to its former President Michael Ovitz. The Court credited Mr. Fox's testimony in a surprise ruling in favor of Disney.

Mr. Fox also successfully represented American Airlines in 997 separate lawsuits arising in Dallas challenging American's rejection of Applicants for employment based on over 70 different physical and mental impairments and disabilities. After causing two courts to dismiss these lawsuits in their entirety, the Congress subsequently amended the Rehabilitation Act of 1973 (the predecessor federal disability lawsuit to the ADA) to cure the deficiencies in the statute Mr. Fox had brought to attention of the federal Courts.

Mr. Fox also successfully represented Zilog, Inc., one of Silicon Valley's most venerable semi-conductor companies, in 31 separate lawsuits collectively seeking \$3 Billion for alleged failure to accommodate violations the Plaintiffs brought pursuant to the Americans with Disabilities Act. The Clerk of the Court described this case as the largest civil action in the history of the federal civil courts in Idaho. The case settled on the eve of trial of the first of the 31 lawsuits for a confidential amount less than Plaintiff's attorneys' fees for its 22 lawyers.

Prior to founding Fox, Wang & Morgan, Mr. Fox was a Partner at Manatt, Phelps & Phillips and at Fenwick & West, LLP and chaired its Employment and Labor Group for over a decade specializing in employment law applicable to high technology companies. Mr. Fox was also previously Executive Assistant to the Director of the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, where he was responsible for all enforcement and policy matters. Apart from drafting substantive employment discrimination regulations at OFCCP, Mr. Fox was responsible for OFCCP's contacts with the Congress, other federal agencies and The White House.

COMMUNITY INVOLVEMENT

Mr. Fox donates his time, pro bono, as General Counsel, to a battered women's shelter, Monarch Services, in Watsonville, CA. Mr. Fox also donates his time as General Counsel to Waste No Food, which has created a technology solution to helping feed the homeless in Silicon Valley.

Mr. Fox also lectures often and has published widely on a variety of employment law subjects. He is a member of the Advisory Committee to the National Employment Law Institute, and is one of 3 outside members of its Board of Directors. He is a past Chair of the Santa Clara County Bar Association Employment Law Committee. He has also served as a member of the Boards of Directors of both The Tech Museum of Innovation in San Jose, California and The York School in Monterey, California. Mr. Fox was also the "Navigator" for 2009-2010 for the Sierra Expedition of the Southwest YMCA Adventure Princesses Program.

Mr. Fox is now writing columns, "OFCCP Fox Report," about OFCCP developments for DirectEmployers Association, a non-profit employer-member only company. You may find his latest column at DirectEmployers Association.

EDUCATION

- George Washington University Law School, J.D., 1976
- While in law school, The Reporters' Committee for Freedom of the Press employed Mr. Fox as its *Editor-in-Chief* of the *Press Censorship Newsletter*, predecessor to BNA's *Media Law Reporter*.
- University of California, Riverside, B.A., Phi Beta Kappa, cum laude, 1973

MEMBERSHIPS & ACTIVITIES

- Admitted to practice in California and the District of Columbia as well as numerous federal district courts and courts of appeals across the nation.
- Vice President, Board of Directors, National Employment Law Institute
- Member, Advisory Board, National Employment Law Institute