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Tom Ullrich advises and represents employers and business owners in all areas of employment law, with an emphasis on Workplace Safety and Health, OSHA Compliance and Enforcement proceedings, labor and employment law matters including wage hour (FLSA), employee benefits (ERISA and FMLA), fair employment laws (ADA, ADEA and Title VII), Immigration law compliance, and trucking law litigation.

Tom serves as national OSHA counsel for major employers and as rapid response counsel for fleet safety incidents. He has extensive experience in handling OSHA, employment matters and truck accident cases in state and federal courts across the nation. Tom has successfully litigated cases in these areas of the law in over 25 states.

Tom is “AV” Peer Review rated by Martindale-Hubbell and has been named as one of “America’s Most Honored Law Professionals,” one of the Best Lawyers in America, and has been elected by his peers as one of Virginia’s Legal Elite as well as a Super lawyer (top 5% of Virginia’s Practicing Attorneys).

Prior to joining WAW, Tom served as law clerk to the Honorable H. Emory Widener, Jr., United States Court of Appeals for the Fourth Circuit (1987-1988).

Tom lives in Augusta County, Virginia.

#### Professional Experience

- Judicial Law Clerk - Honorable H. Emory Widener, Jr., United States Court of Appeals for the Fourth Circuit (1987-1988)
- Wharton Aldhizer & Weaver PLC (1988-present)
- Investigator – Office of the New York State Attorney General
- Workers’ Compensation Investigator - New York State

#### Licensure & Admissions to Practice

- Maryland State Bar (1988)
- New York State Bar (1988)
- Virginia State Bar (1988)
- West Virginia State Bar (2003)

- Pennsylvania State Bar (2004)
- United States Court of Appeals for the Second Circuit (2011)
- United States Court of Appeals for the Fourth Circuit (1988)
- United States District Court for the District of Maryland (2014)
- United States District Court for the Southern District of New York (1995)
- United States District Court for the Western District of New York (2001)
- United States District Court for the Eastern District of Pennsylvania (2004)
- United States District Court for the Middle District of Pennsylvania (2005)
- United States District Court for the Western District of Pennsylvania (2010)
- United States District Court for the Eastern District of Virginia (1989)
- United States District Court for the Western District of Virginia (1989)
- United States District Court for the Southern District of West Virginia (2003)
- United States District Court for the Northern District of West Virginia (2003)

### Practice Focus

- Civil Litigation, Trial and Appellate Practice
- OSHA Compliance and Enforcement Proceedings
- Fleet Safety and Truck Litigation
- Employment Law Trial Practice (including class actions) and counseling: FMLA, ERISA, Title VII, ADA, ADEA, FLSA and Immigration

### Education

- Juris Doctor - St. John's University School of Law (J.D., 1987)
- Bachelor of Arts - St. John's University (B.A., 1976)

### Exemplar Reported Cases

1. Cablecom Tax Services, Inc. v. Shenandoah Telecommunications Co., Slip Copy, 2013 WL 2382969 (W.D.Va., May 30, 2013)
2. Omni Consulting Group, Inc. v. Pilgrim's Pride Corp., 488 Fed.Appx. 478, 2012 WL 2894925 (C.A.2 (N.Y.), July 17, 2012)
3. McKay Consulting, Inc. v. Rockingham Memorial Hosp., 452 Fed.Appx. 331, 2011 WL 5110234 (C.A.4 (Va.), October 28, 2011)
4. McKay Consulting, Inc. v. Rockingham Memorial Hosp., 665 F.Supp.2d 626, 2009 WL 3415305 (W.D.Va., October 22, 2009)
5. Emswiler v. Great Eastern Resort Corp., 602 F.Supp.2d 737, 2009 WL 692575 (W.D.Va., March 17, 2009)
6. Cave v. Wampler Foods, Inc., 961 A.2d 864, 2008 WL 4867989 (Pa. Superior Ct., November 12, 2008)
7. Fulmore v. Howell, 362 N.C. 470, 666 S.E.2d 119, 2008 WL 4191099 (N.C., August 26, 2008)

8. Fulmore v. Howell,  
189 N.C.App. 93, 657 S.E.2d 437, 2008 WL 564968 (N.C.App., March 04, 2008)
9. Pence v. Tenneco Auto. Operating Co., Inc.,  
169 Fed.Appx. 808, 2006 WL 547831, 32 NDLR P 28 (C.A.4 (Va.), March 07, 2006)
10. Dean v. Pilgrim's Pride Corp.,  
395 F.3d 471, 2005 WL 159606 (C.A.4 (W.Va.), January 26, 2005)
11. Hamilton v. Pilgrim's Pride Corp.,  
100 Fed.Appx. 907, 2004 WL 1368523 (C.A.4 (W.Va.), June 17, 2004)
12. Hamilton v. Pilgrim's Pride Corp.,  
314 F.Supp.2d 630, 2004 WL 875725 (N.D.W.Va., March 29, 2004)
13. Davis v. Bowman Apple Products Co., Inc.,  
50 Fed.Appx. 138, 2002 WL 31510236 (C.A.4 (Va.), November 13, 2002)
14. Smith v. Central Security Bureau, Inc.,  
231 F.Supp.2d 455, 2002 WL 31520361 (W.D.Va., November 06, 2002)
15. Great Eastern Resort Corp. v. Virtual Resort Solutions, L.L.C.,  
189 F.Supp.2d 469, 2002 WL 424587 (W.D.Va., March 14, 2002)
16. Rowe v. Marley Co.,  
233 F.3d 825, 2000 WL 1769349, 84 Fair Empl.Prac.Cas. (BNA) 843, 19 NDLR P 136  
(C.A.4 (Va.), December 01, 2000)
17. Thompson v. Town of Front Royal, et al  
117 F.Supp.2d 522, 2000 WL 1533303 (W.D.Va., October 03, 2000)
18. Dray v. New Market Poultry Products, Inc.,  
258 Va. 187, 518 S.E.2d 312, 1999 WL 731399, 140 Lab. Cas. P 58,842, 15 IER Cases  
938 (September 17, 1999)
19. Young v. Sheetz, Inc.,  
998 F.Supp. 670, 1998 WL 120238 (W.D.Va., March 02, 1998)
20. Kidwell v. Sheetz, Inc.,  
996 F.Supp. 552, 1998 WL 119972 (W.D.Va., February 24, 1998)
21. Kidwell v. Sheetz, Inc.,  
982 F.Supp. 1177, 1997 WL 632077, 78 Fair Empl.Prac.Cas. (BNA) 547 (W.D.Va.,  
September 15, 1997)
22. Williams v. Charlottesville School Bd.,  
940 F.Supp. 143, 1996 WL 588100, 113 Ed. Law Rep. 813 (W.D.Va., October 04, 1996)