



Brett R. Gallaway

Partner

New York, NY

bgallaway@mclaughlinstern.com

Phone: 212-448-1100

Fax: 212-448-0066

Brett R. Gallaway is a partner in the litigation department and Chair of McLaughlin and Stern's Class Action, Hospitality and Art Law Practices. He specializes in employment and general commercial litigation with a concentration on complex and class action lawsuits as well as individualized employment issues. Amongst numerous other multimillion dollar settlements, awards and trial verdicts, some of Mr. Gallaway's representative cases include:

- *Frlekin v. Apple Inc.*, Index No. 13-cv-3451 (N.D. Cal.) (appointed as class counsel and secured a \$30.5 Million settlement against a Fortune 500 Silicon Valley Technology Company in a class action on behalf of approximately 15,000 employees who went through security checks.);
- *Ramirez v. Riverbay Corp.*, Index No.: 13-cv-2367 (S.D.N.Y.) (appointed co-lead counsel and obtained a \$6.25 million settlement as counsel for over 1,700 employees at a cooperative housing development who were allegedly not compensated for work performed before and after scheduled shifts and wrongfully paid compensatory time rather than overtime cash payments);
- *Civil et al. v Starrett City, Inc., et al.*, Index No. 18-cv-2256 (E.D.N.Y) (appointed lead counsel and obtained a \$4.75 million settlement as counsel for over 950 employees at a cooperative housing development who were allegedly not compensated for work performed before and after scheduled shifts);
- *Morales v Rochdale Village, Inc. et al.*, Index No. 15-cv-502 (E.D.N.Y) (appointed lead counsel and obtained a \$2.65 million settlement as counsel for over 1,500 employees at a cooperative housing development who were allegedly not compensated for work performed before and after scheduled shifts);

- *Siewharack v. Queens Long Island Medical Group, P.C.*, Index No.: 11-cv-3603 (E.D.N.Y.) (appointed Co-lead counsel and obtained \$2.45 million settlement for employees of medical company who were allegedly not compensated for time worked);
- *Marshall v. Deutsche Post. DHL Express (USA) Inc.*, Index No.: 13-cv-1471 (S.D.N.Y.) (appointed lead counsel and obtained a \$1.5 million settlement as class counsel in a wage and hour class action on behalf of DHL clearance agents in New York, California and Florida);
- *Peebles v Concourse Village, Inc., et al.*, Index No. 20-cv-6940 (S.D.N.Y.) (obtained a \$1.15 million settlement as counsel for over 110 employees at a cooperative housing development who were allegedly not compensated for work performed before and after scheduled shifts);
- *Prelidakaj v The Monarch Condominium, et al.*, Index No. 20-cv-9433 (S.D.N.Y.) (obtained a \$912,500 settlement as counsel for 35 employees at a high-end Upper East Side condominium who were allegedly not compensated for work performed before and after scheduled shifts);
- *Terrana v. JCPenney*, Index No.: 13-cv-0460 (S.D.N.Y.) (appointed co-lead counsel and obtained a \$750,000 settlement in a wage and hour class action on behalf of non-exempt hourly employees of JCPenney in New York); and
- *Ludwig v. Pret A Manger*, Index No.: 11-cv-5677 (S.D.N.Y.) (appointed co-lead and obtained \$299,000 settlement for alleged misclassified managers-in-training).

Mr. Gallaway has a detailed working knowledge of federal and state labor laws and has successfully litigated and negotiated hundreds of employment claims including breach of contract, wage and hour, sexual harassment, employment discrimination and wrongful termination, WARN Act violations, NLRB actions, executive compensation, severance negotiation and numerous other labor issues and disputes.

In addition to employment litigation, Mr. Gallaway also regularly assists clients with corporate, real estate and transactional matters, and has significant federal and state court trial experience prosecuting and defending such lawsuits.

Mr. Gallaway also represents clients in all facets of the restaurant and hospitality industry from business organization and structuring to protective strategies and litigation defense.

Mr. Gallaway has been regularly cited in the press and legal publications for his innovative efforts in the practices of employment law and litigation and has been recognized since 2015 in New York's "Super Lawyers" as a "Rising Star", which is a competitive selection of the top 2.5 percent of attorneys in each state, as chosen by their peers and through independent research.

Mr. Gallaway received his Bachelor of Science degree magna cum laude from New York University and his J.D. from Tulane Law School. He is a native of New York City and enjoys spending free time as an avid outdoorsman.

News & Press

- The Coronavirus Aid, Relief, and Economic Security Act
- NYS Issues Guidance on How to Obtain a Precautionary or Mandatory Order of Quarantine
- Memorandum Re: Federal and New York State Employment Legislation and Protection in Response to COVID
- Brett Gallaway Files Multimillion Dollar Complaint Against Famed Art Gallery and Owner, Mary Boone
- McLaughlin & Stern Defeats Apple, Inc. in Historic Class Action Decision
- Brickman and Gallaway Win Multimillion-Dollar Judgment

Education

- Tulane University Law School (J.D., 2011)
- New York University (B.S., 2008, magna cum laude)

Bar Admissions

- New York
- Southern District of New York
- Western District of New York
- Eastern District of New York

Memberships

- New York County Lawyer's Association

Practice Areas

- Employment
- Art Law
- Hospitality

- Litigation
- Class Action
- Maritime