

J. Marshall Horton



Associate

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Marshall focuses his labor and employment practice on representing employers in litigation involving Title VII, Age Discrimination in Employment Act ("ADEA"), Americans with Disabilities Act ("ADA"), Family & Medical Leave Act ("FMLA"), Fair Labor Standards Act ("FLSA") (single plaintiff and collective action), National Labor Relations Act ("NLRA"), Operational Safety and Health Administration ("OSHA"), Sarbanes Oxley and related retaliation issues. Marshall's practice includes involvement in federal and state administrative actions and investigations with agencies such as the Equal Employment Opportunity Commission ("EEOC"), the Department of Homeland Security ("DHS"), the Texas Workforce Commission ("TWC"), the Texas Workers' Compensation Commission ("TWCC"), the US Department of Labor and various state's Departments of Labor, in addition to both federal and state court actions. His involvement includes taking and defending depositions, drafting dispositive motions, pleadings, discovery and resolving cases through negotiation, mediation, arbitration, and trial. He also counsels employers on hiring and firing decisions, wage and hour issues, family and medical leave issues, collective bargaining issues, employment authorization issues (e.g., I-9 audits and compliance), employment policies and handbooks, fair credit reporting, restrictive covenants and acquisitional aspects of labor and employment law, in addition to providing employers with management and employee-level training regarding unfair employment practices.

REPRESENTATIVE EXPERIENCE

- Represented and defended a nationwide hotel chain against varied, and multiple, employment discrimination claims brought by employees
- Represented and defended the manufacturer of radiation detection devices regarding theft of trade secret and breach of restrictive covenant claims
- Coordinated and handled interactions with the Department of Homeland Security regarding the I-9 audit of a manufacturer of well supplies
- Represented and defended a privately held marine shipping company against claims related to the minimum wage and overtime requirements of the FLSA
- Represented and defended a leading provider of remote heart monitoring services against claims related to discrimination and retaliation under the FMLA
- Coordinated and handled interactions with OSHA, and provided legal guidance with respect to investigating the cause of a catastrophe, and managing the administrative and judicial proceedings that followed
- Represented and defended a large provider of logistic and distribution services in a breach of employment contract filed by an officer

INDUSTRIES

Aviation
Biotechnology, Life Sciences and Medical Devices
Energy
Health Care
Hospitality and Hotels
Internet/E-Commerce
Liquefied Natural Gas (LNG)
Manufacturing and Sales
Technology
Technology and Emerging Companies

PRACTICES

Labor and Employment
Litigation

EDUCATION

JD, 2003, University of Houston Law Center
BBA, 2000, Management, Baylor University

ADMISSIONS

Texas 2005
US District Court for the Southern District of Texas

J. Marshall Horton

- Represented and defended a large financial services company against a multimillion-dollar breach of fiduciary duty claim brought by a business partner

AFFILIATIONS

- Houston Young Lawyers' Association
- Houston Bar Association, Labor and Employment Section