

# CARLOS R. PASTRANA, ESQ.

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## RECENT HIGHLIGHTS

- Won summary judgment in a race discrimination case before the United States Court for the Eastern District of Wisconsin on behalf of a utility company, which was subsequently affirmed by Seventh Circuit Court of Appeals.
- After filing motion for summary judgment on behalf of a public-sector client in a case before the United States Court for the Western District of Wisconsin, convinced opposing counsel to withdraw his Complaint, with prejudice, thereby saving client substantial attorney's fees.
- Has obtained findings of "no probable cause" in discrimination cases before the Equal Employment Opportunity Commission, and the Wisconsin Department of Workforce Development's Equal Rights Division on behalf of several private- and public-sector clients.
- After arbitration hearing, prevailed on the merits in a case before the Financial Industry Regulatory Authority (FINRA), on behalf of an international financial institution.
- Recently presented on the topic of social media policies at a client's annual meeting, at client's request.

## SUMMARY OF QUALIFICATIONS

- Dynamic and experienced litigating labor and employment counsel with a long and proven track record in complex litigation, discrimination, retaliation, sexual harassment, wrongful termination, unemployment insurance, and workers compensation cases, as well as in labor relations and workplace safety issues.
- Skilled litigator with extensive English and Spanish litigation experience in Court and administrative forums at both the State and Federal level, which includes trial and hearing experience, and discovery, motion, and appellate practice, including three oral arguments before the United States Court of Appeals.
- Reputation among colleagues as a hard worker who does not turn down work, is willing to practice in areas of the law outside of his comfort zone, and often undertakes and prevails in difficult, complex, and sensitive cases, both at trial and on summary judgment.
- Excellent mediation, conflict resolution, negotiation, oral advocacy, research, and legal writing skills in English and Spanish.
- Superior capacity to quickly research and interpret state and federal statutes and case authority concerning any issue.
- Adept at delivering practical and creative legal advice, in layperson's terms, to upper and middle management of private- and public-sector clients, and achieving goals within established budgets and under stringent time-constraints and deadlines.
- Self-starter who excels at managing a large caseload and multi-tasking.
- Vast experience providing training and presenting on complex legal topics to fellow attorneys and upper and middle management of private- and public-sector clients, in both English and Spanish.
- Admitted to the Wisconsin and Puerto Rico Bars; the U.S. Courts for the Eastern and Western Districts of Wisconsin; the U.S. Court for the District of Puerto Rico; the U.S. Seventh Circuit Court of Appeals; and the U.S. First Circuit Court of Appeals.

- Very well-developed leadership and networking skills, particularly in the Hispanic professional community.
- Fully-bilingual in English and Spanish, with some proficiency in French.

#### PROFESSIONAL AFFILIATIONS

- United States Court for the Wisconsin Eastern District
- United States Court for the Wisconsin Western District
- United States Court for the District of Puerto Rico
- United States Seventh Circuit Court of Appeals
- United States First Circuit Court of Appeals
- Wisconsin Supreme Court
- Puerto Rico Supreme Court
- American Bar Association
- National Employment Law Council
- Wisconsin Hispanic Lawyers' Association
- Hispanic National Bar Association
- Hispanic Professionals of Greater Milwaukee

#### EDUCATION

- **University of Puerto Rico School of Law, San Juan, PR**
  - *Juris Doctor*, 2002
- Member and published author of University of Puerto Rico's Law Review ("Revista Jurídica de la Universidad de Puerto Rico") from 2001-2002
- **University of Central Florida, Orlando, FL**
- *Bachelor in Arts*, Major: English Literature, 1998
  - Dean's List, 1994-1998

#### PROFESSIONAL EXPERIENCE

##### **MWH Law Group, LLP**

*Partner, 2016-Present*

Practice in complex civil litigation, and all areas of labor and employment law, including discrimination, retaliation, harassment, non-compete agreements, and Federal contractor issues.

- Litigated before local and U.S. Courts and agencies in Wisconsin, Illinois, and Indiana, including the U.S. Court of Appeals for the Seventh Circuit, U.S. Courts for the Eastern and Western Districts of Wisconsin, the U.S. Court for the Northern District of Illinois, the Equal Employment Opportunity Commission, the Financial Industry Regulatory Authority, the Occupational Safety and Health Administration, and the Wisconsin Department of Safety and Professional Services.
- Communicated and interacted with corporate counsel, human resources management and mid- to upper-level management of clients, involving the assessment of case status and strategy, and advising as to potential liability and workplace issues. Explained legal principles in simple "layperson" terms.
- Presented on several complex legal topics, at clients' request.
- Reduced risk and exposure involved in litigating complex cases.
- Authored several articles and client alerts on breaking and recent labor and employment issues.

**González, Saggio & Harlan, LLP**

*Senior Associate, 2015-2016*

Practice in complex civil litigation, and all areas of labor and employment law, including discrimination, retaliation, and harassment.

- Litigated before both local and U.S. Courts and agencies, including the U.S. Courts for the Eastern and Western Districts of Wisconsin, the Equal Employment Opportunity Commission, and the Financial Industry Regulatory Authority.
- Communicated and interacted with corporate counsel, human resources management and mid- to upper-level management of clients, involving the assessment of case status and strategy, and advising as to workplace issues. Explained legal principles in simple “layperson” terms.
- Reduced risk and exposure involved in litigating complex cases.
- Participated, on behalf of the firm, in Spanish-language television show broadcast throughout the State of Wisconsin, talking about employment issues, geared at Hispanic business owners.
- Authored several articles and client alerts on breaking and recent labor and employment issues.

**Michael Best & Friedrich**

*Associate, 2012-2015*

Practice in complex civil litigation, and all areas of labor and employment law, including discrimination, retaliation, sexual harassment, unemployment insurance, workers compensation, labor relations issues, workplace safety issues, and Federal contractor issues.

- Litigated before both local and U.S. Courts and agencies, including the U.S. Court for the Eastern and Western Districts of Wisconsin, the U.S. Court for the Eastern District of Washington, the National Labor Relations Board, the Equal Employment Opportunity Commission, and the Occupational Safety and Health Administration.
- Advised and trained local, national, and international employers with both English- and Spanish-speaking unionized and non-unionized work forces on how to handle day-to-day issues that arise from managing employees.
- Communicated and interacted with corporate counsel, human resources management and mid- to high-level management of clients, mainly involving the assessment of case status and strategy. Explained legal principles in simple “layperson” terms.
- Provided legal advice in labor and employment matters to clients who are in the process of setting up, or who already have, operations in Latin America and California.
- Reduced risk and exposure involved in litigating complex cases.
- Presented at, and helped organize, firm’s Labor and Employment Relations Practice Group’s annual seminar in 2014.
- Authored several articles and client alerts on breaking and recent labor and employment issues.
- Entrusted with editing the Wisconsin Chapter of the ABA Labor and Employment Law Section’s Employment at Will: A State By State Survey.

**Goldman Antonetti & Córdova, P.S.C.**

*Partner, 2002-2012*

Practice in all areas of labor and employment law, including the litigation and trial of discrimination, retaliation, sexual harassment and wrongful termination cases, as well as in labor relations disputes with unions. Experience in other areas such as immigration law, sports and entertainment law, administrative law, and general civil law.

- Heavy emphasis on complex litigation before both local and U.S. Courts and agencies, including the U.S. First Circuit Court of Appeals.
  - Won numerous cases on summary judgment and at trial.
  - Prevailed twice appearing before the U.S. First Circuit Court of Appeals.
- Contributed to firm’s periodical publication, which is disseminated to clients for purposes of keeping them abreast of any changes or tendencies in applicable law.

- Oversaw preparation of presentations, seminars, and training to corporate clients with the capacity to collaborate with management-level and Human Resources personnel and explain complex issues.
- Represented Labor and Employment Law Department on Firm's Marketing Committee.
- Entrusted with editing the Puerto Rico Chapter of the Employment Law Alliance's Global Handbook.

#### REPRESENTATIVE CASES

- *Hoyos v. Telecorp Communications*, 488 F.3d 1 (1<sup>st</sup> Cir., 2007), including Oral Argument before U.S. Court of Appeals for the First Circuit
- *Otero-Valcárcel v. Puerto Rico Industrial Development Company*, No. 05-2573 (1<sup>st</sup> Cir., 2006)
- *Madlock v. WEC Energy Group, Inc.*, No. 16-CV-332-JPS, 2017 U.S. Dist. LEXIS 5358 (E.D. Wis., January 13, 2017) (currently pending before U.S. Court of Appeals for the Seventh Circuit)
- *Hefti v. Brunk Industries*, No. 14-C-729, 2015 U.S. Dist. LEXIS 182187 (E.D. Wis., July 7, 2015)
- *NLRB v. Marano et al*, Nos. 13-mc-68 and 13-mc-69, 2014 U.S. Dist. LEXIS 9554 (E.D. Wis, January 24, 2014)
- *Jordan v. Arandell Corporation*, No. 11-CV-00334, 2013 U.S. Dist. LEXIS 30095 (E.D. Wis, March 6, 2013)
- *Sánchez v. Ferguson*, 705 F. Supp. 2d 138 (D.P.R., 2010)
- *González v. K-Mart*, Case No. 04-1067 (DRD), 2006 U.S. Dist. LEXIS 15694 (D.P.R., March 17, 2006)
- *Berrelez v. Sjoberg Tool & Mfg. ,* Department of Workforce Development Unemployment Insurance Appeals Tribunal Case No. 14607372MW (2014)
- *Cunningham v. Friends of Housing*, Department of Workforce Development Unemployment Insurance Appeals Tribunal Case No. 13608197MW (2013)

#### PARTIAL LIST OF SEMINARS & PUBLICATIONS

- Pastrana, Carlos, "Navigating Social Media Landmines in the Workplace". Wisconsin Municipal Mutual Insurance Company, Eau Claire, WI (August 2017).
- "Carlos Pastrana: From Puerto Rico to the Midwest". Wisconsin Lawyer, June 2016.
- Pastrana, Carlos, Thomas Scrivner, and Robert Mulcahy, "Quickie Union Elections: They're Prepared. Are You?". Breakfast Briefing, January 14, 2015.
- Presented three courses at the University of Wisconsin Milwaukee's School of Continuing Education's Labor Relations program in the Spring of 2015.
- Pastrana, Carlos and Charles Palmer, "Do's and Don'ts for Passing an OSHA Inspection". Safety Zone, November 2014.
- Pastrana, Carlos and Robert W. Mulcahy, "Speed Is The Enemy For Employers In NLRB Election Rules". Law 360, November 2014.
- Speaker at Michael Best & Friedrich's Employment Relations Practice Group's 2014 seminar ("New Drumbeats, Minimum Wage, and the New Wave of Union Organizing"), Milwaukee, WI (May 2014).
- Pastrana, Carlos and Joseph Olson, Wisconsin Chapter of ABA Labor and Employment Law Section's Employment at Will: A State By State Survey, 2014 Update.
- Pastrana, Carlos, "Series of One Day Strikes Hits the Fast Food Industry". Michael Best and Friedrich's Agribusiness, Food and Beverage Newsletter, August 2013.
- Pastrana, Carlos and Joseph Olson, Wisconsin Chapter of ABA Labor and Employment Law Section's Employment at Will: A State By State Survey, 2013 Update.
- Speaker at Madison International Trade Association's Creating Efficiencies: Making the Most of Your Resources ("International Human Resources Management"), Madison, WI (November 2012).
- Speaker at the National Retail Federation (NRF) Human Resources Executives Summit, Dallas, TX (October 2011).
- Speaker at the National Retail Federation (NRF) Committee on Employment Law, Spring 2010 Conference, Washington, DC (April 2010).

- Pastrana, Carlos and Jennifer Gleason, “Análisis Estadístico del Término 2000–2001 del Tribunal Supremo de Puerto Rico”. 71 Rev. Jur. UPR 2005 (2002).

#### COMMUNITY INVOLVEMENT

- Member of Executive Committee, La Casa de Esperanza
- Board Member, Great Lakes Community Conservation Corps, Inc.
- Member, Milwaukee County Executive Latinx Roundtable
- Member, Village of Shorewood Board of Appeals
- Former Member, Milwaukee County Personnel Review Board
- Former Board Member, Milwaukee Achiever
- Former Board Member, Milwaukee Artist Resource Network