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Attorneys at Law

Matthew W. Clarke

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Matthew W. Clarke is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP.

Mr. Clarke has significant experience in employment law, encompassing employment discrimination and litigation, employment contracts, employee handbooks and policies, termination and separations, hiring practices, wage and hour issues, unemployment compensation and other aspects of the employer/employee relationship governed by state and federal laws. He regularly counsels clients on compliance issues and dispute avoidance. When litigation becomes necessary, Mr. Clarke regularly represents employers in employment litigation matters pending in state and federal courts. He represents clients in matters pending before the United States Equal Employment Opportunity Commission, the Georgia Department of Labor and the Wage and Hour Division of the United States Department of Labor. Mr. Clarke's employment law practice also includes extensive experience litigating matters concerning federal Title VII, ADEA, ADA and WARN Act matters, along with restrictive covenants disputes (non-competition and non-solicitation agreements and the like) and other federal and state law claims.

Mr. Clarke also has extensive expertise litigating and arbitrating a wide array of commercial disputes, including national franchising disputes, professional liability, and other complex business litigation and arbitration proceedings.

Mr. Clarke is a frequent speaker and writer on various employment, arbitration and litigation issues. He regularly conducts presentations at Continuing Legal Education seminars, SHRM functions, and similar events for attorneys, business persons and human resources professionals before clients and other civic groups on various legal matters. Matt Clarke was a recent Presenter at the Georgia Institute of Continuing Legal Education's Technology Law Institute seminar on *Social Media Technologies and Business: Blessing or Curse?* He was also a recent speaker at a Georgia Institute for Continuing Legal Education seminar for attorneys on the use of arbitration provisions in business and employment agreements, and his article entitled "Alternative Dispute Resolution -- Considerations in Using ADR

Areas of Practice
Labor and Employment Practice
Litigation/Trial Practice
Arbitration
Mediation
Appellate Practice
Trade Secrets
Worker Safety and OSHA
Cannabis Law

Bar Admissions
Georgia

Memberships
Atlanta Volunteer Lawyers Foundation Steering Committee
Pro Bono Partnership Atlanta Advisory Committee

Provisions in Business and Employment Agreements" was published by the ICLE.

Mr. Clarke co-authored an article on employment agreements entitled, "But it's Not in My Contract! - When Employers Should (and Should Not) Use Employment Agreements" which was published in the national *Employee Relations Law Journal*. Mr. Clarke has spoken many times at CLE events before the Association of Corporate Counsel.

Mr. Clarke graduated in 1989 from the University of Georgia with a B.B.A. degree in International Business. While there, he received the Honors Program Academic Achievement Award. In 1992, Mr. Clarke received his J.D. degree, cum laude, from the University of Georgia School of Law. During law school he served as a member of the Moot Court Board and the ABA Moot Court Team. Mr. Clarke is admitted to the Eleventh Circuit Court of Appeals and the United States District Courts for the Northern and Middle Districts of Georgia, as well as the Georgia Supreme Court and Court of Appeals.

Mr. Clarke served for many years on the Board of Directors for the Atlanta Volunteer Lawyer Foundation (AVLF), a non-profit organization that provides free legal representation to low-income people through the generosity of attorneys in our community. Mr. Clarke is currently a member of AVLF's Annual Campaign Steering Committee. Mr. Clarke also currently serves on the Advisory Committee for Pro Bono Partnership of Atlanta (PBPA), an organization that engages attorneys to provide nonprofits with pro bono business legal services.

Publications & Presentations

- Co-Author, "If It Walks Like a Duck and Quacks Like a Duck…," The Consultant, 2016
- Webinar: 'Tis the Season - How to Avoid the Dangers of Office Parties and Gifts - November 18, 2015
- Institute for Continuing Legal Education (ICLE) in Georgia; Social Media and the Law Seminar; Update on Social Media and Employment Law, October, 2012 - Presenter
- Georgia Restaurant Association's Annual Meeting, June 25, 2012, Atlanta, GA - Presenter
- Association of Corporate Counsel (ACC) CLE seminar, Workplace Implications of Social Media, March, 2012 – Presenter

Atlanta Volunteer Lawyers Foundation (AVLF), Board of Directors

Dolvin Elementary School Foundation, Board of Directors

Recognitions

Georgia Trend Magazine, Legal Elite

Georgia Super Lawyers - Employment & Labor (2013-2021)