

David J. Carr

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Professional Experience

David J. Carr is a partner in the Labor and Employment Group of Ice Miller, focusing his practice in the areas of litigation of employment contracts involving trade secrets, confidential information and covenants against competition, complex wage and hour law issues, employment discrimination, and personnel policies.

Carr is a veteran labor negotiator and has handled numerous labor arbitrations, union avoidance and other collective bargaining matters in both the public and private sectors. He also has substantial experience representing employers in wrongful discharge lawsuits and employment discrimination investigations, including sexual harassment situations.

Carr has handled class and collective wage and hour cases across the country, including, but not limited to: *Thomas, et al. v. Active Response Marketing*, Ohio; *Melonakis-Kurz v. Heartland Home Finance, Inc.*, Colorado; and *McClain v. Heartland Home Finance, Inc.*, Georgia.

Carr serves as the chair for the Indiana Chamber of Commerce annual seminar "Indiana Wage and Hour Law," and serves as editor-in-chief of the *Indiana Employer's Guide to Wage and Hour Issues*.

Carr is a contributing author for the ABA treatises "Covenants Not to Compete: A State by State Survey," BNA, 1991; "The Employee Duty of Loyalty: A State by State Survey," BNA 1995; "Employment Trade Secrets Law: A State by State Survey," BNA, 1997; "Tortious Interference in the Employment Context," BNA, 2004. He is also a contributing author to *Harvey's Indiana Practice and Procedure*, West, 1988.

Carr has taken cases to trial in Indiana, Ohio, Kentucky, Michigan, New Jersey, Wisconsin, Colorado and Georgia. He is a member of the American

Bar Association, Indiana Bar Association and Indianapolis Bar Association, and serves on the Employee Rights and Responsibilities Subcommittee of the ABA Labor Section as management co-chair. He is a past chair of the Indianapolis Bar Association Labor Law Section. He is also a member of the Christian Legal Society, the Federalist Society and is a Diplomate of the Court Practice Institute. An active member of the community, Carr served as a member of the Zionsville Parks and Recreations Board from 1996-1998. In 1998, he was elected to the Zionsville Town Council and in 2007 was re-elected to his second full term on the council.

Carr received his Bachelor of Arts from DePauw University, graduating summa cum laude and Phi Beta Kappa, in 1981. He then earned his juris doctorate from Georgetown University Law Center in 1984. He also received the Res Gestae Award for Outstanding Legal Article of the Year for his paper on wrongful termination in Indiana in 1988. Carr has been consistently recognized as an Indiana Super Lawyer from 2004-2010.

Education

Georgetown University Law Center (1984)

Admitted to Practice

Indiana, The Supreme Court of the United States, United States Court of Appeals for the Third Circuit, United States Court of Appeals for the Seventh Circuit, United States Court of Appeals for the Tenth Circuit, United States District Court - District of Colorado, United States District Court - Northern District of Georgia, United States District Court - Northern District of Illinois, United States District Court - Eastern District of Wisconsin

Professional Associations

Member, American Bar Association

Member, Indiana Bar Association

Member, Indianapolis Bar Association

Member, Individual Rights and Responsibilities Subcommittee of the ABA Labor Section

Former Chair, Indianapolis Bar Association Labor Law Section

Member, Christian Legal Society

Member, Federalist Society

Diplomate, Court Practice Institute

Awards and Recognitions

Indiana Super Lawyer, 2004-2010

Graduated summa cum laude and Phi Beta Kappa in 1981 from DePauw University

Res Gestae Award for Outstanding Legal Article of the Year (for his paper on wrongful termination in Indiana in 1988)

Who's Who in America

Published In

Co-author, ABA Treatises "Covenants Not to Compete: A State by State Survey," BNA, 1991

"The Employee Duty of Loyalty: A State by State Survey," BNA, 1995

"Employment Trade Secrets Law: A State by State Survey," BNA, 1997

"Tortious Interference in the Employment Context," BNA, 2004

Contributing Author, *Harvey's Indiana Practice and Procedure*, West, 1988

Speaking Engagements

Carr is a frequent lecturer on labor and employment issues, including:

ABA Annual Meeting in Washington, D.C., 2002

ABA Labor Section CLE Seminar in Washington, D.C., 2010

Community Involvement

Member, Zionsville Parks and Recreations Board, 1996-1998

Zionsville Town Council, 1998-2009

Reported Cases

JAK Productions, Inc. v. Wiza, 986 F.2d 1080 (7th Cir. 1993); *Zapp v. UTU*, 879 F.2d 1439 (7th Cir. 1989); *Beard v. Whitley Co. REMC*, 840 F.2d 405 (7th Cir. 1988); *Golden v. Chautauqua Airlines, Inc.* 2007 WL 925020 (S.D. Ind. 2007); *Hudson v. Indiana Limestone Co.*, 143 F.Supp. 2d 1032 (S.D. Ind. 2001); *Barnes Group v. Rinehart*, 2001 WL 301433 (S.D. Ind. 2001); *Volunteers of America v. Premier Auto Acceptance Corp.*, 755 N.E.2d 656 (Ind. Ct. App. 2001)

Bar Committees

ABA Labor Section Committee on Individual Rights and Responsibilities in Workplace

Management Co-Chair, Non-Compete, Trades Secrets and Proprietary Information Sub-Committee, ABA