

Emery Gullickson Richards |  
Associate  
Business Litigation

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Emery Richards is a litigation associate with a focus on employment, trade secret, and commercial matters. Emery is Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization. Emery has experience representing businesses in the energy, maritime, manufacturing, chemical, software, real estate, healthcare, professional sports, staffing, pharmaceutical, and restaurant industries, as well as governmental entities and officials. She has participated in all aspects of litigation, including trial, motions practice, discovery, and appeal.

Emery routinely counsels organizations on employment law compliance, provides guidance to entities evaluating labor and employment aspects of business transactions, and conducts internal investigations and training programs in the workplace. Emery litigates and advises clients on all aspects of employment and trade secret law, including:

- Title VII of the Civil Rights Act of 1964
- Americans with Disabilities Act
- Family and Medical Leave Act
- Fair Labor Standards Act
- Worker Adjustment and Retraining Notification Act
- Age Discrimination in Employment Act
- Texas Commission on Human Rights Act
- Texas Payday Law
- Chapter 21 of the Texas Labor Code
- Texas Worker's Compensation Act
- Texas Uniform Trade Secrets Act
- Defend Trade Secrets Act
- Occupational Safety and Health Act

- Computer Fraud and Abuse Act

Emery regularly works on a variety of general civil litigation matters involving causes of action for breach of contract, fraud, negligence, and nuisance, in addition to jurisdictional challenges, among others. She has experience with proceedings in state and federal court at both the trial and appellate level, as well as before the Equal Employment Opportunity Commission, the Texas Workforce Commission, and the Occupational Safety and Health Administration.

## Outside The Firm

Emery has served as a member and former co-chair of the Houston Bar Association's Gender Fairness Committee. As part of her commitment to pro bono service, she provides employment counsel to Houston's largest direct services provider to the homeless community. Emery and her spouse, Neal, have two children.

## Select Engagements

- Defended a *Fortune* 500 company in an employee termination case alleging race discrimination and retaliation that resulted in an arbitration award finding in favor of the employer on all alleged theories.
- Defended a *Fortune* 100 telecommunications company, serving as sole trial counsel in a bench trial that resulted in a take-nothing judgment on breach of contract and all other claims.
- Defended a governmental entity in a grievance action brought by an employee suspended for misconduct, resulting in an arbitration award fully upholding the disciplinary suspension imposed.
- Defended various organizations against claims of discrimination and harassment on the basis of sex, race, age, disability, and religion by former employees, as well as associated retaliation claims.
- Conducted internal investigations regarding sexual harassment claims on behalf of private sector and public sector employers.
- Member of the trial team that defended a major nonprofit corporation in a Jones Act personal injury case, resulting in a take-nothing judgment.
- Helped obtain a favorable settlement of a worker's compensation retaliation claim for a company in the security industry.
- Drafted motion to dismiss and subsequent appellate briefing resulting in *forum non conveniens* dismissal of a suit brought by a crude oil tanker owner, upheld by the U.S. Court of Appeals for the Ninth Circuit.
- Drafted motion in contempt proceedings that resulted in judicial finding that manufacturing company had violated injunction prohibiting possession of competitor's confidential information.
- Advised on various executive severance negotiations.
- Counseled employers on reductions in force, including WARN Act compliance.
- Helped obtain dismissal of Toxic Substances Control Act claims brought

against a major chemical company through supplemental briefing regarding the plaintiffs' lack of Article III standing.

- Helped develop and conduct training on workplace disability accommodation.
- Represented a manufacturing company in prosecuting non-compete agreements with former employees.
- Defended a major healthcare system in a class action alleging a conspiracy to suppress employee wages.
- Represented a large municipality in litigation alleging antitrust and equal protection claims brought by an adult entertainment business.
- Member of the trial team that defended a high-ranking municipal official in a three-week trial regarding the denial of a petition to repeal by referendum the city's equal rights ordinance which extended protections to the transgender community; the judge found the petition invalid after the jury returned a verdict finding forgery and false oaths throughout the petition.

## Admissions

- U.S. District Court - Northern District of Texas
- Texas
- U.S. District Court - Eastern District of Texas
- U.S. District Court - Southern District of Texas
- U.S. District Court - Western District of Texas
- United States Court of Appeals for the Fifth Circuit

## Memberships

- Houston Bar Association

## Education

- Rice University, BA, cum laude
- Columbia Law School, JD

## Recognitions

- 2021–2023, Ones to Watch, Labor and Employment Law - Management and Litigation - Labor and Employment, listed in *Best Lawyers in America*® (Woodward/White, Inc.)
- 2020–2022, Texas “Rising Star” in Employment & Labor, listed in *Super Lawyers* (Thomson Reuters)