

Patrick J. Barrett

Partner

402.978.5245

pbarrett@fraserstryker.com



Representing private and public sector clients, Mr. Barrett provides counsel on labor and employment matters, collective bargaining, EEO/affirmative action matters, FLSA, and OSHA matters.

Mr. Barrett advises business clients across a range of industries, including construction, nonprofit organizations, commercial trucking and transportation, agribusiness, insurance and financial services, healthcare and pharmaceuticals, professional services, and retail and consumer products.

Comprehensive Litigation Background

With extensive experience in federal and state court proceedings, Mr. Barrett defends clients in a wide variety of litigation proceedings involving employment, civil rights, and labor law cases as well as state court and state agency actions, including jury trials and appellate work.

Proactive Employment Law Counsel for Employers

Mr. Barrett advises employers on proactive employment law practices, such as employment contract terms like noncompetition, nondisclosure, and confidentiality provisions. He guides management on various issues, including, but not limited to, hiring, workplace investigations, discipline, terminations, leave of absence issues, human resource policies and

Legal Services

Labor & Employment
Litigation
Appellate
Business & Corporate
Corporate Compliance & Administrative

Who I Serve

Business Entities
Nonprofit Organizations
Construction
Agribusiness & Production
Agriculture
Commercial Trucking & Transportation
Retail & Consumer Products
Healthcare & Pharmacies
Insurance & Financial Services

Admissions

Nebraska
U.S. District Court for the District of Nebraska
U.S. District Court for the Central District of Illinois
U.S. Court of Appeals for the



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procedures, wage and hour issues, traditional labor issues, and various state and federal laws.

Regularly speaking to management teams on employment-related issues, Mr. Barrett provides employer training on topics such as maintaining nonunion status, anti-harassment, and anti-discrimination laws, as well as conducting workplace investigations.

Beyond the Office

A native Nebraskan, Mr. Barrett enjoys spending time with friends and family, traveling, golfing, hunting, reading, and attending sporting events.

Experience

- *Kenneth Marr v. West Corporation d/b/a West Customer Management Group, LLC*, 310 Neb. 21 (2021)
- *Cabela's LLC v. Wellman*, 2018 WL 5309954, 2018 IER; Cases 395719 (Del. Ch. Oct. 26, 2018)
- *Anderson v. The Nebraska Medical Center*, 989 F.Supp.793 (D.Neb. 2013)
- *Seim v. Three Eagles Communications, Inc.*, 25 AD Cases 85 (N.D. Iowa 2011)
- *Chao v. Barbeque Ventures LLC*, 547 F.3d 938 (8th Cir. 2008)
- *Al-Jabery v. Conagra Foods, Inc.*, 2007 WL 3124628 (D.Neb. Oct 24, 2007)
- *Ulmer v. Midwest Fitness Systems, Inc.*, 2007 WL 2003402 (D.Neb. Jul 05, 2007)
- *Tanner v. Nebraska Health System*, 2007 WL 1898560 (Neb.App. Jul 03, 2007)
- *Schmitt v. Conagra Foods*, 338 F.Supp.2d 1077 (D.Neb. 2004)
- *Williams v. ConAgra Poultry Co.*, 378 F.3d 790 (8th Cir. 2004)
- *E.E.O.C. v. Oilgear Co.*, 250 F.Supp.2d 1193 (D.Neb. 2003)
- *Polinski v. Sky Harbor Air Service, Inc.*, 640 N.W.2d 391 (Neb. 2002)
- *Mertz v. Pharmacists Mut. Ins. Co.*, 625 N.W.2d 197 (2001)
- *Polinski v. Sky Harbor Air Service, Inc.*, 2001 WL 118595 (Neb.App. Feb 13, 2001)

Sixth Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Eighth Circuit

U.S. Supreme Court

Education

J.D., University of Nebraska College of Law, 1983

B.A., *magna cum laude*, Creighton University, 1980



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- *Robinson v. Valmont Industries*, 238 F.3d 1045 (8th Cir. 2001)
- *Cohen v. Nebraska, Dept. of Administrative Services, Div. of Central Data Processing*, 83 F.Supp.2d 1042 (D.Neb. 2000)
- *Burnside v. MJ Optical, Inc.*, 128 F.3d 700 (8th Cir. 1997)
- *Kerndt v. Rolling Hills Nat. Bank*, 558 N.W.2d 410 (Iowa 1997)
- *Jefferson v. Vickers, Inc.*, 102 F.3d 960 (8th Cir. 1996)
- *Sindelar v. Canada Transport, Inc.*, 520 N.W.2d 203 (Neb. 1994)
- *Millard Processing Services, Inc. v. N.L.R.B.*, 2 F.3d 258 (8th Cir. 1993)
- *State ex rel. Spire v. Beermann*, 455 N.W.2d 749 (1990)

Honors & Awards

- Included in [*The Best Lawyers in America*](#)® since 2011 in the fields of Employment Law – Management, Labor Law – Management, and Litigation – Labor & Employment (peer nominations)
- Rated AV® Preeminent by [*Martindale-Hubbell*](#)®
- Named [*Best Lawyers*](#)® Labor Law – Management “Lawyer of the Year” in Omaha (2011-2012) and Employment Law – Management “Lawyer of the Year” in Omaha (2014, 2018)
- Selected to 2012, 2017-2022 Super Lawyers® Top 10: Nebraska Super Lawyers
- Selected to the 2007-2025 Great Plains Super Lawyers® list
- Listed in [*Chambers USA*](#) Guide, Nebraska (Labor & Employment)
- Listed in Omaha Magazine’s “Top Lawyers in Omaha” for Labor and Employment (July/August 2021 Edition)

Professional Associations

- American Bar Association
- Nebraska State Bar Association
- Omaha Bar Association
- Past Chair – Federal Practice Committee, District of Nebraska
- Nebraska Association of Trial Attorneys
- Fellow – The College of Labor and Employment Lawyers



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- Fellow – Nebraska State Bar Foundation

Presentations & Publications

- Author – “The Americans with Disabilities Act: Accommodating Psychiatric Disabilities.”, *The Nebraska Lawyer*, vol. 32, no. 6 November/December 2020
- Presenter, Nebraska State Bar Association:
 - “Business Lawyers – Do No Harm, Or At Least Don’t Make the Situation Worse – Advising Clients with Employees.” August 2019
 - “Damages in Employment Cases in Nebraska.” June 2018
 - “ADA Developments/Qualified Individuals and Reasonable Accommodation.” September 2013
 - “Wage Payment and Collection Act-Payment of Bonuses and Commissions.” Labor & Employment Law Section Seminar, June 2007
 - “Trying Matters in Employment Law.” Continuing Legal Education Seminar
 - “Discovery – Electronic and Otherwise.” May 2005
 - “Corralling Unfair Competition: Covenants Not to Compete, Etc.” May 2000
- Human Resource Association of the Midlands:
 - “Conducting Effective Workplace Investigations.” February 2018
 - “These Aren’t Your Father’s Employees.” January 2008
- Frequent lecturer on employment and labor law issues to lawyer and nonlawyer groups
- Materials for various Continuing Legal Education seminars
- “Recent Section 7 and Other NLRB Decisions and Their Impact on Employment Law Strategies.” *Employment Law* 2013, 2013 Edition by Aspatore Thought Leadership
- “Essential Employment Agreement Provisions.” *Negotiating and Drafting Employment Agreements*, 2012 Edition by Aspatore Books