



Robin E. McGuffin

Title: Member

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Robin McGuffin is a Member in the firm's Lexington office. She is a member of the Business Litigation Group and the Employment Law Service Group.

After graduating first in her class from Vanderbilt University Law School, Robin was a law clerk for the Honorable John M. Rogers, U.S. Court of Appeals for the Sixth Circuit. She now focuses her practice on defending and counseling employers on a wide variety of employment matters. In addition to defending employers against litigation asserted under state and federal anti-discrimination and wage-and-hour statutes, Robin regularly conducts workplace investigations, counsels employers on compliance issues, drafts employment and restrictive covenant agreements, and assists with drafting and implementing employment policies and procedures.

Robin is also experienced in litigating non-compete and restrictive covenant disputes, trade secret misappropriation claims, and other complex business disputes. Robin additionally devotes a substantial portion of her practice to appellate advocacy in both federal and state courts.

CAPABILITIES

Practice Areas

- Appellate Advocacy
- Business Litigation
- Employment Law
- Employment Litigation
- Litigation & Appeals

RECENT ASSIGNMENTS

- Obtained a defense award after first-chairing a multi-day arbitration concerning the alleged breach of an executive employment agreement.
- Both obtained and successfully defended against grants of injunctive relief seeking enforcement of restrictive covenants.
- Defeated conditional certification of an FLSA collective action.
- Successfully represented multiple employers in discrimination and retaliation administrative charges and lawsuits in state and federal court under statutes such as Title VII, the FMLA, the FLSA, the ADA, the ADEA, and the Kentucky Civil Rights Act.
- Counsel to a major manufacturer of respiratory protection products in serial litigation.
- Received published opinion in the Kentucky Court of Appeals affirming grant of summary judgment to pharmaceutical drug manufacturer.
- Counsel for an independent institutional investment consultant in defense of derivative, taxpayer, and Attorney General claims asserted on behalf of a public pension system.
- Counsel to a provider of remediation services in a multi-plaintiff toxic tort case following a natural gas release.

BAR ADMISSIONS

- Kentucky
- U.S. Court of Appeals for the 6th Circuit
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- FTC Issues Final Rule Banning Non-Compete Agreements; Legal Challenges Have Already Begun *with Zachary Losey (Zac)* Stites & Harbison Client Alert, April 25, 2024
- EEOC Issues Final Rule Implementing the Pregnant Workers Fairness Act *with Harlee P. Havens* Stites & Harbison Client Alert, April 24, 2024
- Sixth Circuit Identifies “Dilemma,” but Not Solution for Calculating Workers’ Vehicle Expenses Under the Fair Labor Standards Act *with Harlee P. Havens* Stites & Harbison Client Alert, April 5, 2024
- Sixth Circuit Applies Updated Arbitration Waiver Standard *with Ashley Owens Hopkins* Stites & Harbison Client Alert, April 4, 2024
- Unveiling the Impact: Notable Developments Shaping Restrictive Covenants Webcast, The Knowledge Group, November 28, 2023
- The FTC’s Proposed Ban on Non-Competes: What Every Employer Needs to Know Stites & Harbison and JPMorgan Chase seminar, September 26, 2023
- Supreme Court: Employers Must Accommodate Employees’ Religious Practices Absent “Substantial” Increased Costs in Relation to the Conduct of the Business *with Kyle S. Schroader* Stites & Harbison Client Alert, July 5, 2023
- Sixth Circuit Heightens Standard for Sending Notices in FLSA Collective Actions *with Kyle S. Schroader* Stites & Harbison Client Alert, May 24, 2023
- FTC Issues Notice of Proposed Rulemaking to Ban Employee Non-Compete Agreements *with David B. Owsley II* Stites & Harbison Client Alert, January 5, 2023
- Pregnant Workers Fairness Act Becomes Law Stites & Harbison Client Alert, January 4, 2023
- Supreme Court Rejects OSHA Vaccine Mandate on Private Employers – Allows CMS Healthcare Mandate for Facilities Receiving Medicare/Medicaid Funds *with Shannon Antle Hamilton , Demetrius O. Holloway , Ashley Owens Hopkins , and Robin D. Miller* Stites & Harbison Client Alert, January 14, 2022
- Sixth Circuit’s Briefing Schedule Seems to Ensure No Ruling on Stay Before First ETS Deadline Stites & Harbison Client Alert, November 30, 2021

- Managing Employees During a Pandemic
Panel Member, Lexington Forum, October 7, 2021
- Institutional Racism in Legal Systems: Criminal Justice, Employment & Housing: Part 2 - Understanding the Impact of Race in Employment
Moderator, presented by National Bar Association, John Rowe Chapter and Fayette County Bar Association Young Lawyers Section, September 10, 2020
- When Furloughs Become Permanent Layoffs: An Employer's Ongoing Obligations Under the WARN Act in the Time of COVID-19 Stites & Harbison Client Alert, August 11, 2020
- Sixth Circuit: No Accommodation Without Documentation *with Ashley Owens Hopkins* Stites & Harbison Client Alert, March 11, 2020
- Information You Need on the COVID-19 Coronavirus *Stites & Harbison, PLLC* March 2020
- Defense Strategies for Winning on the Statute of Limitations
American Bar Association, *Products Liability Litigation Newsletter*, August 2019
- Sixth Circuit: Perfect Attendance Policies Must Not Disadvantage Employees Who Take FMLA Leave *with Ashley Owens Hopkins* Stites & Harbison Client Alert, August 13, 2019
- Getting to \$75,000 and One Penny: Sixth Circuit Disapproves of Plaintiffs' Evasion Stites & Harbison Client Alert, November 16, 2018
- Sixth Circuit rules "tender back" doctrine inapplicable to Title VII and the Equal Pay Act *with Shannon Antle Hamilton* Stites & Harbison Client Alert, August 21, 2018
- When Do Grown-Ups Get Snow Days? Reviewing the FLSA's Inclement Weather Rules *with Shannon Antle Hamilton* Stites & Harbison Client Alert, January 9, 2018
- Sixth Circuit Rules that Employers' Unenforced Policies Can Be the Basis for a Lawsuit *with Shannon Antle Hamilton* Stites & Harbison Client Alert, October 17, 2017
- Leatt Corporation notches another product liability victory with help of Stites & Harbison, PLLC
Stites & Harbison Client Alert, September 26, 2017
- Seventh Circuit Rules Title VII Prohibits Discrimination on Basis of Sexual Orientation Stites & Harbison, PLLC Legal Update, April 11, 2017
- Kentucky Enacts Medical Review Panel Law Regarding Malpractice Claims *with Dustyn B. Jones* Stites & Harbison Legal Update, March 22, 2017

- Sixth Circuit Rules Kentucky's Economic Loss Doctrine Inapplicable to Consumer Transactions
Stites & Harbison Legal Update, March 6, 2017

FIRM LEADERSHIP

- Office of General Counsel, Ethics Subcommittee, Member
- Lexington Office Recruiting Committee, Member

MEMBERSHIPS

- Kentucky Bar Association
- Fayette County Bar Association
- Defense Research Institute

COMMUNITY INVOLVEMENT

- GreenHouse17, Board of Directors (2019-present); Secretary (2020-present)
- Lexington Forum, Board of Directors (2022-25)
- Leadership Lexington, Class of 2022-23

EDUCATION

Vanderbilt University Law School J.D. 2015

- Founder's Medal for First Honors (Valedictorian)
- *Vanderbilt Law Review*, Articles Editor
- Order of the Coif
- Bass, Berry & Sims Intramural Moot Court Competition, winner

Vanderbilt University B.S., Human & Organizational Development, Anthropology *summa cum laude* 2012

- Phi Beta Kappa
- Outstanding Student in Community Leadership & Development
- Peabody Scholar

ACCOLADES

- *Best Lawyers in America*®, Ones To Watch, Commercial Litigation; Litigation - Labor and Employment; Product Liability Litigation - Defendants (2022-24)
- *Kentucky Super Lawyers*®, Rising Star (2024)