



Burch, Porter & Johnson, PLLC
130 North Court Avenue | Memphis, TN 38103
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Jennifer S. Hagerman

Member

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PRACTICE AREAS

- Commercial & Business Litigation
- Healthcare Law
- Labor & Employment Law
- White Collar & Government Investigations

Jennifer Hagerman's practice focuses on employment litigation and counsel, as well as complex commercial litigation, with a particular emphasis on matters pending in federal court. She has represented clients in cases involving employment discrimination, retaliation, restrictive covenants, wage and hour class actions, civil rights, healthcare, education and numerous areas of commercial law. She also conducts internal investigations and advises clients on a variety of employment matters including non-solicitation and non-competition agreements, employee handbooks, and employee classification under the FLSA.

Following law school, Ms. Hagerman served as a judicial clerk to the Honorable Julia S. Gibbons, former Judge of the United States District Court for the Western District of Tennessee. Ms. Hagerman then joined the firm for two years before returning to serve as a judicial clerk to Judge Gibbons upon Judge Gibbons' elevation to the United States Court of Appeals for the Sixth Circuit. She is a Past President of the Association of Women Attorneys Memphis Chapter, a Past Chairman of the Board of Directors of the Center City Commission, now the Downtown Memphis Commission, and a former member of the Board of Directors of the Memphis Bar Association. She is currently a member (and former chairperson) of the Standing Local Rules Committee for the United States District Court, Western District of Tennessee. Ms. Hagerman was recently appointed to serve on the Tennessee Board of Professional Responsibility by the Tennessee Supreme Court.

Ms. Hagerman is also involved in a variety of legal and community organizations, including serving as Chairperson of the Board of Directors of ALLMemphis, a youth literacy organization. In addition, she currently serves as a manager on the firm's Management Committee.

REPRESENTATIVE MATTERS

- Recognized in the area of Labor & Employment in Chambers USA: America's Leading Lawyers for Business (2023)
- Obtained summary judgment on behalf of a Fortune 500 company in a lawsuit filed by a former employee, who alleged race and age discrimination and retaliation, and successfully defended the appeal before the U.S. Court of Appeals for the Sixth Circuit.
- Obtained summary judgment in favor of employer client in lawsuit alleging retaliation for seeking workers' compensation benefits and successfully defended the appeal before the Tennessee Court of Appeals.
- Conducted multiple internal investigations for major healthcare organization regarding claims of race discrimination, gender discrimination, harassment and workplace bullying.



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- Assists in serving as employment law counsel to educational and healthcare institutions, consulting on highly sensitive matters relating to faculty and staff, internal investigations, wage and hour issues and executive employment.
- Obtained summary judgment in arbitration proceeding regarding breach of employment agreement.
- Conducted internal investigation for nonprofit organization regarding claims of sexual misconduct.
- Conducted multiple employment law training sessions for various clients including healthcare, non-profit and education organizations.
- Represented multiple employers and obtained favorable outcomes in EEOC administrative process, including in investigations conducted by the EEOC.
- Successfully handled audits by the Department of Labor's Wage and Hour Division.

EDUCATION

- Vanderbilt University (J.D., 1999); Managing Editor, Vanderbilt Law Review (1998 – 1999); Vanderbilt Law Review Note Award (1999)
- Southern Methodist University (B.B.A., 1995), magna cum laude

PROFESSIONAL HONORS AND ACTIVITIES

- Member, Tennessee Board of Professional Responsibility (2020-2021), Vice-Chair (2022)
- Member, Burch, Porter & Johnson Management Committee (2015-2020)
- Ranked by Chambers USA: America's Leading Lawyers for Business in Band 3 in the area of Labor & Employment in Tennessee (2020)
- Fellow, College of Labor and Employment Lawyers (elected 2019)
- Member, United States District Court, Western District of Tennessee, Standing Local Rules Committee (2016-present), Civil Rules Subcommittee Chairperson (2017), Chairperson (2018 and 2019)
- Member, Unity in Diversity Scholarship Committee (2016-2019), Sponsorship Co-Chairperson (2016-2017)
- REACH Memphis Law Scholars Program Committee (2018 and 2019)
- Included in the Chambers USA edition as a Recognized Practitioner in the area of Labor & Employment (2019)
- Named to the Best Lawyers in America® list in the areas of Commercial Litigation, Employment Law - Management, Litigation - Labor & Employment (2013-2021), and Litigation - Land Use & Zoning (2015-2021)
- Named to the Mid-South Super Lawyers list in the area of Employment and Labor (2013-2020)
- Former Member, Board of Directors, Memphis Bar Association (2015-2017), Executive Committee (2016 and 2017), Alternative Revenue Committee Chairperson (2016 and 2017), CLE Committee Co-Chairperson (2015)
- Super Women in Business Award, Memphis Business Journal (2019)
- President's Award, Memphis Bar Association (2016)
- Sam A. Myar, Jr. Memorial Award for Outstanding Service to the Profession and the Legal Community (2015)
- Named to the Mid-South Rising Stars list in the area of Employment and Labor (2008-2012)
- Association of Women Attorneys Memphis Chapter (Immediate Past President, 2010; President, 2009; Incoming President, 2008; Vice President, 2006-2007; Member, 2000-present)
- Tennessee Bar Foundation Fellow (Elected 2010)
- Pro Bono Award, Memphis Area Legal Service (2009)



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- Pro Bono Award, Memphis Area Legal Service (2009)
- Top 40 Under 40, Memphis Business Journal (2007)
- Adjunct Professor, University of Memphis School of Law (2004-2006)
- Law Clerk to the Honorable Julia Smith Gibbons, United States Court of Appeals for the Sixth Circuit (2002 - 2003)
- Law Clerk to the Honorable Julia Smith Gibbons, United States District Court for the Western District of Tennessee (1999 - 2000)

PUBLICATIONS AND PRESENTATIONS OF NOTE

- Author, "[Worrying About Workplace Bullying?](#)" BPJ Labor & Employment Newsletter (April 2019)
- Presenter, "Employment Law Wrap Up," Burch, Porter & Johnson Client Seminar (December 2016)
- Presenter, "Hot Topics in Employment Law 2016," Memphis Bar Association (December 2016)
- Author, "Calculating and Counting FMLA Leave: An Increasingly Complex Task," HR Professional Magazine (October 2016)
- Presenter, "Controlling Unemployment Costs," National Business Institute Seminar (September 2016)
- Presenter, "Ethics and Social Media," Memphis Bar Association, Bench, Bar and Boardroom Conference (September 2016)
- Author, "Wage and Hour Issues Continue for Hospitality Industry," HR Professional Magazine (November 2015)
- Presenter, "Proposed FLSA Regulations: What You Need to Know NOW," Burch, Porter & Johnson Client Seminar (September 2015)
- Author, "Sixth Circuit Provides Useful Guidance to Employers on Attendance and ADA Accommodation," HR Professionals Magazine (July 2015)
- Presenter, "Navigating the Minefields of Social Media in Court," Memphis Bar Association, Bench, Bar and Boardroom Conference (May 2015)
- Author, "LGBT Employees Continue to Gain Legal Protection," HR Professionals Magazine (March 2015)
- Author, "Tennessee Court of Appeals Affirms Enforceability of Arbitration Provision in Negotiated Employment Agreement," HR Professionals Magazine (October 2014)
- Presenter, "Civil Ethics Issues in Social Media - From Discovery to Trial," Federal Bar Association, Annual CLE (August 2014)
- Author, "Direct Evidence in Age Discrimination Cases - It is what you say (not how you say it) and who says it that matters," HR Professionals Magazine (February 2014)
- Presenter, "Legal and Ethical Implications of Social Media," Memphis Bar Association Technology Section Annual CLE (November 2013)
- Presenter, "Wage and Hour Worries," Burch, Porter & Johnson Client Seminar (October 2013)
- Presenter, "Legal Implications of Social Media," Association of Government Accountant's Southeast Region Professional Development Conference (April 2013)
- Presenter, "Employment Law Implications of Social Media," University of Mississippi Center for Continuing Legal Education (December 2012)
- Presenter, "Legal and Ethical Implications of Social Media," Seminar for United States Attorneys (October 2012)



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- Presenter, "Hot Topics in Employment Law," Public Financial Management Client Seminar (September 2012)
- Presenter, "Employment Implications of Social Media," Tennessee Government Finance Officers Association Spring Institute (March 2012)
- Presenter, "Social Media and Other Hot Topics," Burch, Porter & Johnson Client Seminar (January 2012)
- Presenter, "Legal (and Tax) Implications of Social Media, Technology and Telework," Memphis & Mid-South Chapters of the IMA & Tennessee Society of CPAs (November 2011)
- Presenter, "Hot Topics in Employment Law," Memphis Bar Association (July 2011)
- Presenter, "[Legal Updates for the Memphis Hospitality Industry](#)," Metropolitan Memphis Hotel & Lodging Association (MMHLA) (January 2011, September 2012)
- Presenter, "Employment Law Update," University of Mississippi Center for Continuing Legal Education (December 2010)
- Presenter, "FMLA and ADA for the Personnel Administrator," Burch, Porter & Johnson Client Seminar (October 2010)
- Author, Note, Working Without Rights: Recognizing Housestaff Unionization – An Argument for the Reversal of Cedars-Sinai Medical Center and St. Clare's Hospital, 52 VAND. L. REV. 1051 (1999)

COMMUNITY INVOLVEMENT

- Memphis TigerSwimming Advisory Board, Member (2019-present)
- Chairperson, ALLMemphis Board of Directors (2018-present)
- Member, LeBonheur Club (2002-2020; Finance Committee, 2017 & 2018)
- Member, Board of Directors, New Memphis Institute (formerly Memphis Leadership Academy) (2008-2014)
- Fellow, New Memphis Institute (formerly Memphis Leadership Academy) (November 2005)
- Board of Directors, Downtown Memphis Commission (Formerly Center City Commission) (2005–2011; Vice Chairman, 2007-2009; Chairman of the Executive Search Committee, 2010; Chairman, 2009-2010)
- Board of Directors, Ira Samelson, Jr. Boys and Girls Club (1999-2009; Chairman, 2003)

ADMITTED TO PRACTICE

Tennessee, 1999

United States District Court for the Western District of Tennessee, 2000

United States Court of Appeals for the Sixth Circuit, 2002

BAR ASSOCIATIONS

Federal Bar Association

American Bar Association

Tennessee Bar Association

Memphis Bar Association

Association for Women Attorneys