



## JOHN R. LABAR

MEMBER

### PRACTICE AREAS:

Corporate, Finance & Business Transactions  
Real Estate (retail, commercial and development)  
Employment Law  
Corporate Finance  
Entity Formation & Corporate Governance  
Mergers & Acquisitions  
Tax, Trusts, Estates and Estate Administration  
Intellectual Property  
Corporate Litigation

### BAR AND COURT ADMISSIONS:

All Tennessee state courts  
U.S. Supreme Court  
U.S. Court of Appeals for the Sixth Circuit  
U.S. Court of Appeals for the Eleventh Circuit  
U.S. Court of Appeals for the Federal Circuit  
U.S. Court of Appeals for the Armed Forces  
U.S. Tax Court  
U.S. District and Bankruptcy Court Eastern District of Tennessee  
U.S. District and Bankruptcy Court Middle District of Tennessee  
U.S. District Court for the Northern District of Florida

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### EDUCATION

- University of Miami School of Law, LL.M. (in Real Property Development), 2013
- University of Tennessee College of Law, J.D. (Concentration in Business Transactions), 2000
- Cornell Law School – Université Paris 1, Summer Institute of International & Comparative Law, 1999
- University of New Hampshire School of Law - Franklin Pierce Center for Intellectual Property, Intellectual Property Summer Institute, 1998
- University of Tennessee at Chattanooga, B.A. (History, minor in Asian Studies), 1997
- United States Military Academy at West Point, 1991-1995

### ADDITIONAL EXPERIENCE:

Mr. LaBar currently serves as an Adjunct Professor of Law at the University of Tennessee College of Law teaching Contract Drafting (for 5 semesters).

Mr. LaBar previous served as the Town Attorney for the Town of Morrison, Tennessee from 2004 until 2015, as the appointed attorney for the Industrial Development Board of Fayetteville-Lincoln County, Tennessee, and has represented the Interlocal Solid Waste Authority.

Mr. LaBar's practice concentrates on advising business and corporate clients on all manner of transactional, corporate, employment and labor, and real estate law matters. Mr. LaBar represents his clients in both administrative matters as well as in litigation, including matters in State and Federal courts as well as before the EEOC, NLRB, Tennessee Human Right Commission and the Internal Revenue Service.

Mr. LaBar also advises clients and business owners in implementing tax, business and estate planning strategies and, for the new business client, the choice of entity and incorporation of their business.

Mr. LaBar also assists clients and lending institutions in a variety of commercial finance, commercial real estate, leasing and commercial law matters.





HENRY, McCORD, BEAN, MILLER, GABRIEL & LaBAR, P.L.L.C.  
ATTORNEYS AT LAW

# BIOGRAPHY

- RECOGNITION:**
- Named a 2017 Elite Lawyer of the South in Labor & Employment Law by Martindale-Hubble, *Top Rated Lawyers 2017 Edition*, National Law Journal (October 2017).
  - Named a 2017 Top Rated Lawyer in Labor & Employment Law by Martindale-Hubble, *Top Rated Lawyers 2017 Edition*, The American Lawyer (June 2017).
  - Named a 2015 Top Rated Lawyer in Labor & Employment Law by Martindale-Hubble.
  - Named a 2013 Mid-South Rising Star by Super Lawyers in the areas of Business/Corporate, Real Estate, and Employment & Labor Law.
  - Listed as a Top Attorney in Tennessee Rising Star in the December 2013 issue of Memphis Magazine.
  - Named a 2012 Mid-South Rising Star by Super Lawyers in the areas of Business/Corporate, Real Estate, and Employment & Labor Law.
  - Listed as a Top Attorney in Tennessee Rising Star in the December 2012 issue of Memphis Magazine.
  - Listed in the Super Lawyers Rising Stars section of the December/January 2013 issue of Nashville Lifestyles Magazine.
  - Named a 2011 Mid-South Rising Star by Super Lawyers in the areas of Business/Corporate, Labor & Employment Law, and Real Estate.
  - Named a 2010 Mid-South Rising Star by Super Lawyers in the areas of Business/Corporate, Real Estate and Corporate Litigation.
  - Mr. LaBar has been awarded a AV Preeminent Rating for his professionalism and the quality of his legal work from Martindale-Hubble, the premier directory of legal professionals. Mr. LaBar's firm is included in the Martindale-Hubble Bar Register of Preeminent Lawyers, the definitive guide to the most distinguished law firms in America.
  - While in law school, Mr. LaBar served as a founding member of Transactions: The Tennessee Business Law Journal, serving as a staff writer.
  - While in law school, Mr. LaBar received the W.K. McClure Fellowship for the Study of World Affairs.
- PUBLICATIONS:**
- Author, "U.S. Supreme Court Rules Car Dealership Service Advisors are Exempt from Overtime-Pay Requirements", Tennessee Bar Association, Labor and Employment Law Section Newsletter (April 27, 2018).
  - Contributing Author, "2015 Midwinter Meeting Report of 2014 FMLA Cases", American Bar Association, Section on Labor and Employment Law, Committee on Federal Labor Standards Legislation, Subcommittee on the Family and Medical Leave Act, updates BNA Treatise on FMLA.
  - Author, "Green Appeal: LEED Certification Appeal Process and Suggestions for Improvement", *Transactions: The Tennessee Journal of Business Law*, 14 Tenn. J. Bus. L. 165 (2013).
  - A paper authored by Mr. LaBar is included (with minor edits) as [Section 12.07](#) entitled "Issues in the LEED Appeal Process" of the treatise, [Green Buildings: Law, Contract and Regulation](#), Law Journal Press (starting with Release 2), authored by Peter S. Britell.
  - Author, "U.S. Department of Labor Issues Final Rules to Improve Employment of People with Disabilities and Veterans", Tennessee Bar Association, Labor and Employment Law Section Newsletter (January 14, 2014).
  - Author, "6<sup>th</sup> Circuit Upholds NLRB Decision Allowing 'Micro Unions'", Tennessee Bar Association, Labor and Employment Law Section Newsletter (October 14, 2013).



Author, “*U.S. Department of Labor Issues Final Rule Expanding Protections for Military Families and Airline Flight Crews*”, Tennessee Bar Association, Labor and Employment Law Section Newsletter (April 5, 2013).

Author, “*U.S. Department of Labor Issues Guidance as to FMLA Leave to Care for an Adult Child*”, Tennessee Bar Association, Labor and Employment Law Section Newsletter (February 5, 2013).

Contributing Expert, 2012 Rule of Law Index published by The World Justice Project. The Index and its findings have been referenced in major global media, including The Economist, The New York Times, The Washington Post, and El Pais. The Index has also been cited by heads of state and chief justices.

Author, “*NLRB Issues Complaint Against Boeing for Transferring Work to Non-Union Facility*”, Tennessee Bar Association, Labor and Employment Law Section Newsletter (September 2011).

Author, “*NLRB Issues Proposed Rule Requiring Employers to Post Notice of Employee Rights under NLRA*”, Tennessee Bar Association, Labor and Employment Law Section Newsletter (January 2011).

Author, “*Combating the Cost of Doing Business: The Benefits of Implementing a Tennessee Drug-Free Workplace*”, *Transactions: The Tennessee Journal of Business Law*, 3 Tenn. J. Bus. L. 25 (2002).

Author, synopsis “*Hathaway v. First Family Fin. Servs., Inc.*”, *Transactions: The Tennessee Journal of Business Law*, 1 Tenn. J. Bus. L. 14 (2000).

## PRESENTATIONS:

Speaker, Highland Rim Chapter, Society for Human Resource Management, [HR Trends for 2018](#) (January 26, 2018).

Speaker, Highland Rim Chapter, Society for Human Resource Management, [Human Resource Law Update](#) (June 27, 2017).

“*Wills and Estates*”, Life Planning Seminar, University of Tennessee Space Institute (March 22, 2017).

Faculty, [Essentials of Employment Law](#) (May 10, 2016), Sterling Education Services, Inc. (Chattanooga)  
■ Topic: Immigration Law. ■ Topic: Critical Issues in FLSA/Wage and Hour.

Faculty, [13<sup>th</sup> Annual Fundamentals of Employment Law](#) (May 12, 2015), Sterling Education Services, Inc. (Chattanooga).  
■ Topic: Immigration Law. ■ Topic: FLSA/Wage and Hour Critical Issues.

Faculty, [Landlord Tenant Law](#) (March 4, 2015), Sterling Education Services, Inc. (Chattanooga).  
■ Topic: Lease Drafting, Structuring, and Negotiating.

Faculty, [12<sup>th</sup> Annual Fundamentals of Employment Law](#) (May 13, 2014), Sterling Education Services, Inc. (Chattanooga).  
■ Topic: Immigration Law (I-9 Compliance/Recent Cases).

“*Wills and Estates*”, Life Planning Seminar, University of Tennessee Space Institute (March 22, 2013).

Faculty, [11<sup>th</sup> Annual Employment Law Beyond the Basics](#) (Sep. 20, 2012), Sterling Education Services, Inc. (Chattanooga).  
■ Topic: NLRB’s Expanding Agenda.

Faculty, [10<sup>th</sup> Annual Fundamentals of Employment Law](#) (Dec. 6, 2011), Sterling Education Services, Inc. (Chattanooga).  
■ Topic: ADA and FMLA Updates and Interplay. ■ Topic: Immigration Law Update.

Faculty, [8<sup>th</sup> Annual Beyond the Basics in Employment Law](#) (Jan. 27, 2011), Sterling Education Services, Inc. (Chattanooga).  
■ Topic: FLSA/Wage and Hour Crackdown. ■ Topic: Advanced FMLA & ADA Issues.  
Faculty, [Fundamentals of Employment Law](#) (Jan. 28, 2010), Sterling Education Services, Inc. (Chattanooga).



- Topic: Immigration Compliance Issues for Employers.

“*Business Legal Issues & Concerns*”, Presenter, Middle Tennessee Business Network (Dec. 16, 2009).

Faculty, Employment Law Update in Tennessee (Oct. 15, 2008), Sterling Education Services, Inc. (Chattanooga).

- Topic: Stay Out of Jail: Immigration Compliance Issues for Employers.
- Topic: Developments in FMLA Compliance and the Overlap of ADA, FMLA and Workers Compensation when Dealing with Absences of Ill, Injured and Disabled Employees.

“*Workers’ Compensation Issues for Employers Seminar*”, Co-Presenter, Tullahoma Area Chamber of Commerce (May 7, 2007).

## SIGNIFICANT CASES:

Vakili v. Hawkersmith, (Tenn. Ct. App. 2001), 2001 WL 1173285 [construction law case].

Bremen-Bowdon Investment Co. v. Tennessee Apparel Corp., SBA No. SIZ-4745 (2005), 2005 WL 3481333 [SBA Size determination].

In Re: Temco Fire Place, NLRB Case 26-CA-21077 (2003) [NLRB case].

EEOC and TeVrucht v. United Parcel Service, Inc., Case No. 4:99-cv-21 (E.D. Tenn. 2001). [ADA case].

## PROFESSIONAL ASSOCIATIONS:

American Bar Association (Sections on Business Law, Labor and Employment Law, Real Property, Trust and Estate Law and Intellectual Property Law).

Tennessee Bar Association (House of Delegates Member, 14<sup>th</sup> Judicial District, 2004-present) (Sections on Business Law, Real Estate Law, Labor and Employment Law, Intellectual Property, Estate Planning and Probate).

Coffee County Bar Association (President 2004-2005; Member 2000 - present).

## NOTEWORTHY:

Lawclerk, U.S. Department of Justice, U.S. Attorney’s Office, Chattanooga, Tennessee (July – August 1998).

Intern, New Hampshire Inventors Assistance Program (June – July 1998).

## PRO BONO:

Partners for Healing, Inc. [(a 501(c)(3) organization dedicated to providing medical care to the working uninsured] (President 2007-2008; Board Member, October 2000 – present; Executive Committee Member, 2000-2009).

Tullahoma Sunrise Rotary Club (President 2007-2008; member 2006 – present).

Coffee County Children’s Advocacy Center, Inc. (Director 2004-2005).