



## **C.B. Burns**

### **Kemp Smith Law**

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**Clara (C.B.) Burns** is a partner at Kemp Smith Law and is Board Certified in Labor and Employment Law. C.B. represents employers in all aspects of workplace law in the federal and state courts of Texas and New Mexico and before numerous governmental agencies.

C.B. is a fellow in the College of Labor and Employment Lawyers and is ranked in the top tier of Labor and Employment Lawyers in Texas by Chambers USA. Chambers USA has recognized her as an “indefatigable litigator who is very thorough, tenacious, and effective in jury and bench trials.” She has been recognized as a Texas “Super Lawyer” and listed in Best Lawyers in America. Best Lawyers in America has selected her as a Lawyer of the Year for El Paso on several occasions, including as its Labor Law – Management “Lawyer of the Year” for 2018.

Some of C.B.’s recent successes include:

- Defense verdict in a disability discrimination case in the Western District of Texas
- Defense verdicts in cases involving workers’ compensation retaliation, sexual harassment, and retaliation in El Paso County
- A permanent injunction, a monetary judgment and an award of attorney’s fees on behalf of an employer in a non-compete case
- Defense awards in employment arbitration cases on behalf of clients, including a national hospital company, a major retailer, a global manufacturer of automotive products, and a national manufacturer of food safety products, involving age, national origin, race, and sex discrimination claims and FMLA claims
- Summary judgment on behalf of a regional banking operation in Bernalillo County (Albuquerque, NM) in a multi-plaintiff sex and age discrimination and breach of contract case
- Representation of the Texas Association of Business, which along with other business associations, obtained an injunction in the Northern District of Texas against the United States Department of Labor from implementing its “Persuader Rule”
- Successful argument before the United States Court of Appeals for the Fifth Circuit in which the Court affirmed dismissal of state law discrimination claims against a federal contractor operating at Fort Bliss, Texas, based on the Federal Enclave Doctrine.
- A reverse and render judgment by the Texas Supreme Court, unanimously reversing a jury verdict against an El Paso employer in a workers’ compensation retaliation lawsuit
- Amici briefing before the Texas Supreme Court successfully advocating against extension of the federal Lilly Ledbetter Act to existing Texas state law