

## Michael A. Harvey



Shareholder [Houston](#)  
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### Education

J.D. from University of Oklahoma College of Law

- Graduated with Distinction
- American Indian Law Review

B.A. from Baylor University *cum laude*

### Bar Admissions

Texas

United States Court of Appeals for the Fifth Circuit

United States District Court for the Eastern, Northern,  
Southern and Western Districts of Texas

United States District Court for the New Mexico

### Related Practices

Labor & Employment

Covenants Not to Compete

Employment Litigation

FLSA

OSHA

Trade Secrets

Litigation

Antitrust

Arbitration

TCPA + Consumer Litigation

## Overview

Michael is an experienced commercial litigator and trial lawyer who focuses his practice on defending clients in complex commercial disputes in federal and state courts and arbitration. He represents clients in contract disputes, consumer litigation, business torts, Fair Labor Standards Act (FLSA) Wage and Hour, Title VII, Chapter 21, family and medical leave, sexual harassment, pregnancy discrimination, non-competition and confidentiality agreements.

With respect to his consumer litigation practice, Michael has extensive experience representing retail companies, credit and mortgage lending institutions, as well as other related consumer finance entities. Specifically, he has represented clients in matters involving federal and state consumer protection statutes, including the Telephone Consumer Protection Act (TCPA), Texas Debt Collections Act (TDCA) and Federal Fair Debt Collections Practices Act (FDCPA) in state court, federal court and arbitration. He also works with clients to develop TCPA-compliant processes and policies.

Michael also spends a considerable amount of time consulting with and advising clients on commercial and employment practices and policies. In this respect, Michael worked in a secondment position as in-house counsel for an international placement company.

## Related Industries

Financial Services  
Construction  
Energy  
Retail  
Transportation

## Achievements

*Thomson Reuters* – Texas Rising Stars (2015-2017)

## Memberships

ACA International  
Down Syndrome Association of Houston (Board of Directors and Legal Counsel)  
Honorable Garland R. Walker American Inn of Court (Barrister)  
Houston Bar Association, Labor and Employment and Litigation Sections  
State Bar of Texas, Labor and Employment Law Section

## Experience

### Placement Agency Secondment

Secondment in-house position for international professional placement company handling North American business counseling, labor and employment consultation and related commercial and employment litigation.

### FLSA

Represented numerous oil and gas companies in class/collective action litigation related to the Fair Labor Standards Act (FLSA) wage and hour issues.

### EEOC Charges Against a Hospital

Represented local hospital with respect to all EEOC charges of discrimination.

## NLRA Complaints

Represented multiple companies with respect to NLRA complaints, including concerted activity issues.

## Labor & Employment Counsel

Represented national chain of electronics and appliances stores with respect to consumer litigation including Telephone Consumer Protection Act (TCPA), Texas Debt Collection Act, Federal Fair Debt Collection Practices Act (FDCPA), and debt collection.

## Labor & Employment Counsel

Drafted, assisted in rolling out and litigated employment agreements and polices, including class waivers, arbitration provisions, non-compete agreement, confidentiality agreements, executive compensation agreements and employee handbooks.

## Class + Collective Waivers

Litigated and upheld class/collective waivers in the Southern District of Texas subsequent to NLRB's DR Horton decision for national Corporation.

## Labor & Employment Counsel

Legal Counsel for the Down Syndrome Association of Houston.

## Labor & Employment Counsel

Labor and Employment Counsel for the Houston SPCA.

## Newsroom

**Speech:** Legal Education: Getting the Most Bang for Your Buck in Litigation Strategy

**In The News:** Talking TCPA: What is the Best-Case Scenario for Mitigating Illegal Robocalls?

**Article:** Telemarketers, and Scammers and Robocallers, Oh My!

**In The News:** Former Conn's In-House Lawyer Booted From Case 'Substantially Related' to Her Old Job

**In The News:** Retailer Conn's Says Ex-Counsel's New TCPA Suit Improper

**Article:** Redefining Labor

**Press Release:** Nine Munsch Hardt Attorneys Recognized as 2017 Rising Stars by Thomson Reuters

**Speech:** Guide to the Department of Labor's FLSA Update

**Article:** Ninth Circuit Invalidates Class Action Waivers Paired With Mandatory Arbitration Agreements

**Speech:** 2016 Employment Law and Construction Law Updates

**Press Release:** Munsch Hardt Wins Positive FLSA Verdict for J4 Oilfield Services

**Speech:** 5 Tips for Compliance with FLSA on Overtime

**Speech:** 2016 Employment Law Update

**Press Release:** Six Munsch Hardt Attorneys Recognized as 2016 Texas Super Lawyers Rising Stars

**Speech:** Social Media: Opportunity & Threats for NORA Members

**Press Release:** Munsch Hardt Attorneys Recognized by Super Lawyers as 2015 Rising Stars

**Speech:** End-of-Year Labor & Employment Seminar

**Press Release:** Munsch Hardt Announces Three Promotions

**Press Release:** Munsch Hardt Grows Business Litigation Group in Houston