



## Wendy G. Adkins

Member

### Morgantown Office

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**Wendy G. Adkins is a Member in the Education industry group, focusing primarily on employment, commercial litigation, education, and real estate. She practices out of the Firm's office in Morgantown, West Virginia. Wendy is also the Managing Member of the Firm's Morgantown, Bridgeport, and Martinsburg, West Virginia, offices.**

Wendy is passionate about her legal practice, her clients, and anything involving West Virginia University – both her undergraduate and law degrees are from WVU. Wendy's wide-ranging employment litigation practice has allowed her to gain experience in many aspects of the law. In fact, she is more than a lawyer – she is a consultant, an advisor, and a fierce advocate.

Wendy also takes a hands-on approach to drafting her clients' legal arguments, ensuring she knows her clients' factual and legal arguments inside and out. With an undergraduate degree in journalism, brief writing is a happy task for Wendy. She will work all the pieces of the legal puzzle until they come together seamlessly.

Wendy does not shy away from a challenge. She was the first person in her family to graduate from a four-year college and is the first and only lawyer in her family. That may be why Wendy most enjoys guiding her clients through their thorniest legal issues. She always has her clients' best interests in mind and understands the toughest part of her job is providing the best legal advice, even when that guidance is not necessarily what the client hopes to hear. This is not always easy, but it allows her to guide her clients to the best outcomes. Wendy is the whole package and the type of attorney all clients want in their corner.

## Awards

- Ranked in *Chambers USA: America's Leading Lawyers for Business* among "Leaders in Their Field" for Labor and Employment Law (2022-2024)
- *The Best Lawyers in America*® for Commercial Litigation (2022-2024) ; Litigation - Labor and Employment (2024)
- West Virginia *Super Lawyers*® - General Litigation Law, "Rising Stars" (2018)
- West Virginia *Super Lawyers*® - General Litigation and Workers' Compensation Law, "Rising Stars" (2010-2017)
- Top 20 under 40, *Corridor Magazine* (November 2012)

## Notable Legal Experience

### Contract & Commercial Actions

- First chair litigator at trial in a dissolution action in West Virginia Business Court Division
- Litigated complex contractual disputes, including multi-year service contracts and covenants not to compete

- Represented clients bringing breach of duty claims against members of a limited liability company

### **Litigation Actions**

- Represented clients before administrative law judges, state circuit court judges and federal district court judges throughout West Virginia
- Drafted briefs filed with United States Supreme Court; United States Courts of Appeal for the Third, Fourth and Tenth Circuits; Supreme Court of Appeals of West Virginia
- Oral argument before Benefits Review Board panel regarding federal administrative appeal
- Represented and advised clients during mediations involving claims in excess of \$1 million

### **Property Actions**

- Represented oil and gas industry clients throughout the Appalachian Basin in quiet title actions and “lease busting” actions
- Appeared before administrative boards regarding municipal planning and zoning decisions
- Represented public utility in condemnation actions

### **Employment Actions**

- Counseled employers on wage and hour issues, employee leave and benefits, reductions in force, drug testing, and obligations under the Family and Medical Leave Act
- Drafted and reviewed personnel policies and employee handbooks
- Assisted in-house counsel, human resource representatives, managers, and supervisors with employee discharge and discipline decisions
- Represented employers in state and federal courts in actions involving wage and hour claims, employment discrimination claims, and various harassment, retaliation, and wrongful termination claims

### **Represented State Higher Education Institutions in:**

- Promotion, tenure, and other faculty grievance issues at level one conferences and hearings before institution's chief grievance administrator
- Federal due process action related to academic integrity proceedings
- Procurement process action in state court
- West Virginia Freedom of Information Act request for an investigative report in state court
- Various state employment discrimination actions
- Public-private partnerships actions in state court
- Arbitration concerning statutory separation from another institution

## **Work History**

- Jackson Kelly PLLC (2007-Present)
- U.S. District Court for the Northern District of West Virginia, Judicial Law Clerk for the Hon. Irene M. Keeley (2005-2007)
- Huddleston Bolen, LLP, Associate Attorney (2003-2005)

## **Practices**

- Commercial Litigation
- Class Action & Complex Litigation
- Labor & Employment
- Litigation

## **Industries**

- Education

## **Education**

- West Virginia University College of Law (J.D., *summa cum laude*, 2003)
  - Order of the Coif (2003)
- West Virginia University (B.S. in Journalism, 2000)
  - Dean's List (1996-2003)
  - Scholars Program (1996-2000)

## Admissions

- Pennsylvania (2015)
- West Virginia (2003)
- U.S. Court of Appeals, Fourth Circuit (2008)
- U.S. District Court, Northern District of West Virginia (2007)
- U.S. District Court, Southern District of West Virginia (2003)
- West Virginia Supreme Court of Appeals (2003)

## Professional Organizations

- Association of Defense Trial Attorneys, Member (2015-Present)
- Pennsylvania State Bar, Member (2015-Present)
- Monongalia County Bar Association, Member (2008-Present)
- West Virginia Defense Trial Counsel, Member (2007-Present)
- West Virginia State Bar, Member (2003-Present)
  - Employment Law Committee, Co-Chair (2021-Present)

## Speaking Engagements & Publications

### Speaking Engagements

- Presenter, "Top Priorities of an HR Department of One." West Virginia Rural Water Association, Water on the Mountain Conference, Aug. 15, 2023
- Presenter, "Is Your Workplace Ready for the COVID-19 Vaccine?," Institute for Healthcare Governance, April 13, 2021
- Presenter, "Pandemic Look at Employee Issues," WVCLE Shale Law, Nov. 6, 2020
- Presenter, "Navigating Employment Issues During COVID-19," Association of Housing Authorities, May 13, 2020
- Presenter, "Navigating Employment Issues During COVID-19," Martinsburg-Berkeley County Chamber of Commerce Virtual Rise & Shine, April 24, 2020
- Presenter, "Employment Issues and COVID-19," West Virginia Oil and Natural Gas Association, April 9, 2020
- Presenter, "Board Governance," Morgantown Area Partnership Board, May 15, 2019
- Presenter, "Board Governance," United Way of Monongalia and Preston Counties, April 16, 2019
- Presenter, "The Top Five Priorities for an HR Department of One," West Virginia Chamber of Commerce 2019 HR Conference, Charleston, West Virginia, April 10, 2019
- Presenter, "What Employers Need To Know In a #MeToo World," Professional Development Seminar, Blue Ridge Community & Technical College, Martinsburg, West Virginia, March 29, 2019
- Presenter, "Employment Agreements/Independent Contractors v. Employees/Non Competes," Jackson Kelly PLLC Trends in WV Employment, Labor and Benefits Law Seminar, Charleston, West Virginia, Oct. 16, 2018
- Monongalia Health System and Monongalia General Hospital: Presentation to the Boards of Directors on Authority and Responsibilities of a Board of Directors (June 2013, May 2016)
- West Virginia State Bar Young Lawyers Section Lunchtime Lecture Series (Oct. 5, 2012)
- West Virginia University Summer Law Institute (2010, 2014)

## Community

- Leadership Council on Legal Diversity (LCLD) Fellows Program (2020)
- Fairmont State University, Board of Governors (2019-Present)
- American Heart Association, Jackson Kelly liaison (2008-Present)
- Partnership in Education with Eastwood Elementary School, Jackson Kelly liaison (2008-Present)
- Junior Achievement, Board Member (2012-2014)
- Monongalia County Schools Partnership in Education, Board Member (2009-2011)
- Leadership Monongalia (2009-2010)