

Frederic Theodore 'Ted' Le Clercq



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Location

New Orleans, LA

Practice Areas

- Labor & Employment
- Professional Liability

Jurisdictions

- Louisiana
- Mississippi
- South Carolina
- Tennessee

Frederic Theodore Le Clercq is a partner in the firm and practices civil rights litigation, professional liability, labor & employment law and constitutional law. He is the Co-chair of the Labor and Employment Department for the firm.

In addition to being licensed in Louisiana, Mr. Le Clercq is also licensed to practice law in Mississippi, South Carolina and Tennessee. He previously served as a judicial law clerk to the Honorable Falcon B. Hawkins, Chief Judge of the United States District Court for the District of South Carolina.

Mr. Le Clercq is a frequent speaker for a variety of professional groups in his practice areas and also provides training to companies on personnel issues.

Mr. Le Clercq's publications include "Current Issues and Emerging Trends in Municipal Liability - A Louisiana Perspective" (Louisiana Bar Journal, 2004); "Show Me The Money!" (Louisiana Bar Journal, August, 2006) and "Don't Get Stuck in Court: Arbitrate Employment Disputes" (Louisiana Bar Journal, 2001).

Civic involvement is very important to Mr. Le Clercq, and since 2008 he has led an effort to plant 250 live oaks along St. Charles Avenue, one of New Orleans' most historic streets. The project helped to offset damage done to the city's trees by Hurricane Katrina and was funded with private donations. An article on the project can be read at http://tulane.edu/news/newwave/081610_oaks.cfm and an interview regarding the project can be heard at <http://neworleanspodcasting.com/TedLeClercq.shtml>.

Mr. Le Clercq received his B.A. degree *cum laude* from Washington & Lee University and his J.D. degree from the University of Tennessee at Knoxville where he was a member of the *Tennessee Law Review*, Labor Law Moot Court, and National Moot Court teams. He was the McClung Medal recipient for Best Oral Advocacy at the University of Tennessee School of Law. He also won the award for Best Oral Advocacy at the National Labor Law competition in New York.

Professional Activities and Honors

American Bar Association

-- EEO Subcommittee

Leadership in Law: Top 50 Lawyers in New Orleans, 2010

Louisiana Super Lawyer, 2010, 2009, 2007

Louisiana State Bar Association

-- Labor and Employment Section Board Member

Mississippi State Bar Association

-- Labor and Employment Law Section

New Orleans Bar Association

Preservation Resource Center

-- **Board Member**

St. Charles Avenue Association

-- **Board Member**

Education

J.D., University of Tennessee at Knoxville, 1989

B.A., cum laude, Washington & Lee University, 1986

-- Special Honors in Philosophy

Representative Works

Freedom of Speech

Mr. Le Clercq defended the Vieux Carre Property Owners and Residents Association (VCPORA) in a freedom of speech lawsuit in which the plaintiff was asking in excess of two million dollars. The case revolved around an e-mail message in which a representative of VCPORA urged the organization's members to attend a City Council meeting and support a proposed ordinance. In the email, the representative referred to the plaintiff as a "thug," leading the plaintiff to sue for defamation. The court determined that the e-mail wasn't legally defamatory because the word "thug" doesn't connote criminal conduct when used on its own. To be defamatory, the court said, the e-mail would have had to suggest that a crime was committed. Mr. Le Clercq was quoted in *The Times-Picayune* as stating, "Our courts have long recognized that vigorous debate on controversial issues of public concern is essential. This decision affirms that bedrock principle and supports VCPORA's commitment to advocacy." The Louisiana Appellate Court dismissed the lawsuit.

Sidney Smith d/b/a Haunted History Tours, Inc. v. Donald Geddes and the VCPORA, Inc.,

La. Court of Appeals No. 09-0833 (2009)

Product Liability

Mr. Kerrigan, Mr. Le Clercq and Mr. Walsh obtained a dismissal with prejudice on a motion for summary judgment in the 19th JDC, Parish of East Baton Rouge, on behalf of a manufacturer of access control devices. The manufacturer had been sued by a university police officer who claimed injuries resulting from a malfunction of a parking lot's exit gate. Deutsch, Kerrigan & Stiles was able to prove that the plaintiff, who was riding his duty motorcycle at the time, knew that motorcycles and parking gates were incompatible and that the plaintiff's employer had removed the manufacturer's warnings. Judge Hernandez gave written reasons for judgment.

Jurisdiction

Mr. Le Clercq had this insurance agent errors & omissions claim involving a serious accident dismissed for lack of personal jurisdiction.

Michael D. Tillman and Holly S. Boyce v. La. Dept. of Transportation and Development, et al., 6th JDC No. 08-99 (2009)

Covenants No To Compete

Mr. Le Clercq handled this case in which the trial Court enjoined former employee and the Court of Appeals upheld.

H2O Hair, Inc. V. Lisa Marquette, et al., 24th JDC No. 634-146, Div. "H", (2008)

Race Discrimination

Mr. Le Clercq handled this race discrimination case that was dismissed pursuant to summary judgment.

Aubrey Lacy v. Southern Eagle Sales and Service, E.D. La., 2005.

Religious Discrimination

Mr. Le Clercq handled this religious discrimination claim that was dismissed by grant of summary judgment.

Stephen A. Viney v. Price LeBlanc, Inc., M.D. La., 2004.

Sex Discrimination

Mr. Le Clercq handled this sex discrimination claim that was dismissed by grant of exception of prescription.

Gwendolyn W. Jones v. Bayou State Security, et al., CDC No. 02-4842-J, 2004.

Race Discrimination

Mr. Le Clercq handled this race discrimination claim under Section 1981 that was dismissed by prescription.

Michael Fernandez v. Board of Commissioners, E.D. La., 2004.

Errors & Omissions

Mr. Le Clercq handled this errors & omissions case against Affiliated Insurance Managers that was dismissed by grant of summary judgment.

First General v. Lexington Insurance Co., et al., 16th JDC No. 63,700-H, 2004.

Contract and Fraud Action

Mr. Le Clercq handled this contract and fraud action that was dismissed by grant of summary judgment.
P.G. Diners, Inc. v. Cat Scale Co., et al., 14th JDC No. 2000-2526, 2004.

Race - ADA - Retaliation

Mr. Le Clercq handled these race, ADA and retaliation claims that were dismissed by summary judgment.
Anita James v. Jack-in-the-Box, M.D. La., 2004.

Race Discrimination

Mr. Le Clercq handled this race discrimination case that was dismissed by summary judgment.
Alisha Brown v. Food Giant Supermarkets, Inc., S.D. Mississippi, 2004.

Jurisdiction

Mr. Le Clercq handled the reversal of the district court and entered a judgment for our client dismissing the case based on lack of personal jurisdiction.

A-Z Paper Company, Inc. v. Saks, Inc., et al., La. App. 4th Cir., 2004.

ADA - FMLA

Mr. Le Clercq handled this ADA and FMLA claim that was dismissed on motions.
Doug Davis v. Auto-Chlor Services, Inc., W.D. La., 2003.

Race Discrimination

Mr. Le Clercq handled this race discrimination claim that was dismissed by grant of summary judgment.
Carolyn Stewart v. The May Dept. Stores, et al., M.D. La., 2003.

Sex Discrimination

Mr. Le Clercq handled this sex discrimination claim that was dismissed by grant of summary judgment.
Eric M. Nguyen v. Buchart-Horn, Inc., E.D. La., 2003.

Race and Age Discrimination

Mr. Le Clercq handled these race and age discrimination claims that were dismissed by grant of summary judgment.
Barbara Hoover v. Dee Lindsey, et al., E.D. La., 2003.

Sex Discrimination

Mr. Le Clercq handled this sex discrimination case that was dismissed on motion.
J. Thompson v. Naph Care, S.D. Mississippi, 2002.

Race Discrimination

Mr. Le Clercq handled this race discrimination case that was dismissed on summary judgment.
Eleanore Brown v. Sak's Fifth Avenue, E.D. La., 2002.

Jurisdiction

Mr. LeClercq handled this case that the court dismissed for lack of personal jurisdiction.
Larry Hauskins v. American Kennel Club, Inc., W.D. La., 2001.

Appeal

Mr. Le Clercq handled this case. The En Banc court of appeals reversed the lower court and ordered enforcement of an arbitration agreement.

Stadlander v. Ryan's Family Steakhouses, Inc., La. App. 2nd Cir., 2001.

Racial Discrimination

Mr. Le Clercq handled this racial discrimination case that was dismissed on motion for summary judgment.
Martha Lee v. Childrens Hospital, E.D. La. 2000.

Sex Discrimination

Mr. Le Clercq handled this sex discrimination case that was dismissed on motion.

Dana Lamb v. McDonald's, S.D. Ms., 2000.

Articles and Publications

Protecting Your Business When Employees Leave

Article by Mr. Le Clercq in *The Legal Blueprint*; October 2007.

Show Me the Money! What Exactly Are the Duties of Insurance Agents and Brokers?

Article by Mr. Le Clercq, *Louisiana Bar Journal*, August/September 2006, Vol. 54 No. 2.

Don't Get Stuck in Court: Arbitrate Employment Disputes

Article by Mr. Le Clercq, *Louisiana Bar Journal*, 2001.

Smoking in the Workplace

Article by Mr. Le Clercq, *Louisiana Bar Journal*, 1996.

Speeches and Presentations

Errors & Omissions Issues

Presentation by Mr. Le Clercq; Chartered Property Casualty Underwriters Society National Convention; September 9, 2008; Philadelphia, PA.

Saving Arbitration and Stopping The Great Escape

Presentation by Mr. Le Clercq; The Network of Trial Law Firm's Litigation Management CLE; May 1-4, 2008; Naples, FL.