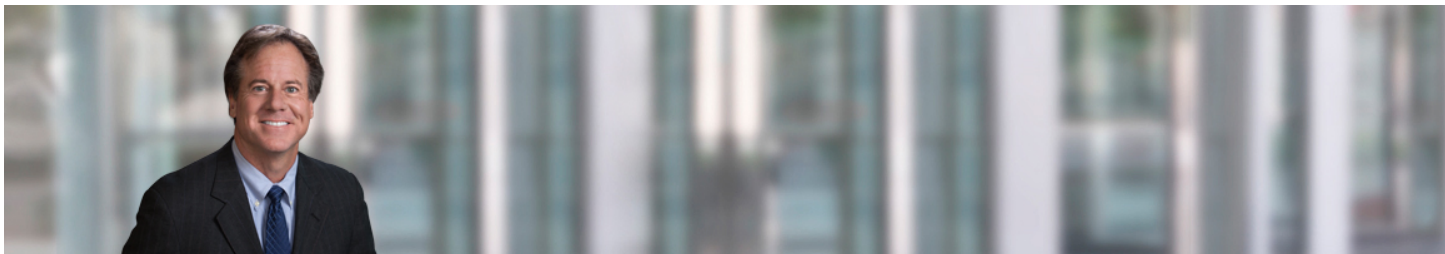


## Eric K. Gabrielle



Shareholder

Fort Lauderdale Office

egabrielle@stearnsweaver.com

Phone: 954-462-9527

### PRACTICE AREAS

Labor & Employment

Litigation & Dispute Resolution

Education Law

Hospitality & Leisure

Arts, Sports & Culture

### OVERVIEW

*"Eric is an excellent advocate and extremely knowledgeable on the subject of employment law."*

- *Chambers USA 2024*

Eric Gabrielle is a Shareholder in the Labor & Employment Department. Eric is Board Certified by The Florida Bar in Labor and Employment Law. He specializes in litigation of employment law issues in Florida federal and state courts, and also advises employers regarding compliance with all federal, state and local laws and regulations governing employment relationships and the drafting and judicial enforcement of restrictive covenants (non-compete contracts). Eric has also served as an arbitrator in the resolution of employment disputes.

Eric is a contributing author to *Labor and Employment Litigation Strategies* (West Publishing, 2007) and he is regularly interviewed by local and national publications regarding labor and employment law issues. He is also a contributor to the firm's labor and employment law blog, [BeLabor the Point](#).

### REPRESENTATIVE EXPERIENCE

*Calicchio v. Oasis Outsourcing Group Holdings, L.P., et al.* 584 F.Supp.3d 1215 (S.D. Fla. Jul. 22, 2021), *aff'd*, 2022 WL 2761720 (11th Cir. Jul. 15, 2022)

*Corporate Insurance Advisors v. Addeo, et al.*, 2021 WL 6622154 (S.D. Fla. 2021), *adopted by* 2022 WL 204698 (S.D. Fla. 2022)

*Jones v. Great HealthWorks, Inc.*, 2011 WL 2650228 (S.D. Fla. 2011)

*Equitrac v. Mozingo*, 2007 WL 1181813 14 Fla. L. Weekly Supp. 560 (Fla.Cir.Ct. 2007)

*AutoNation v. Krohn*, 2007 WL 1022698 14 Fla. L. Weekly Supp 460 (Fla.Cir.Ct. 2007)

*Hatfield v. AutoNation*, 939 So. 2d 155 (Fla 4th DCA 2006)

*Sanguinetti v. United Parcel Service, Inc.*, 114 F. Supp. 2d 1313 (S.D.Fla 2000), *aff'd*, 254 F.3d 75 (11th Cir.2001)

*Roberson v. Clear Channel Broadcasting, Inc.*, 144 F.Supp.2d 1371 (S.D. Fla 2001)

*Murray v. World Savings Bank*, 215 F. Supp.2d 1316 (S.D. Fla. 2002)

*Fernandez v. Clear Channel Broadcasting, Inc.*, 268 F. Supp.2d 1365 (S.D. Fla 2003)

*AutoNation, Inc. v. Whitlock* 276 F. Supp. 2d 1258 (S.D. Fla. 2003)

*AutoNation, Inc. v. Hankins*, 2003 WL 22852206 11 Fla. L. Weekly Supp 35 (Fla. Cir. Ct. 2003)

*Kotch v. Clear Channel Broadcasting, Inc.*, 2004 WL 483502 (S.D. Fla. 2004)

*AutoNation, Inc. v. Maki*, 2004 WL1925479 (Fla. Cir. Ct. 2004), *aff'd*, 895 So. 2d 453 (Fla. 4th DCA 2005)

*AutoNation, Inc. v. O'Brien*, 347 F. Supp.2d 1299 (S.D. Fla. 2004)

*AutoNation, Inc. v. Hatfield*, 2006 WL 60547 (Fla. Cir. Ct. 2006), *aff'd*, 915 So. 2d 1236 (Fla. 4th DCA 2005), *rev. denied*, 940 So 2d 1124 (Fla. 2006), 2007 WL 3237260 (Fla. Cir. Ct. 2007)

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## PROFESSIONAL & COMMUNITY INVOLVEMENT

The Academy of Florida Management Attorneys (AFMA), 2014-Present

President, 2021-2022

Director, 2018-2023

Florida Bar Labor and Employment Certification Committee

Vice Chair, 2024-Present

Member, 2011-2017, 2021-Present

Broward Performing Arts Foundation, Inc

Board of Directors, 2014-2024

Executive Committee, 2016-2020

Governance Committee Chair, 2016-2020

National Association of College and University Attorneys, 2017-Present

Southern District of Florida Committee on Attorney Admissions, Peer Review and Attorney Grievance, 2010-2022

Board of Directors, Dolphins Cancer Challenge, 2018-2020

Southern District of Florida Bench and Bar Conference Committee, 2010-2016

Federal Magistrate Judge Merit Selection Panel, Southern District of Florida, 2009

Federal Bar Association, Broward Chapter, President, 2009-2010

Broward County Bar Association Employment Law Section, Chair, 2003-2004

American Bar Foundation, Fellow

Florida Bar Foundation, Fellow

Volunteer Lawyers Project (Southern District of Florida)

Society for Human Resource Management

Meritas, Firm Representative

Fort Lauderdale Little League, Inc., Board of Directors, 2014-2017

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## RECOGNITION

*Chambers USA*, Labor & Employment (Florida), 2020-Present

*The Best Lawyers in America®*, 2013-Present

The Employment Law Issue, 2021

*Florida Super Lawyers*, 2010-Present; Rising Stars, 2009

*South Florida Legal Guide*, Top Lawyers in South Florida - Labor & Employment, 2013-Present; Top Up and Coming, 2009-2012

*Fort Lauderdale Illustrated*, Top Lawyers (Labor & Employment), 2020-Present

*Florida Trend's Florida Legal Elite*, 2007, 2016; Up and Coming, 2004

Southern District of Florida, Judge Jose A. Gonzalez, Jr. Unsung Hero Award, 2011

Legal Aid Service of Broward County, Children's Advocacy Award, 2008

Broward County Bar Association, Outstanding Section Chair, 2003-2004

AV rated by Martindale-Hubbell

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## PUBLICATIONS & PRESENTATIONS

### **Publications: [The Day the Universe Changed](#)**

BeLabor the Point Blog | June 2024

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### **Events: [I Need To Be An Independent Contractor](#)**

Stearns Weaver Miller's 2022 Annual Miami Labor & Employment Law Seminar | | October 2022

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### **Publications: [Stuck In The Middle With You](#)**

BeLabor the Point Blog | November 2021

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### **Events: [Breaking Through the Noise: Labor & Employment Issues Post-Pandemic](#)**

Stearns Weaver Miller News Program Special | | June 2021

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**Publications: [Twitter, Tiktok, and termination: navigating employees' social media usage](#)**

SEAL Letter | December 2020

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**Publications: [Twitter, TikTok, and Termination: Navigating Employees' Social Media Usage](#)**

BeLabor the Point Blog | October 2020

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**Events: [Meet the Gang Part II – Wage and Hour Hot Topics, Marijuana Update and FMLA/ADA/Workers' Comp Interplay](#)**

Stearns Weaver Miller's 29th Annual Labor and Employment Law Seminar | May 2019

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**Events: [To Sign or Not to Sign: Is that the Question? Drafting and Enforcing Employment Agreements](#)**

The Florida Bar | September 2018

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**Events: [LGBTQ Dynamics in the Workplace](#)**

Greater Fort Lauderdale Chamber of Commerce | May 2018

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**Events: [USERRA](#)**

The Florida Bar 18th Labor and Employment Law Annual Update and Certification Review | January 2018

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**Events: [Employment Law: LGBTQ Best Practices for Employers](#)**

Florida LGBTQ Legal Aid Summit | October 2017

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**Events: [Analyzing the Analytics, Artificial Intelligence & Algorithms of the 21st Century Workplace](#)**

Stearns Weaver Miller's 27th Annual Labor and Employment Law Seminar | May 2017

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**Events: [Complying with the Department of Labor's New Overtime Rule](#)**

American Financial Services Association | October 2016

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**Events: [Next Stop - The Future of the Fair Labor Standards Act and Its Major Exemptions](#)**

Stearns Weaver Miller's 26th Annual Labor and Employment Law Seminar | May 2016

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**Publications: [New Overtime Rule Doubling Minimum Salary Requirement Effective December 1](#)**

BeLabor the Point Blog | May 2016

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**Publications: [What You Need to Know About a New Federal Law to Protect Trade Secrets](#)**

BeLabor the Point Blog | May 2016

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**Publications: [Same Pay for the Same Day? EEOC Wants to Take a Look](#)**

BeLabor the Point Blog | February 2016

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**Events: [Broward College Speaker Series Featuring Mo Rocca](#)**

The Broward Center for the Performing Arts | January 2016

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**Publications: [First Monday in October Promises Important Rulings in Employee Cases](#)**

BeLabor the Point Blog | October 2015

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**Publications: [City Worker Fired for Singing Bob Marley Song Stands Up for Her Rights](#)**

BeLabor the Point Blog | August 2015

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**Events: [Quick Beauty Tips for Your Employee Benefits Package](#)**

Stearns Weaver Miller's 25th Annual Labor & Employment Law Seminar | | May 2015

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**Publications: [Psst... the 2015 Employment Issues Are Just Around the Corner](#)**

BeLabor the Point Blog | December 2014

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**Events: [ADA/FLMA Overview](#)**

Florida College System Council of Business Affairs Human Resources Council | | September 2014

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**Publications: [Employers Pay for Antitrust "Conspiracies"](#)**

BeLabor the Point Blog | August 2014

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**Events: [Understanding Uniformed Services Employment & Reemployment Rights Act \(USERRA\)](#)**

Stearns Weaver Miller Ft. Lauderdale Office | | August 2014

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**Events: [Employee Privacy, "BYOD", the Cloud and Social Media: Par is No Longer Acceptable for the Course](#)**

Stearns Weaver Miller's 24th Annual Labor and Employment Law Seminar | | May 2014

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**Events: [Internships: To Pay or Not To Pay](#)**

Stearns Weaver Miller Labor & Employment Breakfast Series | | August 2013

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**Events: [E-Work, iPhones, u-Sued: Social Media, Privacy and Information Security](#)**

Stearns Weaver Miller's 23rd Annual Labor and Employment Law Seminar | | May 2013

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**Publications: [Florida Employment Law Manual](#)**

Florida Chamber of Commerce | January 2013

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**Events: [Alphabet Soup Update: What's New Regarding ADAAA, GINA, and USERRA?](#)**

Stearns Weaver Miller's 21st Annual Labor & Employment Law Seminar | | May 2011

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**Events: [Have You Discussed H1N1 with Your Employees? You Should.](#)**

Stearns Weaver Miller Labor & Employment Breakfast Series | | October 2009

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**Events: [For \(Led\)Better Or For Worse](#)**

Stearns Weaver Miller's 19th Annual Labor and Employment Law Seminar | | May 2009

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**Events: [Are You Ready for the Changes to the FMLA and ADA](#)**

Stearns Weaver Miller Labor & Employment Breakfast Series | | January 2009

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**Publications: [Labor and Employment Litigation Strategies](#)**

West Publishing | September 2007

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## NEWSROOM

**Firm Announcements:** [35 Stearns Weaver Miller Lawyers and 11 Practice Areas Ranked In Chambers USA 2024](#)

| June 2024

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**Firm Announcements:** [29 Stearns Weaver Miller Lawyers in 11 Practice Areas Ranked In Chambers USA 2023](#)

| June 2023

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**In the Media:** [11th Circ. Sides With Paychex In Ex-HR Exec's Pay Bias Case](#)

Law360 || July 2022

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**Firm Announcements:** [28 Stearns Weaver Miller Lawyers in 12 Practice Areas Ranked In Chambers USA 2022](#)

| June 2022

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in 2021 Florida Super Lawyers](#)

| June 2021

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**In the Media:** [Hear from Marlins, Fisher Island and EEOC leaders about post-COVID labor issues](#)

Miami Herald || June 2021

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**Firm Announcements:** [29 Stearns Weaver Miller Lawyers in 12 Practice Areas Ranked In Chambers USA 2021](#)

| May 2021

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in 2020 Florida Super Lawyers](#)

| June 2020

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**Firm Announcements:** [24 Stearns Weaver Miller Lawyers in 12 Practice Areas Ranked In Chambers USA 2020](#)

| April 2020

---

**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2019](#)

| June 2019

---

**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2018](#)

| June 2018

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2017](#)

| June 2017

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**In the Media:** [South Florida Seen: 2017 Broward College Speaker Series hosted award-winning journalist Ted Koppel](#)

South Florida Business Journal || March 2017

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2016](#)

| June 2016

---

**Firm Announcements: Stearns Weaver Miller Presents 26th Annual Labor & Employment Law Seminar**

| March 2016

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**Firm Announcements: Stearns Weaver Miller Attorneys Recognized by South Florida Legal Guide 2016**

| January 2016

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**In the Media: Scene & Be Seen**

South Florida Sun Sentinel || May 2015

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**Firm Announcements: Stearns Weaver Miller Presents 25th Annual Labor & Employment Law Seminar**

| April 2015

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**In the Media: Evening of radiance**

South Florida Sun Sentinel || March 2015

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**Firm Announcements: Stearns Weaver Miller Attorneys Recognized by South Florida Legal Guide 2015**

| January 2015

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**Firm Announcements: Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2014**

| June 2014

---

**Firm Announcements: Stearns Weaver Miller Presents 24th Annual Labor and Employment Law Seminar**

| April 2014

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**Firm Announcements: Stearns Weaver Miller Recognized by South Florida Legal Guide 2014**

| January 2014

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**In the Media: Orange-Shirted Employees Fired at Work**

South Florida Sun-Sentinel || March 2012

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**In the Media: As Workforce Shrinks, Potential for Discrimination Litigation Arises**

South Florida Business Journal || March 2011

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**In the Media: Know Your Employee Rights When Seriously Ill**

South Florida Sun-Sentinel || September 2010

---

**In the Media: How New Changes in the FMLA Law Will Affect You**

South Florida Sun-Sentinel || February 2009

---

**In the Media: Unpaid Leave Law Changes Affect Employers, Staff**

South Florida Sun-Sentinel || January 2009

---

**In the Media: Attorneys Voice Concern About Employment Law Changes**

South Florida Business Journal || January 2009

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**In the Media: Law Ruling Could Affect Employer Practices in Florida**

Tampa Bay Business Journal | | June 2006

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**In the Media: New Standards of Employer Conduct**

Daily Business Review | | June 2006

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**In the Media: Employees Might See Tougher Discrimination Laws**

Miami Herald | | May 2006

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**In the Media: Outsourced Employees Triggering More Suits**

National Law Journal | | February 2006

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**In the Media: Storm Brews Over Employer Liability**

National Law Journal | | September 2005

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**In the Media: Firefighters Disciplined for Inappropriate Behavior**

South Florida Sun-Sentinel | | April 2005

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**In the Media: Stepping Outside: Independent Contractors**

South Florida Sun-Sentinel | | April 2005

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**In the Media: Changing of Guard at BAC Florida**

Daily Business Review | | March 2005

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**In the Media: Storm Over Employer Liability**

Daily Business Review | | September 2004

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**In the Media: Family and Medical Leave Act - 10 Years Later**

The Palm Beach Post | | July 2003

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## EDUCATION

J.D., with honors, University of Florida Levin College of Law

B.A., University of Florida

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## ADMISSIONS

Florida

United States District Courts for the Northern, Middle and Southern Districts of Florida

United States Court of Appeals for the Eleventh Circuit

The Supreme Court of the United States



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## **CERTIFICATIONS**

Board Certified by The Florida Bar in Labor and Employment Law