



Kristen T. Gallagher, Partner

kgallagher@mcdonaldcarano.com

O: 702.873.4100; F: 702.873.9966

Areas of Practice

Employment & Labor Law

Commercial & Complex Litigation

Appellate Practice

Business Relocation to Nevada

Bar Admission

Nevada

Education

- J.D., *magna cum laude*, William S. Boyd School of Law, UNLV, 2005
- Master of Social Work, UNLV, 2002
- B.S., Business, Kelley School of Business, Indiana University, 1993

Kristen Gallagher is Co-Chair of McDonald Carano's Employment & Labor Law Practice and is a member of the Commercial & Complex Litigation Practice. Ms. Gallagher is prominently ranked in *Chambers USA: America's Leading Lawyers for Business 2026*, the legal profession's highly respected guide for helping businesses select outside counsel. Chambers' ranking process includes confidential surveys and interviews with clients. Clients provided the following comments about Ms. Gallagher to Chambers researchers. "Kristen is extremely knowledgeable and has a great sense for the business." "She is really great at finding the best resolutions."

Ms. Gallagher's clients include startups, corporations, public entities, non-profit organizations, trade associations, and public-private partnerships throughout Nevada. She has assisted employers in all sectors of the economy, including insurance, financial services, telecommunications, retail, professional sports, gaming, hospitality, lodging, manufacturing, agriculture, education, technology, energy, transportation, construction, real estate, utilities, healthcare, entertainment and tourism.

Ms. Gallagher handles a wide variety of employment and labor related litigation claims, including class actions, that are both national in scope and specific to Nevada law, such as wrongful termination, wage and hour disputes, employment discrimination, and labor-related matters. Her litigation practice includes deep experience with a comprehensive range of laws governing the workplace, including Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, the Family and Medical Leave Act of 1993, the Fair Labor Standards Act, the WARN Act and many other federal and state laws.

Ms. Gallagher has represented clients before the Nevada Supreme Court and Ninth Circuit Court of Appeals, as well as before state and federal employment and labor regulatory agencies and boards in connection with investigations and other administrative proceedings.

Ms. Gallagher counsels clients on issues regarding hiring and termination policies and procedures, employment contracts and related agreements, and employee handbooks, as well as provides analysis and advice to clients in their day-to-day operations and pre-litigation matters. She also conducts internal investigations on nearly every type of current and emerging workplace misconduct allegation, including ethics violations, hostile work environment, harassment, discrimination, bullying, retaliation, implicit bias, substance abuse, and fraud. She also advises on and supervises internal employer investigations to assure compliance with state and federal laws. Ms. Gallagher is a go-to attorney for national and international law firms looking to navigate Nevada law, as well as local rules and practice. Ms. Gallagher has provided local counsel assistance in a wide variety of matters concerning patent law, federal and state wage and hour laws, employment discrimination, breach of contract, intentional torts, civil conspiracy, anti-trust laws, and under 28 U.S.C. § 1782 seeking discovery for use in a foreign proceeding.

Ms. Gallagher also handles a wide variety of commercial litigation disputes in state and federal court across an array of business industries involving issues such as breach of contract, fraud and other intentional business torts, breach of warranty, negligence, strict products liability, trademark and patent rights and obligations, and trade secrets.

Before graduate and law school, Ms. Gallagher worked in the insurance industry, most recently as a fraud investigator. She is also on the faculty with NITA, instructing local attorneys on deposition skills.

REPRESENTATIVE MATTERS

- *Fremont Emergency Services (Mandavia), et al. vs. UnitedHealth Group, Inc. et al.*, a \$62.65 million jury verdict awarded to client TeamHealth finding UnitedHealthcare liable for breach of contract, unjust enrichment and two forms of unfair insurance practices (\$60 million in punitive damages, \$2.65 million in compensatory damages).
- *Konami Gaming, Inc. v. Tingson*, a case involving a non-compete agreement.
- *Lemper, et al. v. Legacy IP LLC*, a case involving breach of contract concerning, among other issues, patent ownership rights and obligations.
- *Liberty Mutual Insurance Company v. A.O. Smith Corporation*, a case involving negligence and strict products liability
- *Schillereff v. Thomas Management Corporation*, a case alleging employment discrimination.
- *Cleverley v. Allsite Rental Structures, LLC*, a case involving breach of a purchase and sale agreement and related business torts.
- *LSREF2 APEX 2, LLC v. Cichon, et al.* a case involving breach of guaranty and action for deficiency judgment.
- *First Option v. Tabbert, et al.*, a case involving, among other issues, a restrictive covenant agreement, trade secrets, intentional business torts, and civil conspiracy.

- *D.R. Horton, Inc.*, in multiple homeowner cases alleging mortgage fraud.
- *Capital One, N.A.*, in multiple homeowner cases alleging mortgage fraud.
- *Greenpoint Mortgage Funding, Inc.*, in multiple homeowner cases alleging mortgage fraud.

Professional Affiliations

- Member, Southern Nevada Association of Women Attorneys
- Member, Society for Human Resource Management

Presentations and Publications

- Author, “What is the Employer’s Burden-of-Proof in FLSA Exemption Challenges?”, *McDonald Carano Legal Alert*, February 10, 2025
- Author, “Status of DOL overtime rule,” *McDonald Carano Legal Alert*, Nov. 18, 2024
- Author, “Status of FTC Ban on Noncompetition Agreements,” *McDonald Carano Legal Alert*, October 17, 2024
- Author, “Top 5 FAQs Re: Damages Caps on Intentional Discrimination in Employment,” *Communiqué* magazine, Clark County Bar Association, September 2024
- Quoted, “What will Strip resorts do when noncompete agreements become illegal?” *Las Vegas Review-Journal*, June 27, 2024
- Author, “EEOC Finalizes Long-Delayed Harassment Guidance” *McDonald Carano Legal Alert*, April 30, 2024
- Quoted, “EEOC General Counsel: Anti-Discrimination Damages Caps Are Too Low,” *SHRM.com*, January 31, 2024
- Author, “Nevada Legislative Update: Employment & Labor Law,” *Communique’* magazine, Clark County Bar Association, September 2023
- Presenter, “Nevada Legislature’s 2023 Session: New Laws and Regulations Impacting In-House Counsel,” Association of Corporate Counsel, June 29, 2023
- Quoted, “Disability Claims May Trip Up Bosses with Hard-Line Back-to-Office Policies,” *Corporate Counsel/Law.com*, May 2, 2023
- Author, “FTC Proposes Rule Banning Non-Compete Provisions: How Would It Impact Nevada Employers?”, *McDonald Carano Legal Update*, January 18, 2023
- Quoted, “4 Key Points As Justices Eye Threshold For Title VII Suits,” *Law360 Employment Authority*, January 13, 2023
- Presenter, “Employment Law Priorities for In-House Counsel,” Association of Corporate Counsel, September 27, 2022
- Author, “Internal Investigations: FAQs about Leave for Complainants and Accused,” *McDonald Carano Legal Alert*, January 2022
- Author, “Retail Employers Face New Employment Laws,” *Nevada News*, August 2022
- Quoted, “What Should Be in a Vaccination Policy,” *SHRM*, August 2021
- Quoted, “What If a Job Applicant Discloses a Disability?” *SHRM*, July 2021
- Quoted, “How to Handle an Influx of Accommodation Requests,” *SHRM*, June 2021
- Quoted, “Verifying Vaccination Status: Employer Update,” *Law360*, May 2021
- Quoted, “Six Ways to Improve Employers’ Anti-Harassment Training,” *Law360*, May 2021

Awards and Recognition

- *Chambers USA: America's Leading Lawyers for Business* – Employment & Labor Law (ranked Band 3 in 2026)
- *The Best Lawyers in America* – Commercial Litigation (2020-2026)
- *The Best Lawyers in America* – Employment Law-Management (2022-2026)
- *The Best Lawyers in America* – Labor & Employment Litigation (2023-2026)
- *The Best Lawyers in America* – Labor Law-Management (2025-2026)
- *Nevada Business Magazine* – “Top Rank Attorneys” (2023-2025)
- *Vegas Inc* – “Top Lawyers” in Employment and Labor (2022-2024)
- *Top Verdicts & Settlements of the West* “Top 25 Verdicts 2021” – #1 largest in Nevada, #1 largest in Contract Law in 13-state West region, and #9 largest in all areas of law in 13-state West region, *ALM/American Lawyer Media's VerdictSearch (Fremont Emergency Services (Mandavia), et al. vs. UnitedHealth Group, Inc. et al., Dec. 7, 2021)*
- *Mountain States Super Lawyers* – “Super Lawyers” (2026, 2016-2021), “Rising Stars” (2012-2015)

McDonald Carano LLP

Reno Office: 100 West Liberty Street, Tenth Floor, Reno, NV 89501, P: 775.788.2000
Las Vegas Office: 2300 West Sahara Avenue, Suite 1200, Las Vegas, NV 89102, P: 702.873.4100