Jessica Brown

Partner

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Denver



Jessica Brown is a partner in the Denver office of Gibson Dunn and a member of the firm's Labor and Employment Practice Group. Jessica has been ranked by *Chambers USA* for nineteen consecutive years as one of America's Leading Lawyers for Labor and Employment. She was also recognized from 2020 to 2027 for Labor & Employment (Litigation) by the *Lawdragon 500 Leading Corporate Employment Lawyers* guide, which features "the nation's top advisors to businesses, universities, nonprofits and other organizations dealing with the mind-bending matrix of today's global workforce." Jessica has been listed consistently in *The Best Lawyers in America*® in the practice areas of Employment Law – Management and Litigation – Labor & Employment. And she was named a 2025 and 2021 Lawyer of the Year in Employment Law – Management, Denver.

In addition, *Benchmark Litigation US 2024* named Jessica a Labor & Employment Star. The *Denver Business Journal* named Jessica one of Denver's "Forty Under 40." Subsequently it awarded her the 2015 "Outstanding Women in Business Award" for the Law category. In 2017, the Ms. JD organization honored her in Chicago with its national "Sharing Her Passion" award for her work in relation to workplace investigations, gender equity, and mentoring.

Jessica advises corporate clients regarding DEI programming in the wake of the Supreme Court's *SFFA v. Harvard* decision, COVID-19 workplace vaccination policies, hybrid work protocols, Colorado Equal Pay for Equal Work Act Transparency Rules, anti-harassment policies, whistleblower complaints, reductions in force, and noncompete laws and agreements.

Jessica has conducted and overseen workplace investigations and some government investigations throughout her career as well. She also has defended nationwide and state-wide class and collective action lawsuits, alleging gender discrimination under Title VII, failure to permit facility access under the Americans with Disabilities Act, and violations of the Fair Labor Standards Act. She participated as a member of the trial team in *Dukes v. Wal-Mart Stores, Inc*., which redefined the legal standard for class certification as a result of the U.S. Supreme Court's watershed decision.

Representative Matters

- Advising public companies and nonprofits regarding their DEI-related risks in light of the *SFFA v. Harvard* decision.
- Defending a private equity firm in connection with claims for alleged harassment, discrimination, and retaliation.
- Assisting a home services company with a nationwide reduction in force.
- Helping numerous clients to comply with Colorado's new laws impacting noncompete and customer non-solicitation covenants, wage and job opportunity transparency, paid leave, anti-discrimination, and workplace harassment.

Capabilities

Labor and Employment

Trade Secrets

White Collar Defense and Investigations

Credentials

Education

University of Texas - Austin - 1993 Juris Doctor

University of Colorado - Boulder - 1990 Bachelor of Arts

Admissions

Colorado Bar

Clerkships

USDC, Colorado, Hon. Jim R. Carrigan, 1993 - 1994

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- Represented a transportation provider in connection with claims for alleged harassment, discrimination, and retaliation.
- Assisted an aerospace company with claims for discrimination, harassment, and retaliation.
- Represented an international gold mining company in a dispute with its former Executive Vice President, Corporate Development.
- Defended a logistics services company in connection with claims for employee raiding and misappropriation of trade secrets.
- Represented a national healthcare company in an arbitration matter involving claims between the Board and its former Chief Executive Officer.
- Counseled an oil and gas company, a technology and data management company, and an international alternative investment manager regarding layoffs and furloughs.
- Represented a video game company in connection with a gender discrimination class action.
- Represented a hospital chain in connection with class claims asserted on a nation-wide basis under Title III of the ADA.

Recent Presentations and Publications

- "Fair Chance Hiring: A Legal Perspective," Co-Presenter with Attorney General Phil Weiser, Gibson Dunn, Denver, September 5, 2024.
- "How the Harvard Admissions Ruling Reshapes DEI," Co-Presenter, World 50 Group Chief Executive Summit, Classic Car Club, Pier 76, New York City, May 30, 2024.
- "Corporate Information Governance and IT Teams: The Bridge to eDiscovery Success," Co-Presenter, Master's Conference, Denver, June 2023.
- "EPEW Transparency Rules: Employee and Employer Perspectives," Co-Presenter, Colorado Bar Association 2023 Employment Law Conference, April 27, 2023.
- "Changes in the Work Environment," Co-Presenter, Investment Company Institute 2022 Tax and Accounting Conference, September 20, 2022.
- "COVID-19 Hot Topics for Employers in 2021," Presenter, University of Colorado, February 19, 2021.
- "COVID-19 Vaccines: Employer Strategies and Considerations," Presenter, Gibson Dunn Webcast, February 10, 2021.
- "An Employer Playbook for the COVID "Vaccine Wars": Strategies and Considerations for Workplace Vaccination Policies," PLI Article, Author with Lauren Elliot and Daniel Rauch, February 4, 2021.
- "Civility in the Practice of Employment Law," Presenter, 2020 Colorado Bar Association Employment Law Conference, October 2020.
- "Returning to Work: Health, Employment and Privacy Considerations and Constraints as Businesses Resume Post-Quarantine Operations," Presenter, ACEC, July 2020.
- "Preparing For A Surge In Whistleblower Claims: From Developing A Compliance Plan To Best Practices When Investigating And Litigating Claims" Gibson Dunn Webcast, June 2020.
- "Is #MeToo Becoming #NotHer?" Panelist, Women in E-Discovery national conference, Austin, Texas, May 2019.

Before joining Gibson Dunn in January 1995, Jessica clerked for the Honorable Jim R. Carrigan, United States District Court for the District of Colorado. Since joining the firm,

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Jessica has been a frequent author and lecturer on employment, investigation, privacy, gender, diversity, and leadership issues. Jessica is one of the managing editors and a contributing author for *The Practitioner's Guide to Colorado Employment Law*. She is also a member of the firm's Diversity Committee, Professional Development Committee, and Hiring Committee.

In addition, Jessica served as President of the Colorado Bar Association from July 2020 to July 2021. She has served as a Board member at Stanley British Primary School and Chair of the Joint Management Committee of the Colorado and Denver Bar Associations. She also chaired the Board of the Legal Aid Foundation from 2013-2015, was co-chair of the Denver Law Firm Campaign for Legal Aid in 2013, and served on the LAF Board for 11 years. She also co-chaired the Barristers Benefit Ball twice previously, helping to raise funds for Metro Volunteer Lawyers. In addition, Jessica has been very active with the Mile High United Way, as a member of the Tocqueville Society and a founding member of the Pinstripe PJ Club, helping to raise money for then-Mayor Hickenlooper's homelessness initiative, Denver's Road Home.

Jessica also has been very focused on issues relating to diversity and gender equity: She currently serves as a member of the Colorado Women's Bar Association Foundation and is a past President of the Colorado Women's Bar Association. She also served on the Board of the National Conference of Women's Bar Associations from 2016-2018. She was a member of the Colorado Bar Association's Committee for Balanced Legal Careers and worked closely with the Center for Legal Inclusiveness on various initiatives, including serving as moderator and panelist for several CLI Summit programs. Jessica also served as Co-Chair of the Programs Subcommittee of the Planning Committee of the National Association of Women's Lawyers for its 2019 spring conference in Denver.

Finally, Jessica is actively involved in pro bono work in the local community and nationally, and has given time to organizations including Management Leadership for Tomorrow, the Mary M. Dower Benevolent Corporation, the Calculus Project, the Last Mile, the National Association for Latino Community Asset Builders, Global Fund for Women, the Sonia and Celina Sotomayor Judicial Internship Program, the Global Impact Investing Network, the Center on Colfax, Tipping Point Community, Gold House, the U.S. Soccer Foundation, Know Your IX, the National Association of Counsel for Children, the National Women's Law Center, Next Step Communications through Start Small Think Big, the Cornell Law School Global Gender Justice Clinic, Ten Thousand Villages, the Rocky Mountain Immigrant Advocacy Network, and Denver's Open Door Youth Gang Alternatives Program. She also has worked with teams to represent immigrants seeking asylum. And she helped establish a long-term relationship between Gibson Dunn and the Rocky Mountain Children's Law Center, leading to individual and office awards.

Jessica received her law degree in 1993 from the University of Texas School of Law, where she served as Executive Editor for the *Texas Law Review*, was Clerk of the Chancellors, a member of the Order of the Coif, and graduated with High Honors (top 2%). Jessica received a Bachelor of Arts degree in American Studies from the University of Colorado at Boulder, where she graduated with honors as a member of Phi Beta Kappa.

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