



David L. Hackett

Member

Philadelphia

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Practice Areas

- Employment Litigation
- Labor & Employment
- Labor Relations & Disputes
- Trade Secrets, Restrictive Covenants, and Computer Abuse

Education

- Villanova University School of Law, J.D., 1997
- Duke University, B.A., 1991

Bar Admissions

- Pennsylvania
- New Jersey

Affiliations

Chair, Chester County Chamber of Business & Industry Board

Chair, Riddle HealthCare Foundation

Awards & Honors

- Selected to Pennsylvania Super Lawyers 2017-2022 lists. This award is conferred by Super Lawyers. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Clerkships

Honorable Frank T. Hazel, Court of Common Pleas - Delaware County

David focuses his practice on representing and counseling employers concerning the full spectrum of labor and employment-related issues. David has represented employers before federal and state courts, arbitration hearings and administrative agencies. He has defended claims of unlawful discrimination, retaliation, sexual harassment, wage and hour violations, wrongful discharge, unfair labor practices, unemployment compensation, breach of contract, and whistleblower complaints, as well as noncompete, nonsolicitation, and trade secret litigation. He has also assisted employers in opposing unionization efforts and collective bargaining negotiations.

In addition to providing daily counsel to employers, David drafts personnel policies, severance agreements, affirmative action policies, employment agreements, covenants not to compete, and trade secret agreements. David also assists clients when seeking to interact with government entities and elected officials on the local, state, or federal level.

David previously served as a legislative assistant to U.S. Rep. Curt Weldon and later served as co-chair of his campaign from 2003-2006. While attending law school, David served as a law clerk for the Hon. Frank T. Hazel in the Delaware County Court of Common Pleas. While attending Duke University, he was a student manager for Coach Michael Krzyzewski's Duke Men's Basketball team. During David's service, the team made Final Four appearances and won the 1991 NCAA Men's Basketball Championship.

Experience

Represented Utz Quality Foods, LLC (NYSE: UTZ) and an affiliate of Utz in their \$19 million sale of two manufacturing plants to affiliates of snack maker Our Home. This transaction drew on the experience of the firm's corporate, tax, real estate, labor and employment, employee benefits and executive compensation, and environmental attorneys.

Negotiated a new collective bargaining agreement on behalf of the Southeastern Pennsylvania Transportation Authority ("SEPTA") with its largest bargaining unit, the Transportation Workers' Union, Local 234, amidst pandemic concerns impacting public transportation.

Represented Utz Brands, Inc. in its acquisition of the assets related to the Vitner's brand, and related distribution business of Snak-King Corp., for \$25 million.

Represented Sparks Marketing LLC, a trade show exhibit manufacturer and brand experience company, in its acquisition of the assets of 3D Exhibits, Inc. to further Sparks' Midwest geographic expansion strategy.

Won summary judgment on behalf of a county on claims asserted under the Family Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), and the Pennsylvania Human Relations Act (PHRA). The plaintiff was a former groundskeeper whose employment was terminated after he repeatedly violated the county's FMLA policy. Before securing summary judgment, we successfully moved to dismiss the plaintiff's claims for failure to accommodate under the ADA and PHRA. With summary judgment granted on all remaining counts, the case was dismissed with prejudice.

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Served on outside counsel team for Commonwealth of Pennsylvania labor negotiations and interest arbitrations with unionized employees.

Defended a national transportation company in a FMLA three-day jury trial that resulted in a defense verdict.

Defended a three-week jury trial on a disability discrimination claim in New Jersey state court for an assisted living facility that resulted in a defense verdict.

Defended an unemployment compensation claim brought by 114 employees of a Pennsylvania health care services provider that was denied by Pennsylvania's Commonwealth Court.

Assisted two local counties and a private employer in opposing unionization campaigns in which the employees rejected union representation.

Advised a national defense contractor with respect to a U.S. Department of Defense criminal investigation.

Defended whistleblower actions for defense and health care companies.

Defended PLRB charges of unlawful termination that were denied by hearing examiners.