



**Robert L. Bailey** | Of Counsel

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**LICENSURE** TX | WV  
**EDUCATION** J.D. Washington and Lee University

Robert Bailey's practice primarily involves commercial litigation, general civil litigation, and appellate law.

### REPRESENTATIVE EXPERIENCE

Defended city, county, and state police departments in civil rights cases

Obtained writ of coram nobis to secure expungement of records in client's family member's immigration proceeding

Assisted with pleadings, briefing, and complicated discovery issues on claim by client against a former manager accused of embezzling hundreds of thousands of dollars from the client

Drafted indemnity provision in city's civic center performance contract

Defended gas pipeline company in case alleging public service commission jurisdiction over pipeline

Defended coal operator in large breach-of-contract claim

Wrote the summary judgment and appellate briefs for a municipal client's defense of wage and hour claims by several employees, resulting in near seven-figure savings for public employer

Opposed remand from federal to state court, arguing that federal court should adopt new rule on timing of service on multiple defendants

### WORK EXPERIENCE

- 2002 Steptoe & Johnson PLLC
- 2000-2001 Clerk, The Honorable Robert C. Chambers, U.S. District Court for the Southern District of West Virginia
- 2001-2002 Clerk, The Honorable Ellsworth A. Van Graafeiland, Senior Judge, United States Court of Appeals for the Second Circuit
- 1985-2000 Sole proprietorship, providing computer programming and laboratory consulting for pharmaceutical and chemical manufacturing companies

## RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS

Contributed to EMLF journals and symposia on topics including "flagrant" MSHA penalty and employee electronic privacy

"Employee Privacy Rights: Employer Monitoring and Investigating Employees' Electronic Activities and Communications," Volume 32, Chapter 3, EMLF Annual Institute Proceedings

## MEMBERSHIPS AND AWARDS

### PROFESSIONAL

Alumnus of the Year, West Virginia University Institute of Technology and the College of Engineering and Sciences (2008)

National Moot Court Team

Virginia Bar's Environmental Law Digest

Chairman, White Book (honor system) Review Committee

### INDUSTRY/CIVIC

Deputy Director, Galveston County Emergency Communications Group