

Contact

Houston

1200 Smith Street, Suite 1400
Houston, Texas 77002-4310
Tel: 713.658.1818
Fax: 713.658.2553

Atlanta

191 Peachtree Street, N.E.,
Forty-Sixth Floor
Atlanta, Georgia 30303
Tel: 404.659.1410
Fax: 404.659.1852

Philadelphia

300 Conshohocken State Road
Suite 570
West Conshohocken, PA 19428
Tel: 610.772.2300
Fax: 610.772.2305

San Antonio

112 East Pecan Street, Suite
1450
San Antonio, Texas 78205
Tel: 210.253.8383
Fax: 210.253.8384

Fifth Circuit Sanctions Federal Government in FLSA Case

Miriam Rozen

Texas Lawyer

July 2015

In an article published in *Texas Lawyer* on July 7, 2015, Annette A. Idalski provides insight on the legal case between the U.S. Federal Government and Gate Guard Services, a South Texas oil field services company. The article details the U.S. Court of Appeals for the Fifth Circuits favorable ruling for Gate Guard, which sued the federal government after the U.S. Department of Labor alleged that it had violated overtime laws. With its ruling, the Fifth Circuit sanctioned the federal government for bad faith, and ruled that the DOL owes additional attorneys fees and travel expenses from what it had already been required to pay Gate Guard. A trial court will determine the exact amount of fees and expenses, but Idalski estimated those could amount to about \$1 million. This is a landmark decision, a case of the first impression, said Idalski. She predicts that, as a result of this case, FLSA defendants will consider more often fighting the government. Idalski and Chamberlain Hrdlickas Employment and Labor Group represented Gate Guard in the two earlier decisions that were supported by this recent appellate victory. Subscribers may access the full article [here](#).