

Mark Ogden

Shareholder

Camelback Esplanade

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Focus Areas

Wage and Hour

Class Action

Discrimination and Harassment

Litigation and Trials

Hiring, Performance Management and Termination

Overview

Mark Ogden has litigated nearly 600 employment lawsuits to conclusion, mostly in federal court, and has litigated 27 jury trials to verdict. Among his notable litigation successes are cases involving:

- Discrimination on the basis of religion, age, and disability
- Breach of contract issues
- Whistleblower claims

In addition to his litigation practice, Mark provides employment training to employers of all sizes and regularly speaks on a variety of topics before a wide range of professional organizations. He is consistently recognized in *Best Lawyers in America*®. He serves as a member of the firm's Employment Practices Liability Committee. He is a former member of the firm's Board of Directors and a former co-chair of the Complex Litigation and Trials Practice Group.

Prior to joining Littler in 1998, Mark was a trial attorney at the Department of Labor and a special assistant United States attorney in Los Angeles, representing the federal government in the litigation of employment cases.

Professional and Community Affiliations

- Member, Labor and Employment Section, State Bar of Arizona
- Member, Labor and Employment Section, State Bar of California

- Member, District of Columbia Bar Association
- Member, Federal Bar Association
- Member, Litigation, Labor & Employment, and Insurance Practices, American Bar Association
- Member, Lawyer-Pilots Bar Association
- Member, Defense Research Institute
- Member, Arizona Association of Defense Counsel
- Member, Republican National Lawyers Association
- Member, Arizona Pilots Association
- Member, Aircraft Owners and Pilots Association
- Member, Cessna Pilots Association
- Member, American Mensa Society
- Member, National Rifle Association
- Member, Rocky Mountain Elk Foundation
- Member, Professional Association of Diving Instructors
- Member, Society for Human Resource Management (SHRM)
- Member, Western Growers Association (WGA)
- Member, Maricopa County Bar Association (MCBA)
- Member, LA County Bar Association

Recognition

- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*
- Named, The Best Lawyers in America®, 2008-2025
- Named, Lawyer of the Year, *The Best Lawyers in America*®, 2019
- Named, America's Leading Lawyers for Business, *Chambers USA*, 2014-2020
- Named, Litigation Star, Arizona, *Benchmark Litigation*, 2014 - 2019
- Named, Super Lawyer, Arizona Southwest, *Super Lawyers*, 2007-2019
- Named, Top Rated Litigator, *ALM Media*, 2019
- Named, Top 50 Law Firms in Labor and Employment Law, *Book of Lists - Phoenix Business Journal*, 2009-2016
- Named, Top 100 Lawyers in Arizona, *AZ Business*, 2017
- Named, Arizona's Top Lawyers, *AZ Business*, 2010-2016
- Named, Arizona's Top Rated Lawyers, *Legal Leaders*, 2013-2016
- Named, Top Lawyers of Arizona, *Phoenix Magazine*, 2015-2016

Education

J.D., Pepperdine University School of Law, 1991

B.S., Arizona State University, 1986

Bar Admissions

Arizona
District of Columbia
California
New Mexico

Courts

U.S. Court of Appeals, 9th Circuit
U.S. District Court, District of Arizona
U.S. District Court, Northern District of California
U.S. District Court, Eastern District of California
U.S. District Court, Central District of California
U.S. District Court, Southern District of California
U.S. District Court, District of Guam
U.S. District Court of the Northern Mariana Islands
U.S. District Court, District of New Mexico

Languages

Spanish

Publications & Press

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year

Littler Press Release

August 15, 2019

Littler Ranked in 2019 Chambers USA Guide

Littler Press Release

April 25, 2019

Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 15, 2018

Littler Ranked in 2018 Chambers USA Guide

Littler Press Release

May 15, 2018

Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 17, 2017

Littler and Its Attorneys Receive Top Rankings in 2017 Chambers USA Guide

Littler Press Release

May 26, 2017

The Best Lawyers in America© Honors More Than 180 Littler Lawyers in Its 2017 Edition

Littler Press Release

August 16, 2016

Chambers USA Recognizes Littler and Attorneys in 2016 Guide

Littler Press Release

May 27, 2016

Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition

Littler Press Release

August 18, 2015

Chambers USA Recognizes Littler and Its Attorneys

Littler Press Release

May 20, 2015

Littler Attorneys Included in the Best Lawyers in America© 2015 Edition

Littler Press Release

August 18, 2014

Littler and Its Attorneys Ranked In 2014 Chambers USA Guide

Littler Press Release

May 23, 2014

Riskiest States for Employee Lawsuits

Property Casualty 360

April 2, 2014

Top 5 Riskiest States for Employee Lawsuits: Hiscox

Insurance Journal

April 1, 2014

Columnist, Career Builder, Ask the Experts

The Arizona Republic, Sunday Edition

2003-present

Columnist, Ask the Legal Professional

The Business Journal

2003-present

Littler Attorneys Named in Best Lawyers in America[®] 2014 Edition

Littler Press Release

August 15, 2013

Message to Kingman staff: Silence is golden

Daily Miner

October 1, 2012

Best Lawyers in America[®] Names 164 Littler Attorneys to 2013 Edition

Littler Press Release

September 7, 2012

Cultural liaisons: More law firms open offices in other countries to serve clients more effectively

Phoenix Business Journal

July 6, 2012

Best Lawyers in America[®] Names 108 Littler Lawyers to 2012 Edition

Littler Press Release

September 12, 2011

Seventy-Two Littler Attorneys Named to The Best Lawyers in America[®] 2011

Littler Press Release

August 9, 2010

Legal Pitfalls of Employee Wellness Programs

HR IQ Column - Impact Magazine

April 2010

61 Littler Attorneys Named to The Best Lawyers in America® 2010

Littler Press Release

August 14, 2009

Work Furloughs for Salaried Employees

HR IQ Column - Impact Magazine

August 2009

Layoffs, Furloughs Provoke More Claims of Worker Discrimination

Phoenix Business Journal

June 26, 2009

Cancel Worker EEO Training at Own Peril, Attorneys Say

Law360.com

June 16, 2009

5 Questions About Employer Law and the Stimulus

Phoenix Business Journal

March 27, 2009

Stimulus Package Includes Changes for Employers

Phoenix Business Journal

March 27, 2009

Forewarn Legislation

Phoenix Business Journal

January 30, 2009

Gays Urged To Join 'Call In Gay' Protest. Action Protests - Laws Banning Unions of Same Sex Couples

AZ Republic

December 10, 2008

Prepare Now for the Newly Amended Americans with Disabilities Act

Phoenix Business Journal

November 17, 2008

51 Littler Attorneys Named to The Best Lawyers in America

Littler Press Release

October 31, 2008

Corporate Communications, Ruling Attempts To Clarify Line Between Private, Business Text Messages

Phoenix Business Journal

August 15, 2008

Groundbreaking Opinion Could Be Catalyst for Policy Changes

Phoenix Business Journal

August 15, 2008

Employers Work To Ease Commuting Costs to Offset Gas Prices

AZ Republic

August 12, 2008

Caring for a Relative Injured in the Military Now Permitted Under FMLA

AZ Business Magazine

August 2008

Wage Gap Widens Along Ethnic, Geographical Lines

Phoenix Business Journal

March 14, 2008

Calif. Firm to Open Local Office, Add Littler Partners

Phoenix Business Journal

February 1, 2008

Sheriff, Prosecutor Ramp Up Sanctions Investigations

Phoenix Business Journal

January 11, 2008

Protect Intellectual Property with Employee Agreements – But Be Sure They're Enforceable

Phoenix Business Journal

November 2, 2007

When Diversifying Your Workforce, Be Sure to Play by the Rules

Phoenix Business Journal

October 19, 2007

Proposed State Rules Target Tax Evasion Schemes

Phoenix Business Journal

September 14, 2007

Workplace Compliance Training – It Isn't Required; It Is Recommended

Phoenix Business Journal

August 17, 2007

Mark Ogden Encourages Employers to Get a Head Start on Immigration Laws

The Arizona Republic

July 8, 2007

Independent Contractor Classification

HR IQ Column - Impact Magazine

July 2007

Alissa Horvitz and Mark Ogden Comment on Federal Agencies

InsideCounsel

June 22, 2007

To Settle ... Or Not to Settle? Litigation Specialists Weigh Costs, Risks of Taking Clients' Cases to Court

Phoenix Business Journal

June 8, 2007

Employer's Responsibility Related to A Domestic Violence Protection Order

HR IQ Column - Impact Magazine

May 2007

Mark Ogden Says Employers Already Heed the EEOC

The National Law Journal

March 26, 2007

EEOC Cracks Down On Hiring Practices

National Law Journal

March 26, 2007

Watch out for the Many Legal Pitfalls of Affinity Groups

Phoenix Business Journal

November 15, 2006

Watch Out for the Many Legal Pitfalls of Affinity Groups

Phoenix Business Journal

September 15, 2006

Ruling Could Leave Firms More Vulnerable to Lawsuits

Phoenix Business Journal, Valley of the Sun Business Journal

August 18, 2006

Ruling Could Leave Firms More Vulnerable to Lawsuits

Phoenix Business Journal

August 2006

Reporting for Duty (Employers' Obligations for Returning Soldiers under USERRA)

AzBusiness Magazine

July 2006

J. Mark Ogden Showcases the Appeal of Littler as a Boutique Firm

Arizona Business Gazette

June 15, 2006

When Johnny Comes Marching Home, Give Him Back His Job. It's the Law

AzBusiness Magazine

May/June 2006

Suggestions for Change

HR Executive

May 16, 2006

The EEOC Turns 40, Suggestions for Change

Human Resource Executive Magazine

May 2006

Tools Available To Help Small Firms Tackle Meth Use

Phoenix Business Journal

February 17, 2006

Mark Ogden Discusses How the Use of Methamphetamines Has Become More of an Issue for Clients, Especially in the Form of Employee Theft

Phoenix Business Journal

February 17, 2006

Bird Flu Could Create Legal Nightmare for Businesses

Phoenix Business Journal

December 2005

J. Mark Ogden Cautions Firms of the Impact of Domestic Violence in the Workplace

The Business Journal

October 24, 2005

Mark Ogden: Active In and Out of the Courtroom

Profile - Phoenix Business Journal

October 2005

Domestic Violence Can Dramatically Impact the Bottom Line

Phoenix Business Journal

October 2005

Religious Diversity at Work a Fine Line for Managers

Phoenix Business Journal

October 2005

J. Mark Ogden warns employers of rising religious discrimination

The Phoenix Business Journal

July 11, 2005

The Last Supper (Serrano's Trial Victory Over the EEOC)

Quote, Cover Story - Phoenix New Times

July 2005

Serrano's Wins Lawsuit, Feels Business Backlash

Quote - Phoenix Business Journal

June 2005

Employers See Rise in Pregnancy Lawsuits

Quote - Phoenix Business Journal

February 2005

Class Action Lawsuits: Just an Internet Click Away; Take Action to Prevent Workplace Class Action Lawsuits

Arizona Business Magazine

July/August 2004

EEOC Announces Relief for Employers Providing Retiree Health Benefits

Arizona Journal

February 2004

The Department of Labor has Proposed Wide-Ranging Changes that Will in Some Ways Narrow and Other Ways Broaden the Overtime Exemptions Used by All Employers for White-Collar Employees

Arizona Journal

April 2003

The EEOC's 'Telework Fact Sheet' Reaffirms the Agency's Position that Employers Can Reasonably Accommodate Qualified Disabled Workers Through Telecommuting Program

Arizona Journal

February 2003

Failing to Train Managers on Preventing Discrimination in Employment Decisions can Establish an Employer's Willful Disregard of the Law Leading to an Award of Punitive and Liquidated Damages

Arizona Journal

January 2002

Supreme Court of the United States Clarifies Standards for Summary Judgments and Judgments as a Matter of Law in Employment Discrimination Cases

Arizona Journal

August 2000

The Punishment: EEOC Has Expanded the Scope of Liability for Harassment in the Workplace

Arizona Journal

May 2000

Directing Traffic: EEOC Guidelines on Harassment Leads Employers to Safety from Liability

Arizona Journal

April 2000

Employment Law Uncovered: The ADA May Not Protect Employees Who Were Addicted to Drugs or Alcohol

Arizona Journal

December 1998

Strong Shield: Employers Can Limit Liability by Developing an Effective Sexual Harassment Policy

Arizona Journal

July 1998

Speaking Engagements

Managing Litigation as a Business: Aligning Value and Costs of Litigation Services

Littler Mendelson, Scottsdale, AZ

May 9, 2012