

Elarbee Thompson Sapp & Wilson

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Tuesday, January 30, 2007 --- In the early 1990s, the Equal Employment Opportunity Commission launched an attack on racy restaurant chain Hooters of America, Inc., alleging that the company engaged in sexual discrimination by refusing to hire men as “Hooters Girls.” Hooters turned straight to Atlanta labor and employment firm Elarbee, Thompson, Sapp & Wilson.

Under Elarbee Thompson’s watchful eye, Hooters fought back, first in court and then in public. Besides presenting its case before the EEOC, Hooters also went on a public relations bender, marching on Washington, putting the message out in ads and releasing the picture of a mustachioed Hooters manager dressed as a waitress to illustrate the absurdity of the suit.

Finally, the EEOC dropped its demands that the restaurant hire male waiters and go through sensitivity training and dropped its support of a lawsuit by four men who sued the restaurant demanding \$22 million. The suit was later settled out of court for \$3.75 million.

“That case really jump-started our restaurant business [in Atlanta, Georgia],” recalled Stanford Wilson, managing partner of the firm.

But he was quick to point out that Elarbee Thompson is not just in the restaurant business. Despite its small size – 30 lawyers working out of one office in Atlanta – it represents clients across all industries, from aircraft maker Lockheed Martin Corp. to pest controller Orkin Exterminating Co.

The firm is dedicated exclusively to the representation of management clients in labor and employment law matters. Though it started in 1972 focusing exclusively on traditional labor law, it has since branched out to cover all facets of employment law, such as benefits and immigration.

Wilson, who joined the firm doing traditional labor law, says he now “spend[s] a fair amount of time advising clients on how to avoid employment issues” along with his more regular work defending against unions.

He said that, contrary to popular thought, his firm’s small size has actually helped it retain its mid-size and large company clients.

“We are small enough, and have enough attention to detail, to make the client very important to us. We’re not like some firms that go through a number of huge clients each year... we have long term clients, we’ve taken a

deep seated interest in their issues,” he said.

Focusing their lawyers on specific industries, where they can concentrate on the special issues of each company, has also helped it snag big clients.

“Most people work with a partner or a group of partners to serve clients in a particular industry... they’re heavily focused on [their target] industries. We do not try to make one size fit all,” Wilson said.

Even though the firm litigates nationwide – more than half of Elarbee Thompson’s work is outside of Georgia - Wilson explained that having just one office helped keep the overhead down and subsequently lower the bill for its clients.

In cases where the firm does need outside help, it turns to the Worklaw Network, an association of independent law firms, to utilize the resources of more than 350 lawyers across 26 U.S. states.

“We work collectively sometimes with them on cases... while we don’t have the overhead associated with having an office in other places, we have that availability to us,” Wilson said.

“But for the most part, we can serve you very well right here in Atlanta.”

The approach has helped the firm of just 30 lawyers keep many of its big-name clients for years. It still litigates and approaches employment issues on behalf of Hooters, years after its original EEOC case died down.

Wilson, who helped win the case, said he joined Elarbee Thompson in 1980, straight after graduating law school, and has been there ever since. But he isn’t an anomaly.

“We have a lot of lawyers and staff who’ve worked together for a pretty significant period of time... The guy sitting next door to me has been here almost as long as I have.” Wilson said.

“We don’t get a lot of turn over, so we have to be pretty fun place to be or people would leave. [We are] a lot of the same people serving the same clients for many years, and everyone’s happy.”