



Nancy J. Townsend

Partner

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Nancy Townsend counsels employers in every aspect of state and federal employment law in Indiana and Illinois: hiring, firing, contracting, discipline, and drafting of handbooks, company policies, non-compete, non-solicitation, confidentiality, and non-disclosure agreements, employment offer letters, employment contracts, termination letters, and severance agreements. She advises clients toward best practices to comply with federal statutes that protect employees, such as Title VII, the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), the Age Discrimination in Employment Act (ADEA), wage and hours under the Fair Labor Standards Act (FLSA), the Older Workers Benefit Protection Act (OWBPA), the WARN Act governing plant closings and layoffs, and all related regulations and state statutes. She offers employment audits to lessen the possibility of lawsuits and charges of discrimination, she responds to charges by the EEOC and other agencies, and she defends employers in litigation. She assists employees to review and negotiate employment contracts, restrictive covenants, and severance and separation agreements and also to file wage claims against employers who illegally withhold wages.

Ms. Townsend represents an array of creditors, including banks and other lenders, mortgagees and other lienholders, commercial landlords, corporations, partnerships, and limited liability companies. She has successfully navigated disputes among families and other principals of closely held corporations. After exploring and exhausting options for amicable workouts and practical solutions, she zealously aims to maximize creditors' recovery through collection lawsuits, foreclosures, post-judgment collection, garnishment, fraudulent transfer litigation, and assertion of claims in bankruptcy.

Prior to joining Krieg DeVault, Ms. Townsend served as a partner at Burke Constanza & Carberry LLP, worked as a general practitioner in northwest Indiana for 20 years, conducted banking litigation and workouts as an attorney at the national firm of Hopkins & Sutter (now merged with Foley & Lardner) in Dallas and Chicago, and clerked for U.S. District Judge James T. Moody in the Northern District of Indiana.

Education

- J.D., University of Notre Dame, Notre Dame, Indiana, 1985
- Marian University, Indianapolis, Indiana, 1982

Bar & Court Admissions

- Indiana
- Illinois
- Texas
- U.S. District Court for the Northern District of Indiana
- U.S. District Court Southern District of Indiana
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Oklahoma
- U.S. Court of Appeals 5th Circuit
- U.S. Court of Appeals 7th Circuit
- U.S. Court of Federal Claims
- U.S. Bankruptcy Court for the Northern District of Indiana
- U.S. Bankruptcy Court for the Central District of Illinois

Practices

- Financial Services Litigation
- Labor and Employment
- Creditors' Rights and Bankruptcy

Industries

- Financial Services

Professional Associations

- American Bar Association, Member
- Chicago Bar Association, Member
- Indiana State Bar Association, Member
- Illinois State Bar Association, Member
- Lake County Bar Association, Member
- Notre Dame Clubs of Chicago and Northwest Indiana, Member
- Schererville Chamber of Commerce, Director and Member
- Women Lawyers Association of Indiana, Secretary

Seminars & Presentations

- Presenter, "Employment Law Updates," The Indiana Statewide Rural Health Network Human Resources Director Roundtable, March 21, 2024
- Presenter, "Employment Law Topics for Nonprofits," The Legacy Foundation Learning Lab, May 3, 2023
- Presenter, "Legal Update: Pregnant Workers Fairness Act and the Providing Urgent Maternal Protections (PUMP) Act," InSRHN Physician Practice Management (PPM) and HR Professionals Roundtable Meeting - Indiana Rural

Health Association, January 25, 2023

- Presenter, "Commercial Leasing 101, With New Ideas About Liquidated Damages," myLawCLE Webinar, May 18, 2022
- Presenter, "Labor and Employment Topics for Nonprofit Organizations," Indiana Coalition Against Domestic Violence, April 29, 2022
- Presenter, "Clearing the Smoke Around Legalization and Employee Use of Cannabis," Northwest Indiana Society for Human Resource Management, October 20, 2021

Publications

- Author, "Non-Compete A Non-Option? Consider Garden Leave," March 25, 2024
- Author, "Non-Compete A Non-Option? Consider Garden Leave," The Indiana Lawyer, March 13, 2024
- Author, "Illinois Employment Alert: Add Paid Leave Policy to Employee Handbook", March 15, 2024
- Co-Author, "Adapting Performance Metrics for Employees on Reduced Schedules for FMLA and Other Protected Leave", March 12, 2024
- Co-Author, "SCOTUS Raises the Bar for Employers in Denying Religious Accommodations," August 21, 2023
- Co-Author, "SCOTUS raises the bar from denying religious accommodations," The Indiana Lawyer, August 16, 2023
- Co-Author, "When Must Employers Publicize Salary Information?" July 27, 2023
- Co-Author, "New Law Further Restricts Indiana Physician Noncompetes," April 26, 2023
- Author, "Employers Must Heed Rights of Pregnant, Breastfeeding Workers," The Indiana Lawyer, March 15, 2023
- Author, "Pregnant Workers Fairness Act And The Pump Act: What's Changed?" January 19, 2023
- Author, "Work Opportunity Tax Credits Can Increase Diversity and Reduce Labor Shortages," August 12, 2022
- Author, "Beware of the Illinois Employee who Insists on Independent Contractor Status," Illinois State Bar Association Employment Law Section Newsletter, February 2022
- Author, "Recent Illinois Case Encourages Use of Liquidated Damages Rather than Rent Acceleration Clauses in Commercial Leases," January 26, 2022
- Author, "Beware of the Illinois Employee who Insists on Independent Contractor Status," January 19, 2022
- Author, "What's on Biden's Wish List for Employment Reform?" December 18, 2020
- Co-Author, "Illinois' IDHR Publishes Long-Awaited Sexual Harassment Training Program," July 15, 2020
- Author, "The CARES Act: Issues for Employers," March 26, 2020
- Author, "Summary of Families First Coronavirus Response Act," March 19, 2020
- Author, "The Families First Coronavirus Response Act: Q & A for Employers," March 19, 2020
- Author, "Can Indiana Employers Withhold or Claw Back Bonuses and Commissions?" January 13, 2020
- Co-Author, "Indiana Blue Pencil Doctrine is More of a Blue Pen Doctrine as it Permits Courts to Strike through but not Erase Unenforceable Provisions in Restrictive Covenants," January 1, 2020
- Co-Author, "Illinois Responds to the #MeToo Movement with New Sexual Harassment Legislation," January 1, 2020
- Co-Author, "Employers Gain By Noting Discipline Problems As They Occur," January 1, 2020
- Co-Author, "FMLA Covers an Employee's Attendance for CSE/IEP School Meetings," January 1, 2020
- Co-Author, "Seventh Circuit Weighs Whether Obesity Is A Disability Under The ADA," January 1, 2020



- Co-Author, "CITGO Petroleum Will Pay Applicant \$162,500 to Settle EEOC ADA Discrimination Suit," January 1, 2020
- Co-Author, "A Flexible Interactive Process Decides the Appropriate Accommodation," January 1, 2020

Certifications

- Legal Lean Sigma® White Belt