

BROWN GOLDSTEIN LEVY

## Jessie Weber



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### Practice Areas

Appeals; Civil Rights; Disability Rights; Election Law; Employment Law; Housing Discrimination; Lesbian, Gay, Bisexual, and Transgender Rights; Personal Injury/Wrongful Death; Products Liability; Public Interest Litigation; Wage and Hour Violations

### Profile

Jessie Weber's practice includes cases involving disability rights, civil rights, housing discrimination, wage and hour violations, and appeals. Jessie's successes include winning an arbitration award of more than \$250,000 on behalf of an African-American former Hooters server who was fired from her job because of Hooters' racially discriminatory image policy and securing an injunction requiring the Maryland Board of Elections to make its online ballot-marking tool available to voters with disabilities. She also helped obtain a \$1.25 million settlement for a class of Baltimore City school bus drivers and attendants who were wrongly denied overtime and regular pay for all hours worked.

Jessie represents clients in appellate courts throughout the country and has argued in the Fourth, Sixth, and D.C. Circuits. She has also handled LGBTQ rights cases involving discrimination on the basis of sexual orientation, gender identity, and gender expression in contexts ranging from employment to health insurance discrimination to students' exercise of their First Amendment rights.

Since 2014, Jessie has been chosen annually for inclusion on the *Super Lawyers'* Maryland Rising Stars list, an honor reserved for those lawyers 40 years old or younger or in practice for ten years or less, who exhibit excellence in practice. Only 2.5 percent of the attorneys in Maryland are named to the Rising Stars list each year. Jessie was also selected to receive *The Daily Record's* 2017 VIP Award, given to professionals 40 years of age and younger who were selected on the basis of professional accomplishments, community service, and commitment to inspiring change. In 2013, Jessie was given *The Daily Record's* Leading Women Award, which honors 50 women, who are 40 years of age or younger, for the accomplishments they have made so far in their careers.

A client of Jessie's recently wrote on Avvo, "*My organization, KIPP DC, hired Jessie in an administrative matter with civil rights implications. Jessie's work ethic, intellect, and work product were unparalleled. Jessie accomplished more in a short period of time than a team of attorneys could have managed in twice as long, so it's unsurprising that Jessie's excellent work led to a favorable outcome. Notably, numerous individuals within my organization read Jessie's brief in our matter and commented that it was the best written product they had read in a year. I also appreciated Jessie's responsiveness -- I never had to question our progress on any front. You can't find a better attorney than Jessie.*"

Prior to joining the firm, Jessie served as the 2010-2011 Francis D. Murnaghan, Jr. Appellate Advocacy Fellow at the Public Justice Center in Baltimore, where she represented clients and authored amicus briefs in federal and Maryland appellate courts on a variety of civil rights and anti-poverty issues.

After law school, Jessie clerked for the Honorable Catherine C. Blake on the U.S. District Court for the District of Maryland.

During law school, Jessie served as a Submissions Editor for both the *Yale Law & Policy Review* and the *Yale Journal of Law & Feminism*. She worked extensively in the area of lesbian, gay, bisexual, and transgender (LGBT) rights as co-director of Yale's LGBT Rights Litigation Clinic and as a legal intern with the ACLU LGBT and HIV/AIDS Rights Project and the National Gay and Lesbian Task Force. Jessie also volunteered with the D.C. Employment Justice Center's Workers' Rights Clinic and Loyola Law School's Hurricane Katrina Legal Clinic.

As an undergraduate, Jessie won the Spirit of Princeton Award in recognition of her leadership in campus activism.

## Education

- Yale Law School, J.D., 2009
- Princeton University, A.B., magna cum laude, 2005

## Representative Cases

- *Hindel v. Husted* - Secured injunction requiring the Ohio Secretary of State to make his website accessible - on behalf of the National Federation of the Blind and three blind Ohio voters; successfully appealed trial court's dismissal of plaintiffs' claim for an accessible method of absentee voting to the Sixth Circuit leading to Ohio adopting accessible absentee voting in time for November 2018 election. (2017-2018)
- *National Federation of the Blind v. E la Carte, Inc. & DineEquity, Inc.* - Successfully negotiated a settlement agreement requiring the manufacturer of tablets used in Applebees' restaurants to make their tablets accessible to blind customers and for the Applebees' franchisor to license only accessible tablets.
- Asylum victory - Obtained asylum for two gay men from Central America who fled persecution in their native countries.
- *Johnson v. Hooters of America, LLC* - Won an arbitration award of more than \$250,000 on behalf of an African-American former Hooters server who was fired from her job because of Hooters' racially discriminatory image policy.(2015)
- Successfully represented lesbian state employees who had been denied equal fertility coverage on the basis of their sexual orientation. (2015)
- *National Federation of the Blind v. Lamone* - Secured an injunction requiring the Maryland Board of Elections to make its online ballot-marking tool available to voters with disabilities in the November 2014 election and to offer voters with disabilities the opportunity to vote privately and independently by absentee ballot in all future elections (2014) and defended injunction on appeal to Fourth Circuit. (2016)
- *National Federation of the Blind v. U.S. Department of Education* - Helped negotiate an agreement with the U.S. Department of Education that will make student loan information - websites, forms, and documents related to the Department's Direct Loan program - accessible to blind applicants and borrowers. (2014)
- *Anthony v. Durham School Services, L.P.* - Helped secure a \$1.25 million settlement for a class of school bus drivers and attendants who were wrongly denied overtime and regular pay for all hours worked. (2014).
- *Authors Guild, Inc. v. HathiTrust* - Served on team representing the National Federation of the Blind in a copyright infringement case and helped win groundbreaking U.S. Court of Appeals victory that will make more than 10 million published works from universities' library collections available to blind individuals in digital format. (2014)
- Successfully represented transgender individuals seeking insurance coverage for gender-confirming health care. (2013 & 2014)
- Successfully resolved a case involving a juvenile counselor who was fired for being openly gay and for referring to her wife at work. (2013)
- *Daniels v. Arcade, L.P.* - Successfully argued to the U.S. Court of Appeals for the Fourth Circuit that plaintiff with mobility impairment had standing to enforce his federal civil right to accessible public accommodations. (2012)
- *J.M. & H.M. v. Oceanport Board of Education* - Helped secure a ruling requiring a public school district to provide Braille instruction to a blind student. (2012)

- *Blake v. Crain* - Served on trial team that won \$7 million verdict (reduced to \$2.7 million by Maryland's cap on non-economic damages) for roofer who suffered debilitating back pain as a result of a car accident. (2012)
- *DeMuth v. Strong* - Helped defend a verdict on appeal in favor of a medical malpractice victim in the first Maryland appellate case to interpret the Maryland Health Care Malpractice Act's provision regarding the qualifications of expert witnesses testifying on the standard of care. (2012)
- Convinced Harford County (Maryland) school officials to abandon their attempt to censor lines from a high school play in which two boys announced that they had "fallen in love" with each other. (2011)

## Honors

- *The Daily Record's* 2017 VIP Award
- Maryland Rising Stars, 2014 - present
- *The Daily Record's* 2013 Leading Women Award

## Bar Admissions

- Maryland
- New York
- District of Columbia

## Memberships

- FreeState Justice, President
- ACLU of Maryland, Board Member
- ACLU of Maryland, Committee on Litigation and Legal Priorities, Member
- Fourth Circuit Judicial Conference, Permanent Member

## Speaking Engagements

- June 15, 2016, Jessie presented on voting rights cases at the Workshop on Voting Technology and Nonvisual Access, part of the National Disability Rights Network's P&A/CAP Annual Conference, at the National Federation of the Blind, Baltimore, MD.
- November 11, 2014, Jessie participated in a panel entitled "What We've Done and Where We're Headed," a discussion on the Maryland LGBTQ community's legal and political accomplishments over the last year and the challenges that lie ahead, sponsored by The LGBT Bar Association of Maryland and University of Baltimore OUTLaw, University of Baltimore School of Law, Baltimore, MD.
- March 20, 2014, Jessie participated in a panel entitled "Towards Transgender Equality in Maryland" sponsored by the Maryland Lawyer Chapter of the American Constitution Society, Baltimore, MD.
- October 23, 2013, "Special Issues in LGBT Law," FreeState Legal Project, University of Baltimore School of Law, Baltimore, MD.
- May 16, 2013, Jessie participated in a panel entitled "Maryland LGBT Law 101" during the Maryland Partners for Justice Conference, Baltimore, MD.
- December 4, 2012, "Working with LGBT Clients," LGBT Legal 101 Lunch Seminar, Baltimore, MD.

## Media

- "U.S. Appeals Court Sides with Blind Voters in Ohio," *Reuters*, November 13, 2017.
- "Court Sides with Blind Voters Over Ohio," *Toledo Blade*, November 13, 2017.
- "FreeState Celebrates Asylum Victory for Our Clients Alex and Marvin," *FreeState Justice Newsletter*, July 3, 2017.
- "Man Held in Solitary Because of Blindness, Lawsuit Alleges," *The Daily Record*, September 15, 2015.
- "Hooters ordered to pay \$250,000 to black waitress who was told she couldn't have blond streaks in her hair," *New York Daily News*, April 8, 2015.
- "Former Hooters Waitress Awarded \$250K In Discrimination Case," Channel 13 CBS News Baltimore, April 3, 2015.
- "Former Baltimore Hooters waitress awarded \$250,000 in racial discrimination case; restaurant chain protests," *The Baltimore Sun Times*, April 2, 2015. (article/video)
- "Hooters Girl, Fired for Hair Color, Gets \$250,000 Award," *The Daily Record*, April 3, 2015.
- On July 9, 2014 Jessie was interviewed on WBAL Radio, "Bungled Voting Experience Leads To Legal Action."
- Channel 13 CBS News Baltimore Interview - On October 21, 2013 Jessie and her client were interviewed regarding the discrimination complaint filed against Harborplace Hooters restaurant.
- Channel 2 ABC News Baltimore Interview - Jessie and her client were interviewed on October 21, 2013 regarding the discrimination complaint filed against Harborplace Hooters restaurant.

## Publications

- "When Employer-Provided Health Insurance Discriminates," *MSBA Bar Bulletin*, February 2016.

