

Matthew P.F. Linnabary

ASSOCIATE

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Matthew P.F. Linnabary is dedicated to helping clients efficiently and effectively address their employment compliance and litigation needs. A business-minded attorney, he works closely with clients to build relationships, understand their operational and management challenges and support the firm's efforts to develop client strategies to meet their individual needs. From single-plaintiff claims to large class actions, he strives to provide litigation advice and support to clients, whatever the circumstances may be.

Matthew's experience includes defense of claims under these federal statutes, as well as similar statutes in various states:

- Title VII of the Civil Rights Act
- The Americans with Disabilities Act (ADA)
- The Fair Labor Standards Act (FLSA)
- The Family and Medical Leave Act (FMLA)

Prior to working at Polsinelli, he attended Notre Dame Law School, where he received the Faculty Award for Excellence in Administrative Law, Energy Law, Deposition Skills, Constitutional Law II, and Freedom of Speech, and was a Dean's Circle Fellow. He served as a Managing Senior Editor on the 93rd Volume of the Notre Dame Law Review. In 2014, he appeared on an episode of the game show *Jeopardy!*.

Education

- University of Notre Dame Law School (J.D., *summa cum laude*, 2018)
- Creighton University (B.S., *magna cum laude*, 2011)
 - Biology

Bar Admissions

- Missouri, 2018

Court Admissions

- Western District of Missouri

Capabilities

- Employment Litigation, Arbitration & Dispute Resolution
- Labor & Employment
- Employment Advice & Investigations
- Employment Class & Collective Actions

- U.S. District Court, District of Nebraska

Memberships

- The Missouri Bar Association

Recognition

- Named one of *Best Lawyers: Ones to Watch® in America* in:
 - Labor and Employment Law - Management, 2026
 - Litigation - Labor and Employment, 2026

Matters

Employment Litigation

- Prevailed on summary judgment motion on all claims of a former hospital employee who alleged disability (ADA) and FMLA discrimination and retaliation in the Southern District of Texas
- Prevailed on summary judgment motion on all claims of a former employee in Kentucky state court in which former hospital employee alleged racial harassment and discrimination and unlawful retaliation in violation of the Kentucky Civil Rights Acts
- Prevailed on Tenth Circuit appeal on procedural matter after securing summary judgment as to all claims in case where volunteer coordinator alleged racial discrimination and retaliation in violation of federal law in the District Court of Kansas
- Prevailed on summary judgment motion in Kentucky state court as to all claims raised by a former hospital greeter who alleged violations of the Kentucky Civil Rights Act, including disability discrimination, failure to accommodate, and retaliatory discharge
- Achieved summary judgment on majority of claims in Southern District of Ohio in case where former EKG technician and call center employee alleged violations of the ADA and Ohio Civil Rights Act
- Aided in defense of AAA arbitration involving an alleged joint employment relationship where claimant alleged violations of the ADA and Washington discrimination laws

Employment Advice & Investigations

- Beginning in March 2020, provided real-time information about COVID-19 to a global financial services provider by providing reports on COVID-19 related restrictions and mandates for cities, counties, and states in which the company has employees, along with information about COVID-19 vaccination mandates and limitations, as well as problem-solving and brainstorming with the company on novel pandemic-related issues.
- Aided in self-investigation and report of potential False Claims Act and worked with United States Office of Personnel Management and the United States Attorney's Office for the Western District of Missouri in investigation and in providing substantive responses, and ultimately achieving a favorable settlement result with the government
- Provided guidance and review of timekeeping and payroll system to home health care provider to ensure compliance with wage and hour laws and advised on potential changes to system and solutions to do so

Employment Class and Collective Actions

- Aid in defense of entity-wide class and collective action, in which seven Nebraska nurses assert claims that all nurses employed by health system performed remote work during on-call shifts for which wages were not properly paid allegedly in violation of employer's policies, state law, and the FLSA; participation in defense included responding to written discovery and production of documents and data, data analysis, preparation for and conducting depositions, and briefing on various issues
- Aid in defense of nationwide FLSA collective action in which a single computer analyst asserts claims that a nationwide class of analysts were improperly classified and performed work for which they were not properly paid overtime
- Aid in defense of several multi-state collective (and related state class) actions in which employees in the entertainment industry alleged violations of state wage-and-hour law and the FLSA in relation to the pooling of tips, proper notice of the use of the tip credit, and deductions of the costs of required gaming licenses