

Denise L. Wheeler

Denise L. Wheeler has experience in management representation in all types of federal and state employment litigation and before administrative agencies involving discrimination law, employment contracts, employee benefits (ERISA), union/management matters, minimum and overtime wage issues, OSHA matters, and general personnel matters. She counsels management in preventive measures, liability avoidance, and compliance with federal, state, and local employment laws.

Representative Experience

- Macfarlane Ferguson & McMullen, Tampa, FL
Shareholder, August 1994-April 2005
- Macfarlane Ferguson & McMullen, Tampa, FL
Law Clerk, December 1992-August 1994
- Hillsborough County Attorney, Tampa, FL
Law Clerk, June 1992-August 1992

Presentations and Publications

Presentations

- "Big Brother is Watching - Emerging Privacy Issues for Employers," Speaker, HR Florida Conference, August 2009
- "FLSA/State Wage and Hour and FMLA Changes and New Proposed Regulations: What You Need To Know To Comply," Speaker, Employment Law Update, April 2009
- "Legislative & Administrative Update," Speaker, American Society of Safety Engineers Florida Suncoast Chapter, June 2008
- "Legislative & Administrative Update," Speaker, Rotary Club of Cape Coral, May 2008
- "Legislative & Administrative Update," Speaker, Southwest Florida Roofing Contractors Association, May 2008
- "Legislative and Administrative Update: Recent & Upcoming Events," Speaker, Southwest Florida Risk & Insurance Management Society, March 2008
- "Employment Litigation Process: Legal and Practical Considerations for Employers Defending Lawsuits," Speaker, Fowler White Boggs Banker Fort Myers Employment Law Seminar, Economic Downturn: Obstacle or Opportunity for Employers?, January 2008
- "Coping with Leave Laws," Speaker, Sterling Education Services, December 2007
- "The Latest Interpretations of Current Employment Law," Speaker, Sterling Education Services, December 2007
- "Top 10 Employment Myths/Misconceptions," Speaker, Manatee Medical Society, May 2006
- "How to Keep a Firing from Backfiring," Speaker, Charlotte County Medical Society, April 2006
- "Non-Competition Agreements and Covenants in the Healthcare Industry," Speaker, Southwest Florida Regional Medical Center, March 2006
- "Preparing to Weather the Storm," Speaker, Collier County Medical Society, January 2006
- "Top 10 Employment Myths/Misconceptions," Speaker, Lee County Alliance of Legal Professionals, November 2005
- "How to Define Legal Job Criteria and Legally Fund Aid Quality Applicants," Speaker, Sterling Education Services, Inc., May 2005
- "Overview of Confidentiality Agreement, Non-Compete Agreements and



Office Managing Shareholder

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Practice Areas

Employment Law
ERISA and Employee Benefits
Litigation

Industries

Colleges and Universities
Energy
Health Care
Hospitality

Education

J.D., *magna cum laude*, Stetson
University College of Law, 1994
B.S., University of South Florida, 1991

Bar Admissions

Florida

Court Admissions

Florida State Courts
U.S. Supreme Court
U.S. Court of Appeals, Eleventh Circuit
U.S. District Court, Middle District of
Florida
U.S. District Court, Northern District of
Florida
U.S. District Court, Southern District of
Florida

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- Non-Solicitation Agreements," Speaker, Sterling Education Services, Inc., May 2005
- "The Termination Process," Speaker, Sterling Education Services, Inc., May 2005
- "Employment Law for Medical Practices, What Every Practitioner Should Know," Speaker, The Florida Bar Annual Meeting, January 2005
- "Minimizing Litigation Risks When Disciplining and Terminating Employees," Speaker, Employment Law Certificate Program for HR Professionals, Council on Education in Management, December 2004
- "Family and Medical Leave Act," Speaker, Half Moon, LLC, April 2001

Publications

- "Going After Gossip," Author, Workforce Management Online, July 2009
- "Recent Legislative Changes - What Are a Physician's Obligations Under the Family Medical Leave Act," M.D. News Magazine, April 2008
- Featured in LexisNexis Martindale-Hubbell Counsel to Counsel Magazine, May 2008

Professional Affiliations

- Federal Bar Association: Southwest Florida Chapter
- Lee County Association for Women Lawyers: President, 2006-2008, Vice President, 2005-2006
- Lee County Bar Association
- United States District Court Middle District of Florida: Appointment of Grievance Committee, Fort Myers Division: 2009-present

Community Involvement

- Ave Maria School of Law: Member, Leadership Council, 2008
- Horizon Council: Member at Large, 2007-2009
- Voices for Kids of Southwest Florida: Board of Directors, 2009-present

Distinctions

AV Peer Review Rated by Martindale-Hubbell

The Best Lawyers in America, 2010

Florida Legal Elite, *Florida Trend Magazine*, 2006, 2009; ranked in the top 2% of practicing Florida Bar Members

Florida Super Lawyers, 2006-2009; listed as one of the Top 50 Female Lawyers in 2007

40 Under 40, *Gulf Coast Business Review*, 2006