



David J. Carr

Partner

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David J. Carr is a partner in Ice Miller's Workplace Solutions Group, and Chair of the Employment Litigation Team. He focuses his practice on assisting employers with matters regarding personnel policies, employment discrimination, wage and hour law, and employment contracts involving trade secrets, confidential information and covenants against competition.

David is a veteran labor negotiator and has handled numerous labor arbitrations, union avoidance and other collective bargaining matters. He also possesses substantial experience representing employers in wrongful discharge lawsuits and employment discrimination investigations, including sexual harassment situations, as well as litigation of class and collective actions under the Fair Labor Standards Act, in addition to federal and state jury trials.

David serves as a contributing author for the American Bar Association (ABA) treatises Covenants Not to Compete: A State by State Survey (BNA 1991), The Employee Duty of Loyalty: A State by State Survey (BNA 1995), Employment Trade Secrets Law: A State by State Survey (BNA 1997), Tortious Interference in the Employment Context (BNA 2004); Employment Litigation Handbook (ABA 2010). He also worked as a contributing author to Harvey's Indiana Practice and Procedure (West 1988).

David is admitted to practice in Indiana, as well as the Fourth, Seventh, and Tenth Circuit Courts of Appeal, and the United States Supreme Court. He has successfully taken cases to trial in Indiana, Ohio, Kentucky, Michigan, New Jersey, Wisconsin, Colorado and Georgia. He is a member of the American, Indiana and Indianapolis Bar Associations, and serves on the Employment Rights and Responsibilities (ERR) Committee of the ABA Labor Section. He is the current co-chair of the Non-Compete and Trade Secrets Subcommittee. He is a past chair of the Indianapolis Bar Association Labor Law Section. He is also a member of the Christian Legal Society, the Federalist Society, and is a Diplomat of the Court Practice Institute. An active member of the community, David served as a member of the Zionsville Parks and Recreations Board from 1996 to 1998. He served as an elected member of the Zionsville Town Council and Zionsville Plan Commission from 1998 to 2008.

David received his Bachelor of Arts from DePauw University, graduating *summa cum laude* and Phi Beta Kappa, in 1981. He then earned his juris doctor from Georgetown

Services & Industries

- Aerospace & Defense
- Affirmative Action/Government Contractor Compliance
- Benefit Disputes & Litigation
- Employment & Independent Contractor Agreements
- Employment Discrimination
- Employment Litigation & Disputes
- Employment Policies & Training
- Higher Education Labor & Employment Services
- Human Resources Audit
- Labor & Employment
- Labor Relations & Collective Bargaining
- Litigation
- Sports & Entertainment
- Supply Chain & Logistics
- Transportation, Distribution & Logistics
- Wage & Hour/Fair Labor Standards Act

University Law Center in 1984. Every year since 2004 David has been named an Indiana Super Lawyer, and every year since 2012 he has been named to *The Best Lawyers® in America*. In 2010, David was named an Indiana Bar Foundation Fellow. David was named a *Best Lawyers®* 'Lawyer of the Year' in Employment Law- Management in 2013, 2022, and 2024. In 2012, David was named to the College of Labor and Employment Lawyers.

Education

- DePauw University (*summa cum laude*, 1981)
- Georgetown University Law Center (J.D., 1984)

Admissions

- United States District Court - District of Colorado
- United States District Court - Northern District of Illinois
- Indiana
- Indiana Civil Rights Commission
- Supreme Court of Indiana
- United States District Court - Northern District of Ohio
- United States District Court - Eastern District of Wisconsin
- Supreme Court of the United States
- United States Court of Appeals - Third Circuit
- United States Court of Appeals - Seventh Circuit
- United States Court of Appeals - Tenth Circuit
- National Labor Relations Board
- U.S. Equal Employment Opportunity Commission

Professional Affiliations

- Member, American Bar Association
- Member, College of Labor and Employment Lawyers
- Member, Indiana Bar Association
- Member, Indianapolis Bar Association
- Member, Individual Rights and Responsibilities Subcommittee of the ABA Labor Section
- Former Chair, Indianapolis Bar Association Labor Law Section
- Member, Christian Legal Society
- Member, Federalist Society
- Diplomate, Court Practice Institute
- ABA Labor Section Committee on Individual Rights and Responsibilities in Workplace, 1986-present:
 - Management Committee Chair, 2022-present
 - Management Program Co-Chair, 2021-2022
 - Former Co-Chair, Non-Compete and Trades Secrets Sub-Committee
- Co-Chair, Non-Compete and Trades Secrets Sub-Committee, ABA

- Former Chair, Labor Law Section, Indianapolis Bar Association

Awards & Honors

- *Legal 500 U.S. City Elite Rankings* in Indianapolis for Labor & Employment, 2026
- *Indianapolis Monthly* Top Lawyers, 2026
- American Bar Foundation Fellow
- *Benchmark Litigation*, Labor and Employment Star, 2024
- *Best Lawyers®* "Lawyer of the Year" in Employment Law - Management in Indianapolis, 2022, 2024
- *Best Lawyers®* 2013 "Lawyer of the Year" in Labor & Employment Litigation in Indianapolis
- Indiana Labor and Employment Lawyer of the Year, 2013
- College of Labor and Employment Attorneys, 2012
- *The Best Lawyers® in America*, Employment Law - Individuals; Employment Law - Management; Labor Law - Management; Labor & Employment Litigation, 2012-2026
- Indiana Super Lawyer, 2004-2026
- Res Gestae Award for Outstanding Legal Article of the Year (for his paper on wrongful termination in Indiana in 1988)
- Who's Who in America
- Indiana Bar Foundation Fellow
- AV-Preeminent, Martindale-Hubbell, Peer Review Ratings
- *Chambers USA* America's Leading Lawyers for Labor & Employment, 2012-2026
- Graduated *summa cum laude* and Phi Beta Kappa in 1981 from DePauw University

Community Involvement

- Zionsville Town Council, 1998-2008
- Member, Zionsville Parks and Recreations Board, 1996-1998
- Co-Chair, American Cancer Society Indianapolis Gala, 2021
- Chair, American Cancer Society Indianapolis Gala, 2022
- Board of Directors, Horizon House Homeless Center, 2021-present
- Board of Ambassadors, American Cancer Society, 2021-present
- Zionsville United Methodist Church, Founder of the Mighty Men Breakfast Program
- Indianapolis Emmaus Community, 2009-present

Key Matters

Reported and Representative Cases

- *Coomes v. Republic Airline Inc.*, No. 119CV00034TWPMPPB, 2019 WL 4572800 (S.D. Ind. Sept. 20, 2019) (Entry on Defendant's Motion to Dismiss (partial dismissal))
- *Felice v. Republic Airlines*, Case 4:09-cv-00071-JD-APR, 20 Ind. Jury Verdict Reporter 7 (N.D. Ind. June 19, 2019) (Jury trial victory on employment discrimination—reverse discrimination claim)

- *Coomes v. Republic Airline, Inc.*, No. 119CV00033JRSDDL, 2019 WL 2436986 (S.D. Ind. June 11, 2019) (Order granting Defendant's Motion to Dismiss)
- *Stewart v. City of Muncie, et al.*, No. 117CV03645TWPTAB, 2018 WL 6330493 (S.D. Ind. Dec. 4, 2018) (Successful partial motion to dismiss establishing important employment law rules in Indiana)
- *Shroyer Bros., Inc. v. Nichols, et al.*, No. 1:16-cv-00735-JMS-DML, 2016 WL 7455310 (S.D. Ind., Dec. 28, 2016) (Order granting Defendants' motion to dismiss lawsuit asserting violations of 42 U.S.C. § 1983, conversion, and business defamation)
- *Roter v. Frontier Airlines, Inc., et al.*, No. 14-cv-71-pp, 2015 WL 3397700 (E.D. Wisc., May 26, 2015) (summary judgment ruling)
- *Roter v. Frontier Airlines, Inc., et al.*, No. 14-cv-71-rr, 2014 WL 5312656 (E.D. Wisc., Oct. 16, 2014) (order on motion for partial judgment on the pleadings)
- *Hamilton v. Republic Airways Holdings d/b/a Republic Airlines*, No. 1:12-cv-01614-SEB-DML, 2014 WL 2968596 (S.D. Ind., July 2, 2014) (Order granting Defendant's motion for summary judgment (FMLA interference and retaliation claims))
- *Novey v. Heartland Home Finance, Inc.*, Case No. 1:06-cv-00031, 2007 WL 5100460 (D. Colo. Oct. 15, 2007) (Jury Trial/Claim of Age Discrimination) (Defense Verdict)
- *JAK Productions, Inc. v. Wiza*, 986 F.2d 1080 (7th Cir. 1993)
- *Zapp v. UTU*, 879 F.2d 1439 (7th Cir. 1989)
- *Beard v. Whitley Co. REMC*, 840 F.2d 405 (7th Cir. 1988)
- *Golden v. Chautauqua Airlines, Inc.* 2007 WL 925020 (S.D. Ind. 2007)
- *Hudson v. Indiana Limestone Co.*, 143 F.Supp. 2d 1032 (S.D. Ind. 2001)
- *Barnes Group v. Rinehart*, 2001 WL 301433 (S.D. Ind. 2001)
- *Volunteers of America v. Premier Auto Acceptance Corp.*, 755 N.E.2d 656 (Ind. Ct. App. 2001)

Published In

- "Even in Indiana, Non-Competes Can Span the World," *Inside Indiana Business*, June 17, 2021
- "What Does New York's New Harassment Law Tell Us About the Future of Harassment Training?" *Inside Indiana Business*, March 18, 2019
- "Arbitration of Employment Disputes: Don't Let Epic Systems Lead to an Epic Mistake," Building Excellence, August 2018
- "Show Me a Good Non-Compete Drafter, and I'll Show You a Diamond Cutter," *Indiana Manufacturers Association Executive Memo*, February 2018 and *Inside Indiana Business*, Feb. 28, 2018
- Co-author, ABA Treatises:
 - *Covenants Not to Compete: A State by State Survey*, BNA, 1991
 - *The Employee Duty of Loyalty: A State by State Survey*, BNA, 1995
 - *Employment Trade Secrets Law: A State by State Survey*, BNA, 1997
 - *Tortious Interference in the Employment Context*, BNA, 2004
- *The Employee Duty of Loyalty: A State by State Survey*, BNA, 1995
- *Employment Trade Secrets Law: A State by State Survey*, BNA, 1997
- *Tortious Interference in the Employment Context*, BNA, 2004
- *Employment Litigation Handbook*, ABA, 2010

- *ABA Journal of Labor & Employment Law*
- Co-author, "The Development of Employment Rights and Responsibilities from 1985 to 2010"
- Contributing Author, *Harvey's Indiana Practice and Procedure*, West, 1988

Thought Leadership

October 28, 2025

Noncompetes in Employment—the Trump Administration Jumps Into the Fray with Both Feet

February 4, 2025

***Groff v. DeJoy* U.S. Supreme Court Decision Creates New Headache for Employers: Balancing Religious Discrimination Avoidance Obligations in the Workplace with Anti-harassment Policies**

August 20, 2024

FTC Non-Compete Madness Heads for a Final Crescendo: National Injunction Imposed Against the FTC Rule

July 12, 2024

***Are Loper Bright Enterprises* and *Ryan LLC* a One-Two Punch in the Face of the FTC's Non-Compete Plans?**

May 13, 2024

FTC Noncompete Ban: What You Need to Know

April 24, 2024

FTC Publishes Rule Proposing Ban on Noncompetes

November 27, 2023

Workplace Apparel Battle: Stickers, Logo Shirts, and Uniforms--Oh My! What Has Elon Musk Done Now?

March 22, 2023

Navigating in the Post-Dobbs Workplace—Rough Seas Ahead

March 8, 2023

Supreme Court Knocks the Wind Out of the Highly Compensated Employee Exemption

January 18, 2023

Federal Trade Commission's Proposal Sets Noncompete World on Fire: Justified Fears?

January 5, 2023

In Unprecedented Shift, FTC Seeks to Prohibit Noncompete Agreements

September 21, 2022

No-Poaching Agreements—Another Bad Approach to Non-Competition Agreements

January 25, 2022

Beyond the Pandemic: What Else Is Going On in Employment Law?

June 17, 2021

Even in Indiana, Non-Competes Can Span the World
Inside Indiana Business

October 21, 2020

Pandemic May Have Changed the World, But Not Employment Non-Compete Law

April 16, 2020

Recently Passed Indiana Health Care Statute Contains Surprising New Physician Non-Compete Restrictions—Health Care Employers Beware!

April 7, 2020

FFCRA Small Business Exemption Creates Opportunity and Confusion for Employers

March 22, 2020

WARN Act Considerations in COVID-19 Related Layoffs and Furloughs

February 24, 2020

Reckless Employer Reaction to Employee Workplace Complaint Leads to More Employer Headaches

Speaking Engagements

Carr is a frequent lecturer on labor and employment issues, including:

- ABA Annual Meeting in Washington, D.C., 2002
- ABA Labor Section CLE Seminar in Washington, D.C., 2009