



Benjamin M. Farley

Member

bfarley@lewisrice.com

St. Louis, MO / (314) 444-7658

Ben Farley is a skilled litigator with experience in employment, commercial, and appellate matters, known for his strong advocacy and analytical approach to complex legal issues.

Ben practices in the Litigation Department at Lewis Rice, where he assists clients with labor and employment matters, commercial litigation, and appellate advocacy. He brings a strong analytical foundation and courtroom experience to each case.

Before joining the firm, Ben served as a law clerk to the Honorable Bobby E. Shepherd of the U.S. Court of Appeals for the Eighth Circuit. During his clerkship, he worked on a wide range of legal issues, including employment law, contract disputes, and antitrust matters.

While in law school, Ben was a member of the Appellate Clinic, where he and his team successfully argued a federal habeas appeal, securing a new trial for their client. He also has extensive experience in oral advocacy, having personally argued a federal habeas appeal before the Sixth Circuit and winning the Wiley Rutledge Moot Court Competition during his second year.

Prior to law school, Ben served as Assistant Director of Admissions at St. Louis University High School, where he also taught history and coached junior varsity football. During college, he spent a semester abroad in London, England, working as a parliamentary intern for the Rt. Hon. Alun Michael in the British Parliament.

A proud St. Louisan, Ben lives in the Hill neighborhood of St. Louis City with his wife and family.

Education

- Washington University in St. Louis School of Law (J.D., *summa cum laude*, 2016)
 - Chief Executive Editor, *Washington University Law Review*
 - Wiley Rutledge Moot Court Winner
 - CALI Excellence for the Future Awards in Legal Practice II: Advocacy and Federal Jurisdiction
 - Order of the Coif; Legal Practice Excellence Award; Honor Scholar Award

Services

- Complex Litigation
- Labor & Employment
- Appellate Litigation
- Antitrust
- Trust & Estate Litigation

- University of Notre Dame (B.A., *magna cum laude*, 2010)
 - Political Science, Economics & Econometrics
 - Rooney Center Prize for Best Thesis in American Politics, 2010
 - Glynn Family Honors Program

Legal Background

- Law clerk, Hon. Bobby E. Shepherd, U.S. Court of Appeals, Eighth Circuit (2016-2017)
- Intern, Washington University Appellate Clinic (2015-2016)
- Summer associate, Lewis Rice LLC (2014, 2015)
- Intern, St. Joseph County Prosecutor's Office (Jan. 2010-May 2010)

Professional Affiliations

- Bar Association of Metropolitan St. Louis
- Federalist Society

Admissions

- Missouri Bar
- Illinois Bar

Charitable & Civic Involvement

- Junior Board of Directors of Loyola Academy (2012-present)
- Zoo Young Professionals, St. Louis Zoo

Case Studies

In Summary Judgment, Federal Court finds Unfounded Claims of Hostile Work Environment, Race Discrimination, and Retaliation in Washington Federal Court

Last month, Judge Barbara J. Rothstein, a United States District Judge for the Western District of Washington, entered summary judgment in favor of longtime Lewis Rice client Graybar Electric Company, Inc. in a race discrimination lawsuit. The plaintiff had alleged claims of hostile work environment, race discrimination, and retaliation under Title VII and the Washington Law Against Discrimination against Graybar. Specifically, Mr. Copeland claimed he faced a racially hostile work environment and that, his supervisors failed to remediate. Mr. Copeland also claimed that his employment with Graybar was later terminated on grounds of race discrimination and as retaliation for going over his supervisors' heads to complain to upper management regarding the alleged hostile work environment.

After thorough discovery requests, interrogatories, and third-party subpoenas, as well as 13 depositions taken by the parties in this case, Lewis Rice elicited evidence that Mr. Copeland's claim of a hostile work environment boiled down to several isolated issues with one co-worker that were not racially motivated. Lewis Rice further demonstrated that Mr. Copeland's termination was based on his history of workplace disruptions with multiple coworkers that preceded his complaint to upper management and escalated in the following days, culminating in verbally abusive encounters with two different coworkers.

After the completion of discovery, Lewis Rice filed a motion for summary judgment, arguing that the undisputed facts of the case showed that Graybar was owed judgment on all claims as a matter of law. Despite the high standards of such a motion, the Court agreed with Lewis Rice granting summary judgment in favor of Graybar. As Judge Rothstein explained, "Plaintiff claims he was subjected to only a few discrete, isolated incidents, occurring many months apart during a span of over two years, which were neither extremely serious, nor frequent and pervasive, and are thus not sufficient to constitute a hostile work environment." Judge Rothstein also held that Graybar "took timely and adequate measures in response to each complaint Copeland made." She also rejected Mr. Copeland's claims that Graybar terminated him on account of his race. Finally, Judge Rothstein agreed that Mr. Copeland's claims of a pattern of workplace disruptions, which continued after his complaint to upper management, broke any causal link between his complaint and termination. In short, Mr. Copeland's retaliation claim could not survive based solely on temporal proximity, even if that proximity was only nine days.

Lewis Rice attorneys Neal F. Perryman (Chair of the Litigation Department) and Benjamin M. Farley successfully represented Graybar. Lewis Rice was assisted by local counsel Jessica Jensen, a partner at Ogden Murphy Wallace PLLC. The decision is reported as *Copeland v. Graybar Electric Company, Inc.*, 2:22-CV-280, 2023 WL 4421805 (W.D. Wash. July 10, 2023).