



Michael W. Gaches

Counsel

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Michael Gaches joins the Tucker Ellis Labor & Employment Group after serving more than 18 years as an attorney and litigator for the Transportation Security Administration, a component agency of the U.S. Department of Homeland Security.

Mike brings a unique understanding of and intricate experience in employment and labor litigation to the Tucker Ellis Labor & Employment Group. In his role as TSA Deputy Chief Counsel for Litigation, he directed and implemented agency-wide litigation strategy in an array of areas – including labor and employment, constitutional law, torts, regulatory compliance and enforcement, and cybersecurity – and led a team of nearly 70 attorneys and professional staff responsible for all TSA-related federal court and administrative litigation and labor arbitration. Prior to serving in that role, Mike was TSA's Assistant Chief Counsel for Employment & Labor Litigation, overseeing a team of more than 30 attorneys and staff defending all claims brought against the agency under various employment statutes, including Title VII of the Civil Rights Act, the Rehabilitation/Americans with Disabilities Act, the Age Discrimination in Employment Act, the Whistleblower Protection Act, and others. Mike also worked as a senior employment litigation attorney for TSA, personally litigating hundreds of cases to resolution. He also served as a federal prosecutor for the U.S. Attorney's Office for the Eastern District of Virginia, where he prosecuted federal felonies and misdemeanors, including drug, fraud, extortion, assault, and immigration crimes from initial appearance through trial, sentencing, and appeal.

As an adjunct professor of law at Washington & Lee University, Mike teaches litigation and trial advocacy. He also has served as a speaker and instructor for various employment law symposia.

Mike and his wife, Lauren, and their two children live outside of Annapolis, Maryland, and spend much of their free time participating in and spectating equestrian sports. When not at the barn or competing, they enjoy traveling, good restaurants, and spending quality time with family and friends.

Education

- University of Baltimore School of Law (J.D., 2008)
- St. Mary's College of Maryland (B.A. in Sociology, 2005)

State Admissions

- Maryland, 2008

Federal Admissions

- United States Court of Appeals, Fourth Circuit

Experience

- Consistently achieved a favorable resolution rate of 97% or higher per annum in thousands of employment and labor litigation cases across eight consecutive fiscal years, saving TSA hundreds of millions of dollars and affirming the employment decisions of agency managers
- Directed the successful trial and appellate litigation – including providing specific litigation strategy, legal writing, deposition taking and defending, and trial examination and presentation direction to attorneys – in complex and multi-year whistleblower retaliation lawsuit, resulting in the affirmance of an employee's removal for egregious harassment of fellow co-workers in the office and on social media
- Executed expert trial strategy and successfully collaborated with Assistant United States Attorneys in obtaining a verdict for the Government following a 7-day jury trial involving the testimony of approximately 20 TSA senior executives in a complicated and contentious discrimination and retaliation lawsuit
- Represented TSA and served as primary counsel for the TSA Deputy Administrator and the Federal Air Marshal Service Director before congressional committees, directly engaging with members of Congress and their staff regarding TSA's work to protect whistleblowers and share information about whistleblower complaints with Congress

Publications & Events

SPEAKING ENGAGEMENTS

- "Hot Topics in Federal Personnel Law: Practice Before the Merit Systems Protection Board," MSPB Workshop, D.C. Bar (December 2016, December 2019, November 2020, October 2021)
- "Litigation Strategies: How to Win," Instructor, Department of Housing and Urban Development training course, Department of Justice's National Advocacy Center (June 2017)
- "MSPB Summit," Panelist, Federal Circuit Bar Association (May 2017)

Honors

- Department of Homeland Security (DHS) and Transportation Security Administration (TSA) Awards
 - » DHS Secretary's Awards for Team Excellence (2024)
 - » DHS Secretary's Meritorious Service Silver Medal Award (2022)
 - » TSA Administrator's Mission Focus Honorary Award (2021)

In the Community

- Marlborough Horse Trials, Volunteer