



Mathew B. Tully, Esq. - Founding Partner

**EDUCATION:**

JD Brooklyn Law School  
BA Hofstra University

**BAR ADMISSIONS:**

New York  
District of Columbia

**PRACTICE AREAS:**

Employment Law  
Congressional Investigations  
Appellate Law

**Practice Locations:**

Albany NY  
Washington DC

Mathew B. Tully

is one of TullyRinckey PLLC's two founding partners. In 2004, Mat worked with fellow Hofstraalum and Founding Partner Greg T. Rinckey

to establish the foundation of what is today Tully Rinckey PLLC – a full service law firm with offices spanning from the East Coast of the United States to the West. Mat partners with Greg on the strategic planning and law practice management of the firm. Together, they create and implement innovative business initiatives that continue to expand Tully Rinckey PLLC into new markets and practice areas.

Mat is one of a small number of attorneys licensed to practice law in three different Countries. He is an Attorney and Counselor at Law in New York State and is on the rolls of Solicitors before the Supreme Court of England and Wales as well as being on the rolls of Solicitors in the Republic of Ireland.

As a practicing attorney, Mat focuses on the representation of military personnel

and federal government sector employees

. He has represented federal employees before such federal agencies as the MSPB

, EEOC

, and OSC and in court before the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of Appeals for the Armed Forces. Mat also has a thriving appellate practice where he is one of a small number of attorneys alive today who have argued and won before the highest Court in New York State (the New York State Court of Appeals) as well as had a Writ of Certiorari granted and a remand ordered by the Supreme Court of the United States amongst many other appellate victories in various Appellate Courts.

Before launching his legal career, Mat served for three years in the U.S. Army as a field artillery officer. After suffering from military discrimination at the hands of his civilian employer, Mat received his Juris Doctorate from Brooklyn Law School. A retired Lieutenant Colonel in the New York Army National Guard, Mat has chosen to dedicate his legal career to protecting and preserving the rights of his fellow veterans and reservists. In 2012, Mat received the Purple Heart for injuries he sustained during a suicide bombing while serving in Afghanistan. His service there also afforded him the Bronze Star. His most recent deployment to Afghanistan marked the third time since founding the firm that Mat left his business to selflessly serve the nation. After nearly two decades of service, Mat retired from the military in May 2014.

On Sept. 11, 2001, while employed in the legal department of Morgan Stanley, Mat escaped from the World Trade Center and shortly thereafter relocated to Upstate New York. There, in his ski home, he began providing legal services to his friends and former colleagues who were facing the same discrimination he had. The firm quickly outgrew his home and, with the addition of a partner in 2004, Tully Rinckey PLLC opened an office in Albany, N.Y. As a result of success within the federal employment and military law sectors, the firm then expanded into Washington, D.C.

Mat has become a pioneer in the field of USERRA litigation

, winning several landmark cases, which have greatly influenced the laws protecting United States veterans. His leadership in military law is reflected in his role as a syndicated columnist for the Army Times. Mat is also frequently asked by local and national media outlets to offer his legal commentary on military matters. Most recently, he has been featured in the Washington Post and on CNN. In October of 2007, Mat testified in front of the U.S. Senate Committee on Veterans' Affairs regarding his criticism of and recommendations to USERRA. He provided his knowledge of laws protecting veterans

again in February of 2008 in front of the House Committee on Veterans' Affairs.

In 2005, Mat was deployed to Iraq with the 42nd Infantry "Rainbow" Division and was based at Forward Operating Base Danger in Tikrit, Iraq. As division chief of operations, he was responsible for the organization and implementation of the military's security and stability operations in Saddam Hussein's hometown. Mat returned to the firm in 2006 but was deployed for a second time in October of 2007. During his deployment to Egypt, Mat conducted a series of exercises in support of "Operation BrightStar," which works to enhance the relationship between the United States and the Middle East.

In 2008, Mat graduated from the National Security Space Institute. The NSSI is the Department of Defense's premier institute for training service members to support military operations and advance U.S. national security interests. Upon graduating, he received the Air Force Space Medal, which certified him as a space professional.

He went on to complete the Army Space Operations Officer Qualifications Course making him Army Functional Area 40 qualified. Matis also a retired supervisory federal law enforcement officer and is a qualified "retired law enforcement officer" under the Law Enforcement Officers Safety Act (LEOSA)

Mat was raised in Massapequa Park, NY but has lived in South Korea, Oklahoma, Georgia, and Brooklyn, NY.

He currently lives in New York with his family.

## **Case Victories**

Mathew B. Tully

- Jose D. Hernandez v. Dept of the Air Force

- Obtained appeal decision from the Merit Systems Protection Board

that the board should overturn its original decision and could adjudicate claims of USERRA

violations prior to the statute's enactment in 1994. Jose D. Hernandez, a retired aircraft mechanic for the Air Force contended he was erroneously charged for leave time from 1980 to 2001. Hernandez was granted the petition and the original decision was vacated.

Mathew B. Tully

- Pucilowski v. Department of Justice

- Alexander F. Pucilowski Jr., a federal corrections officer and federal air marshal contended he was erroneously charge for military leave from 1989 to 2002 while in the National Guard. Court said a series of its recent rulings on military leave pay cases, including Hernandez, has signaled its view that the Uniformed Services Employment and Reemployment Rights Act

should be interpreted liberally to the benefit of guardsmen and reservists. This case resulted in more favorable military leave pay determinations by the U.S. Merit Systems Protection Board

toward federal employees who are also in the National Guard or military reserve. "Will expand the time frame for which guard personnel can seek compensation and potentially make their case easier to prove" – Mathew B. Tully

Mathew B. Tully

- Jackson v. United States

- The United States Supreme Court vacated the prior judgment upholding defendant's sentence and remanded the matter to the court for reconsideration of defendant's sentence in light of Booker.

Mathew B. Tully

- State of New York County Court: Orange County - People v Jones

Decision and Order - Client's 9 year sentence and conviction vacated with Appeal victory.

Mathew B. Tully

- Miller v. U.S. Postal Service

- MSPB

said reservists who worked at the Postal Service also eligible for back pay because of an erroneous leave policy.

Mathew B. Tully and Greg T. Rinckey

- Collins v. Department of the Agriculture

- Filed an appeal alleging that while employed by the Department of the Agriculture he was charged military leave even on non-work days which caused him to use annual, sick, or leave without pay to perform military duties from 1989 -2000. Based on USERRA

, the agency was ordered to correct its records and to pay appellant the back pay that was owed.