

Employment Litigation

Downey Brand's employment lawyers are experienced trial attorneys with demonstrated success in state and federal courts and at binding arbitrations.

We work daily to aggressively defend employers in state and federal courts against all types of labor and employment litigation including harassment, discrimination, retaliation, wrongful termination, whistle-blower, wage and hour, and PAGA claims. We represent public entities and private employers across a wide range of industries including retail, health care, grocery, banking and professional services. And, we utilize alternative dispute resolution, such as mediation, when it makes the most business sense for our clients.

We specialize in representing employers in complex wage and hour class action litigation. Our lawyers have successfully opposed motions for class certification in state and federal courts. We also engage in intensive and early factual investigations in these complex cases to effectively analyze exposure and potential damages to develop defense strategy.

We also regularly appear before regulatory agencies and represent clients during agency audits and investigations, including the California Department of Fair Employment and Housing, the Equal Employment Opportunity Commissioner, the U.S. Attorney General, the U.S. Department of Education, the Occupational Safety & Health Administration, and the Public Employment Relations Board.

Selected Experience

- Successfully defending a large local grocery company in two simultaneous state court trials in Sacramento and Yolo counties. Both jury trials resulted in defense verdicts. The cases involved complex disability discrimination claims on the one hand and allegations of long-term age discrimination in the other. We obtained an award of costs in each case.
- Serving as trial counsel, in large putative wage and hour class action in federal court on behalf of Fortune 500 health services employer. Class involved approximately 1,000 former and current employees. Successfully opposed motion for class certification resulting in nuisance settlement with single class representative.
- Representing large national bank in wrongful termination, discrimination and whistle-blower claims in state court. Actions resulted in favorable settlement following aggressive defense of claims.
- Represented a natural gas company against claims by former employees alleging breach of contract. Obtained defense verdict at trial that was upheld on appeal.
- Successful prosecution of breach of contract claim by former executive against high-tech company following multi-day arbitration in which arbitrator awarded in excess of \$250,000 in fees and costs.
- Defense of a financial institution in the San Francisco Bay Area on claims of race and sexual discrimination and a hostile work environment made by female employees against an alleged supervisor during training

Practice Experience

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