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**FIRM RESUME**

Altshuler Berzon LLP is a San Francisco law firm that specializes in labor and employment, environmental, constitutional, campaign and election, and civil rights law. Although most of our cases are in federal and state courts in California, we appear regularly in courts throughout the country and before the National Labor Relations Board.

In past years, the firm's attorneys have won major victories in the cases described below, following the description of the firm's current docket. Attorney biographies and citations to decisions follow at the end of this resume.

**CURRENT CASES**

Altshuler Berzon LLP's current docket includes the following matters:

- \* *North Carolina State Conference of the NAACP v. The North Carolina State Bd. of Elections*: Federal law challenge to North Carolina state and county officials' removal of thousands of voters from the registration rolls in the weeks leading up to the November 2016 election based on mass challenges alleging that the voters had relocated their residences.
- \* *Chamber of Commerce v. City of Seattle*: The defense on appeal of a federal district court's dismissal of an antitrust and preemption challenge to a Seattle ordinance authorizing collective organization and negotiation by independent contractor drivers who work for for-hire transportation companies, such as Uber and Lyft.
- \* *Jewett v. Oracle Corp.*: A class action under the California Equal Pay Act alleging the women employed in technology and technology support positions were paid less than men with similar qualifications performing similar work.
- \* *County of Santa Clara v. Trump*: A federal court action challenging the Trump Administration's rescission of the Deferred Action for Childhood Arrivals ("DACA") program on constitutional, statutory, and equitable grounds.

\* ***Sanchez v. McDonald's/Salazar v. McDonald's***: California state law class actions in state and federal courts on behalf of restaurant crew members employed by corporate-owned and franchisee-owned McDonald's fast food outlets, alleging numerous violations of California employment law and seeking to establish McDonald's corporate liability on joint employer and other theories.

\* ***Regents of University of California v. United States Dep't of Homeland Security***: Federal court challenge to the Trump administration's rescission of DACA as unconstitutional and arbitrary and capricious under the Administrative Procedure Act, brought on behalf of the County of Santa Clara and Service Employees International Union, Local 521.

\* ***In re Anthem Inc. Data Breach***: Co-lead counsel in federal multi-district litigation involving hundreds of consumer class actions against Anthem, Inc. and its affiliated Blue Cross-Blue Shield companies for allegedly failing to maintain the confidentiality of the personal information of approximately 80 million Americans, in one of the largest data breaches in U.S. history.

\* ***NRDC v. Jewell***: Following remand from an 11-0 *en banc* victory at the Ninth Circuit, continued litigation of an environmental challenge to long-term contracts for the delivery of more than 2.3 million acre-feet of California Central Valley Project water, which allegedly pose a severe risk to the survival and recovery of the threatened Delta smelt and salmon.

\* ***Ellis v. Google, Inc.***: A class action under the California Equal Pay Act alleging that Google pays women employees less than it pays men with similar qualifications performing similar work.

\* ***Gerawan Farms v. Agricultural Labor Relations Board***: The defense of a California Supreme Court decision upholding the constitutionality of a California law requiring binding interest arbitration to resolve agricultural labor disputes.

\* ***Clark v. City of Seattle***: The defense on appeal of a federal district court's dismissal of a challenge brought by the Right to Work Foundation to a Seattle ordinance authorizing collective organization and negotiation by independent contractor drivers who work for for-hire transportation companies, such as Uber and Lyft.

\* ***People v. Conagra Grocery Products Co.***: The defense of a California trial court order and appellate affirmance requiring three paint manufacturers to pay hundreds of millions of dollars into a fund dedicated to abating health hazards caused by deteriorating lead-based paint in private homes throughout California.

\* ***NLRB v. Murphy Oil/Lewis v. Epic Systems, Inc./Morris v. Ernst & Young***: Coordinated amicus briefing and filed amicus brief on behalf of 10 international labor unions, the National Employment Law Project, and the National Employment Lawyers Association in a Supreme Court case challenging mandatory employment arbitration agreements that prohibit joint, class, and representative actions as violating the right to engage in concerted protected activity guaranteed by the National Labor Relations Act and the Norris-LaGuardia Act.

\* ***Rasier LLC v. City of Seattle***: The defense on appeal of a dismissal of a state administrative law challenge to rules implementing Seattle ordinance authorizing collective organization and negotiation by independent contractor drivers who work for for-hire transportation companies, such as Uber and Lyft.

\* ***Int'l Union of Operating Engineers Local 370 v. Wasden***: Appeal from a federal court challenge to Idaho's "Right to Work" statute as preempted by the National Labor Relations Act and as a taking without due process under the Fifth and Fourteenth Amendments.

\* ***Keller v. California State University***: A state court class action lawsuit against the California State University alleging the University breached its contracts with tens of thousands of students by imposing last-minute fee increases.

\* ***Patterson v. Raymour's Furniture Co./AT&T Mobility Svcs., LLC v. NLRB/Price-Simms, Inc. v. NLRB//24 Hour Fitness v. NLRB/Everglades College, Inc. v. NLRB/The Rose Group v. NLRB***: Party and amicus briefing in challenges pending in the First, Second, Fourth, Sixth, Eleventh, and D.C. Circuits, and in the Supreme Court, to mandatory employment arbitration agreements that prohibit joint, class, and representative actions as violating the right to engage in concerted protected activity guaranteed by the National Labor Relations Act and the Norris-LaGuardia Act.

\* ***Dynamex Operations West, Inc. v. Superior Court***: Amicus briefing and oral argument in the California Supreme Court on behalf of three international unions and numerous civil rights and employment law groups to establish the proper definition of "employee" to be used in California Labor Code and Wage Order cases brought by workers alleging they were misclassified as independent contractors.

\* ***Blair v. Rent-A-Center***: A consumer class action in federal district court seeking a public injunction and damages for hundreds of thousands of low-income consumers who were allegedly overcharged in violation of California's Rental Purchase Law for appliances and other products purchased on a rent-to-buy basis.

\* ***Int'l Union of Operating Engineers Local 139 v. Schimel***: A motion for rehearing *en banc* from the Seventh Circuit's decision rejecting a challenge to Wisconsin's "Right to Work" statute as preempted by the National Labor Relations Act and as a taking without due process under the Fifth and Fourteenth Amendments.

\* ***Kilby v. CVS Pharmacy, Inc./Henderson v. J.P. Morgan Chase/Brown v. Walmart***: Federal court actions, on remand from the Ninth Circuit after California Supreme Court's ruling on certified questions, alleging that the defendant companies failed to provide their employees with suitable seating, as required by a century-old California Wage Order.

\* ***Faulkner v. Dominguez***: The defense of a union representing airline ramp, operations, provisions and freight agents in a federal court action for breach of contract.

\* ***Riffey v. Rauner/Winner v. Rauner/Bierman v. Dayton/Mentele v. Inslee/Centeno v. Quigley/Hill v. SEIU***: The defense, in courts of appeals and district courts, of state laws that permit childcare and homecare providers to have union representation and that permitted the unions to require all represented employees to pay their fair share of the costs of providing that representation.

\* ***Hamidi v. SEIU Local 1000***: The defense on appeal of a federal district court decision upholding the constitutionality of a California statute requiring state employees who choose not to become members of the union that represents them in collective bargaining to opt out of paying their pro rata portion of certain non-bargaining expenses if they do not wish to pay for such expenses.

\* ***Warner v. Fry's Electronics***: A state court representative action for civil penalties brought on behalf of sales employees alleging systematic violations of California's minimum wage law.

\* ***American Airlines Flow-Thru Pilots Coalition v. Allied Pilots Ass'n***: The defense of a labor union sued for the positions it took in collective bargaining negotiations and in a seniority integration arbitration.

\* ***Monsanto Co. v. Office of Environmental Health Hazard Assessment***: The representation of an intervenor to defend the constitutionality of Proposition 65's mechanism for listing known carcinogens against a challenge brought by Monsanto.

\* ***Allied Concrete v. Baker***: The representation of labor union intervenors to defend against a constitutional challenge to a state law that requires suppliers of concrete to public works projects to pay prevailing wages to ready-mix delivery drivers.

\* ***Fisk v. Inslee***: The defense on appeal of a federal district court decision upholding union dues authorization agreements against a constitutional challenge.

\* ***Entwistle v. Brown***: The defense in federal district court of a union's procedure for dues deduction authorizations.

\* ***Yohn v. California Teachers Ass'n***: The defense of a constitutional challenge to union fair share fee laws.

\* ***As You Sow v. Abbot Laboratories Inc.***: An enforcement action under California's Proposition 65 alleging that a nutrition bar contains lead.

\* ***Chavez v. Plan Benefit Services, Inc.***: A federal court class action under ERISA for charging allegedly excessive fees for administrative and marketing services for health insurance and retirement plans.

\* ***Kao v. Abbot Laboratories Inc.***: A federal court consumer class action alleging deceptive and unfair business practices in the advertisement of baby formula.

\* ***California Physicians' Service dba Blue Shield of California v. Johnson***: Appeal of the denial of an anti-SLAPP motion brought by a whistleblower who was sued for providing information to government regulators, the media, and the public.

\* ***Alaska Airlines Merger Committee and Virgin America Merger Committee***: Representation of the Virgin America pilots in a negotiation/mediation/arbitration process to obtain a single integrated pilot seniority list in the Alaska-Virgin airlines merger.

\* ***Todd v. Amalgamated Transit Union Local 1574***: Defense of a local union sued for breach of the duty of fair representation, breach of fiduciary duty, and breach of contract arising from a grievance arbitration.

\* ***Bayer v. Neiman Marcus***: A federal court action under Section 503(b) of Americans with Disabilities Act seeking to establish that an employer's imposition of a mandatory arbitration agreement after the plaintiff-employee had already filed an administrative complaint with the EEOC unlawfully interferes with its employees' ability to pursue their ADA rights.

\* ***McDonald v. CP OPCO, LLC dba Classic Party Rentals, et al.***: A federal class action alleging that the defendants failed to provide notice to their employees prior to closing their facilities or conducting a mass layoff, in violation of the federal and California WARN Acts.

\* ***La Paz v. Simpson Strong-Tie Co.***: A class action alleging that an employer violated the meal- and rest-break provisions of California law, as well as committed other associated violations.

We also represent many local unions and apprenticeship programs on general matters, including litigation, negotiations, arbitrations and advice. In addition, we represent many workers in individual employment matters, public agencies in selected constitutional cases, and law firms and public interest organizations on statutory and common fund attorneys' fees matters. We also defend labor unions and public interest groups against SLAPP suits, and regularly provide legal advice to both unions and public agencies on the drafting of legislation, ballot measures, and regulations.

## **VICTORIES**

### **LABOR AND EMPLOYMENT**

\* ***UAW v. Johnson Controls*** (Supreme Court): Prohibited employers from adopting "fetal protection" policies that discriminate against female workers in violation of Title VII.

\* ***UAW v. Brock*** (Supreme Court): Compelled the Department of Labor to restore \$200 million in wrongfully withheld Trade Act benefits to thousands of unemployed autoworkers and steelworkers.

\* ***Bower v. Bunker Hill Co.***: Restored, after a six-week jury trial, tens of millions of dollars of retiree health insurance benefits that had been terminated following the shutdown of Idaho's largest private employer.

\* ***Chamber of Commerce v. City of Seattle***: Representing the City of Seattle, obtained dismissal of a federal court challenge to a Seattle ordinance authorizing collective organization and negotiation by independent contractor drivers who work for for-hire transportation companies, such as Uber and Lyft, raising antitrust, NLRA preemption, and other grounds.

\* ***Rasier LLC v. City of Seattle***: Representing the City of Seattle, defeated state administrative law challenge to rules implementing Seattle ordinance authorizing collective organization and negotiation by independent contractor drivers who work for for-hire transportation companies, such as Uber and Lyft.

\* ***Clark v. City of Seattle***: Representing the City of Seattle, defeated constitutional and statutory challenges to rules implementing Seattle ordinance authorizing collective organization and negotiation by independent contractor drivers who work for for-hire transportation companies, such as Uber and Lyft.

\* ***Golden Gate Restaurant Ass'n v. City and County of San Francisco***: Obtained a Ninth Circuit ruling upholding, against an ERISA preemption challenge, a San Francisco ordinance that requires employers either to provide health benefits to their employees or to pay into a City fund for the same purpose.

\* ***Gerawan Farms v. Agricultural Labor Relations Board***: Representing United Farm Workers union in conjunction with in-house counsel, obtained California Supreme Court decision overturning Court of Appeal decision and upholding the constitutionality of a California law requiring binding interest arbitration to resolve agricultural labor disputes.

\* ***UAW v. Kiddoo***: Required California to resume paying unemployment compensation to almost 400,000 unemployed workers following a budgetary impasse between the Legislature and the Governor.

\* ***Bay Area Laundry Workers v. Ferbar*** (Supreme Court): Established longer statute of limitations for suits against employers who withdraw from multi-employer pension plans.

\* ***Burlington Northern Santa Fe Ry. Co. v. Int'l Bhd. of Teamsters Local 174***: Obtained a unanimous *en banc* court of appeals decision overturning decisions that had severely weakened the protection afforded by the Norris-LaGuardia Act to union economic action.

\* ***Armendariz v. Foundation Health Psychcare Svcs.***: Obtained a California Supreme Court ruling that employers cannot require their employees, as a condition of employment, to resolve employment claims through arbitration, where the arbitration agreement does not provide for specific procedural protections.

\* ***UFCW Local 751 v. Brown Shoe Group, Inc.*** (Supreme Court): Established union standing to sue employers that violate the Worker Adjustment and Retraining Notification Act's statutory notice requirements.

\* ***Vergara v. California***: Overturned on appeal trial court decision invalidating as unconstitutional California statutes governing public school teacher tenure and layoff.

\* ***Air Line Pilots Association, International, et al. v. United Airlines, Inc.***: Obtained declaratory and injunctive relief on behalf of United Airlines pilots requiring the airline to comply with California's Kin Care law, which requires employers that offer paid sick leave to allow employees to use up to half of that leave to care for ill relatives.

\* ***24 Hour Fitness USA, Inc./ Totten v. Kellogg Brown & Root, LLC***: Obtained rulings from the National Labor Relations Board and the Central District of California striking down mandatory employment arbitration agreements that prohibit class collective actions and representative actions as violations of the right to engage in concerted protected activity guaranteed by the National Labor Relations Act.

\* ***Ochoa v. McDonald's***: Obtained substantial settlements with both franchisee and McDonald's in California state law class action brought on behalf of restaurant crew members employed in franchisee-owned McDonald's fast food outlets, alleging numerous violations of California employment law and seeking to establish McDonald's corporate liability on joint employer and other theories.

\* ***Greene v. Dayton***: Obtained Eighth Circuit decision affirming district court's dismissal of claims that a state law permitting homecare workers for Medicaid program participants to be represented by a union is preempted by the National Labor Relations Act, violates the Contract Clause, and tortiously interferes with the right to contract.

\* ***Does I, et al. v. The Gap, Inc., et al.***: Negotiated a \$20 million settlement and innovative workplace monitoring program in anti-sweatshop class action on behalf of 30,000 Chinese and other foreign workers against Saipan garment factories and retailers for alleged violations of the Racketeer Influenced and Corrupt Organizations Act, the Alien Tort Claims Act, the Fair Labor Standards Act, and federal common law.

\* ***Granite Rock Co. v. Int'l Bhd. of Teamsters*** (Supreme Court): Obtained a U.S. Supreme Court decision rejecting an employer's unprecedented attempt to expand Section 301 of the Labor Management Relations Act to include tort theories for interference with contract by international union.

\* ***Regents of the University of Wisconsin v. Adidas***: Successful intervention on behalf of an Indonesian labor union, followed by settlement in the Wisconsin state court, of an action brought to hold Adidas responsible under a University licensing agreement for unpaid wages and benefits owed to 2,700 Indonesian garment workers employed by a bankrupt factory that manufactured Adidas apparel.

\* ***Washington Service Contractors Coalition v. District of Columbia***: Successfully defended against a federal preemption challenge a local displaced worker ordinance that requires new service contractors to retain the employees of their predecessors.

\* ***NLRB v. Town & Country Electric, Inc.*** (Supreme Court): Protected paid union organizers from discriminatory discharge or refusal to hire under the National Labor Relations Act.

\* ***Carrillo v. Schneider Logistics, Inc.***: Federal district court class action resulting in \$22.7 million settlement on behalf of low-wage immigrant warehouse workers who alleged that Walmart, its warehouse operator, and their labor services contractors were joint employers liable for a series of state and federal wage-and-hour violations, including for imposing unlawful group piece rate scheme, wage fraud, and wrongful mass retaliatory termination.

\* ***Does I Thru XXIII v. Advanced Textile Corp.***: Established the right of workers to sue under fictitious names and withhold their identities from their employers, where they reasonably fear that disclosure of their identities will result in severe retaliation.

\* ***Brinker Restaurant Corp. v. Superior Court***: Obtained a unanimous California Supreme Court decision, which ultimately resulted in a \$56 million settlement, establishing standards governing meal period and rest break claims, and affirming in part and reversing in part trial court's certification of class of low-wage restaurant workers.

\* ***Veliz v. Cintas Corp.***: Obtained a \$22.75 million settlement of class actions and individual cases pending in the Ninth Circuit, the Northern District of California, the Judicial Panel on Multidistrict Litigation, and AAA arbitration, each of which challenged a nationwide industrial laundry company's policy of classifying its drivers as exempt from overtime requirements of federal and state wage-and-hour laws.

\* ***AFL-CIO v. Employment Development Department***: Compelled California to continue to pay unemployment compensation benefits to hundreds of thousands of claimants per year pending evidentiary hearings on their continued eligibility.

\* ***Hawaii State Teachers Assn./United Public Workers v. Lingle***: Enjoined the Governor of Hawaii from unilaterally implementing unpaid furloughs for all state employees of three days per month on the ground that unilateral implementation violated the state constitutional right to collective bargaining.

\* ***El Centro v. Lanier***: Defeated a state constitutional challenge to a California law that provides charter cities with a financial incentive to require contractors on municipal construction projects to pay prevailing wages to their employees and to hire apprentices.



\* ***Broussard v. First Tower Loan, LLC***: Obtained an arbitration decision holding that an employer violated Title VII's prohibition against sex discrimination when it constructively discharged a transgender male employee by requiring that he act and dress in conformity with traditional female gender stereotypes, and awarding economic and non-economic damages. In subsequent proceedings, the EEOC relied upon the arbitration decision to procure a consent decree requiring substantial changes in the defendant's treatment of transgender employees.

\* ***SEIU-UHW v. Fresno County IHSS Public Authority***: Obtained an injunction requiring Fresno County to maintain the wage and benefit rates paid to providers of in-home support services pending arbitration of the union's grievance regarding the wage and benefit reduction.

\* ***D.R. Horton***: On behalf of amici SEIU and Change to Win, obtained a ruling from the National Labor Relations Board (later reversed by Fifth Circuit but still binding on Board administrative law judges) that employers commit an unfair labor practice by including prohibitions against joint, class, and collective actions in mandatory employment arbitration agreements.

\* ***Narayan v. EGL***: Obtained a Ninth Circuit reversal of a district court's grant of summary judgment to an employer of delivery truck drivers, on the grounds that the district court had improperly applied Texas law to California drivers' statutory wage and hour claims and incorrect concluded that the drivers were independent contractors rather than employees.

\* ***Satchell v. FedEx Express***: Obtained a consent decree providing \$55 million in monetary relief to two classes of African American and Latino employees of FedEx Express, as well as comprehensive injunctive relief against discriminatory employment practices, including reducing managerial discretion in promotions, compensation and discipline, and prohibiting the use of a promotion test that had an adverse impact on minority employees.

\* ***Noe v. Superior Court***: Obtained a Court of Appeal decision holding that businesses that hire contractors can be held liable under California's Private Attorney General Act for their contractors' misclassification of the contractors' employees as independent contractors.

\* ***Bright v. 99 Cent Only Stores, Inc./Home Depot v. Superior Ct.***: Obtained Court of Appeal rulings that California workers have private right of action under the Labor Code for civil PAGA penalties against employers who violate minimum labor conditions standards guaranteed by Industrial Wage Commission wage orders.

\* ***Pulaski v. Calif. Occupational Safety and Health Standards Board***: Successfully defended the nation's first safety standard on ergonomics against an industry challenge, and invalidated exemptions that would have prevented that standard from applying to most California workplaces.

\* ***Passantino v. Johnson & Johnson Consumer Products, Inc.***: Successfully defended on appeal a multi-million dollar jury award in an employment discrimination action under federal and state law.

\* ***SkyWest Pilots ALPA Organizing Committee v. SkyWest Airlines, Inc.***: Obtained a temporary restraining order and a preliminary injunction prohibiting an airline from interfering with its pilots' rights to organize and to free expression under the Railway Labor Act.

\* ***California Teachers Ass'n v. Governing Bd. of Salinas City Elementary Sch. Dist.***: Obtained a California Supreme Court order vacating, and a subsequent Court of Appeal decision reversing, a court of appeal opinion that had required union to arbitrate non-waivable statutory claims brought on behalf of its members; on remand, obtained writ requiring school district to place teachers on the correct steps on the salary schedule and to provide more than \$3 million in back pay and interest.

\* ***State Building & Constr. Trades v. Aubry***: Struck down, as a usurpation of legislative authority, administrative regulations that would have lowered by 20 percent the prevailing wage rate paid to construction workers on public projects.

\* ***Bell v. Farmers Ins. Exchange (Bell III)***: Obtained an appellate decision upholding the largest overtime pay jury verdict in history, in class action on behalf of insurance company claims representatives who were misclassified as exempt under California's wage and hour law, and subsequently negotiated a settlement in excess of \$200 million for class members.

\* ***Turman v. Superior Court***: Obtained appellate decision holding that individual owners and their companies can be held jointly and severally liable for wage violations if they satisfy the Wage Order and common law definitions of "employer" under California law.

\* ***The Hess Collection Winery v. California Agricultural Relations Bd.***: Successfully defended against a constitutional challenge a California statute providing for the binding resolution of disputes between agricultural employers and their union-represented employees arising from their failure to agree on an initial labor contract, thereby guaranteeing that agricultural workers will obtain an initial contract.

\* ***Employee Staffing Services, Inc. v. Aubry***: Defeated an employee-leasing company's ERISA preemption challenge to California's workers' compensation laws.

\* ***Long Beach City Employees v. City of Long Beach***: Overturned on state constitutional grounds a city policy requiring public employees to submit to polygraph examinations.

\* ***Kaiser Aluminum and Chemical Corp.***: Obtained a ruling that a national aluminum manufacturer violated the National Labor Relations Act by unlawfully locking out 3,000 of its employees and must pay them approximately \$175 million in back wages, at that time the highest backpay award in the history of the Act.

\* ***Associated Builders and Contractors v. Nunn/ACTA v. Smith***: Defeated federal court preemption challenges to a regulation raising the minimum wage rates for California apprentices.

\* ***Duran v. U.S. Bank***: Obtained a unanimous California Supreme Court ruling, after briefing and oral argument on behalf of a coalition of amicus groups, allowing California employees to prove class-wide claims through surveys, and statistical and representative evidence, as long as trial plan provides their employer an adequate opportunity to prove individualized affirmative defenses.

\* ***Amaral v. Cintas Corp.***: Won a \$1.6 million summary judgment in a class action challenging a nationwide laundry company's systematic underpayment of its workers, defeating state law preemption and federal due process challenges to a local living wage ordinance.

\* ***Ellis v. Costco Wholesale Corp.***: Obtained an \$8 million settlement on behalf of a class of women employees who alleged gender discrimination in promotions in violation of Title VII of the 1964 Civil Rights Act, as well as wide-ranging programmatic relief modifying corporate policies to allow women a greater chance of promotions in the future.

\* ***AFL-CIO v. Marshall***: Obtained a ruling requiring payment of an additional 26 weeks of extended unemployment compensation benefits, worth billions of dollars, to unemployed workers nationwide.

\* ***Capers v. Nunn***: Obtained a decision upholding a California Apprenticeship Council ruling that precluded non-union apprenticeship program from operating outside its approved geographic area.

\* ***Rosenburg v. Int'l Business Machines Corp.***: Obtained a \$65 million settlement in a class action brought on behalf of IBM information technology specialists for failure to pay overtime compensation.

\* ***Air Line Pilots Ass'n, Int'l v. Emery Worldwide Airlines, Inc.***: Obtained an eight-figure settlement of breach of contract claim on behalf of airline pilots who were permanently furloughed when their employer ceased flight operations.

\* ***Cremin v. Merrill Lynch***: Settled a nationwide sex discrimination class action on behalf of women brokers, resulting in establishment of novel claims procedure and agreement by brokerage firm no longer to compel any employees to arbitrate statutory discrimination claims.

\* ***Curtis-Bauer v. Morgan Stanley & Co., Inc.***: Obtained a \$16 million class-action settlement for African-American and Latino financial advisors and financial advisor trainees requiring Morgan Stanley to change its account distribution procedures to de-emphasize historical factors that have an adverse impact on minorities, to engage in active recruitment of minority financial advisors, to tie manager compensation to diversification efforts, and to provide other non-monetary relief.

\* ***Akau v. Tel-A-Com Hawaii***: Upheld, against an employer's ERISA preemption challenge, Hawaii's Dislocated Workers Act, which provided supplemental unemployment compensation benefits to workers adversely affected by plant closings.

\* ***Reigh v. Calif. Unemployment Insurance Appeals Bd.***: Obtained the right to unemployment compensation for workers in non-safety-sensitive jobs who were discharged after refusing to take, or failing, a random drug test.

\* ***Martens v. Smith Barney***: Settled a nationwide sex discrimination class action on behalf of women brokerage employees, resulting in a novel claims procedure allowing for potentially tens of millions of dollars in damages.

\* ***California Hospital Ass'n v. Henning***: Overcame a federal statutory challenge to a California law requiring payment of accrued vacation pay to workers upon cessation of employment.

\* ***United Public Workers v. Yogi***: Invalidated a state public employee wage freeze that conflicted with the state constitutional right to organize for the purpose of collective bargaining.

\* ***St. Thomas - St. John Hotel & Tourism Ass'n v. Gov't of the U.S. Virgin Islands***: Defeated a federal preemption challenge to a Virgin Islands statute that protects employees from termination without cause.

\* ***Simo v. Union of Needletrades, Industrial & Textile Employees***: Successfully defended on federal appeal a labor union's use of the "garment industry proviso" to Section 8(e) of the National Labor Relations Act.

\* ***Adcock v. United Auto Workers; Patterson v. Heartland Industrial Partners, LLP***: Obtained decisions from the Fourth Circuit (Adcock) and the Northern District of Ohio (Patterson) holding that an agreement under which an employer agrees to remain neutral in union organizing campaigns in return for the union's agreement to limitations on such campaigns does not violate Section 302 of the Labor Management Relations Act or the Racketeer Influenced and Corrupt Organizations Act.

\* ***Heartland Industrial Partners, LLP and the United Steelworkers of America, AFL-CIO***: Obtained a decision from the National Labor Relations Board upholding a neutrality and card-check organizing agreement under Section 8(e) of the National Labor Relations Act.

\* ***Pearson Dental Supplies v. Superior Court***: Obtained a California Supreme Court ruling that requires heightened judicial review of an arbitration award, issued pursuant to a mandatory arbitration agreement, that is challenged on the ground that the arbitrator's legal error deprived the claimant of a hearing on the merits of a fundamental statutory or common law claim.

\* ***Danielli v. Int'l Business Machines Corp.***: Obtained a \$7.5 million common-fund settlement in a class action brought on behalf of IBM employees for IBM's failure to pay overtime compensation.

\* ***Vendachalam v. Tata International***: Obtained a Ninth Circuit decision that Tata International, India's largest conglomerate, could not force its overseas workers to arbitrate employment disputes before Tata's hand-picked arbitrators in Mumbai.

\* ***SEIU Local 24/7 v. Professional Technical Security Services, Inc.***: Obtained a settlement under state wage and hour laws providing payments to hundreds of low-wage workers as reimbursement for uniform cleaning expenses.

\* ***Int'l Longshore & Warehouse Union, Local 142 v. Brewer***: Obtained a settlement on behalf of a class of retirees from sugar and pineapple plantations compensating them for the company's termination of their medical plans.

\* ***Vega v. Contract Cleaning Maintenance, Inc.***: Obtained class-action settlements on behalf of low-wage janitors and maintenance workers who were misclassified as independent contractors, providing double overtime, reimbursement of allegedly unlawful paycheck deductions, and statutory interest.

\* ***Wynne v. McCormick & Schmick's Seafood Restaurants, Inc.***: Obtained a consent decree against a restaurant chain requiring it to implement a series of measures to increase the representation of African-American employees in "front of the house," i.e., server, bartender, and host/hostess, positions.

\* ***Southern California Edison Co. v. Public Utilities Comm'n***: Obtained a decision upholding the authority of the Public Utilities Commission to order utilities to require the payment of prevailing wages to construction workers on energy utility construction projects.

\* ***Adams v. Inter-Con Security Systems, Inc.***: Obtained a \$4 million settlement compensating private security guards who were required to work "off the clock" without pay and requiring the company to pay its employees in the future for the time they spend in mandatory training sessions and pre-shift briefings.

\* ***Martin v. New United Motor Mfg., Inc.***: Obtained a \$4.65 million settlement from an automobile manufacturing plant for failure to compensate its employees for donning and doffing protective gear, in violation of federal and state law.

\* ***IBEW v. Eichleay***: Enforced a multi-million dollar arbitration award against an employer that tried to evade its contract obligations through a non-union alter ego.

\* ***Local 1564 v. City of Clovis***: Invalidated a local "right to work" law enacted by a New Mexico city.

\* ***Patel v. Sugan***: Obtained a nearly \$2 million settlement in a class action challenge to a pharmaceutical company's refusal to pay contractually-mandated severance pay and bonuses to employees upon sale of the company, representing complete recovery of all monies owed plus ten percent interest.

\* ***EQR/Legacy Partners***: Obtained a settlement in administrative action of \$1.6 million in back wages to construction workers who were not paid the prevailing wage required on public works projects.

\* ***Californians for Safe and Competitive Dump Truck Transportation v. Mendonca***: Defeated an industry challenge to the application of California's prevailing wage law to motor carriers after the enactment of trucking deregulation.

\* ***Fry v. Air Line Pilots Ass'n***: Defeated an attempt to hold a union liable under RICO and state tort law for ostracism allegedly directed against strikebreakers.

\* ***IBEW Locals 595 and 6 v. LIS Electric***: Won a private attorney general action, after a multi-week trial, against a construction contractor and its president for failing to pay workers prevailing wages on public works projects.

\* ***International Longshore and Warehouse Union Local 142 v. Hawaiian Waikiki Beach Hotel***: Obtained an order requiring the corporate parent of a hotel in receivership to arbitrate claims for millions of dollars in accrued vacation and severance pay owed to the hotel's employees.

\* ***SEIU v. County of San Bernardino***: Obtained an injunction prohibiting one of the nation's largest counties from depriving its employees of their right to discuss union issues at work.

\* ***Retlaw Broadcasting Co. v. National Labor Relations Board***: Successfully defended on appeal the National Labor Relations Board's decision that an employer unlawfully implemented a contract proposal allowing it to bypass the union and negotiate directly with its individual employees.

\* ***San Joaquin Regional Transit Dist.***: Obtained an arbitration award that stopped a transit district from contracting out numerous jobs held by union-represented workers.

\* ***Driscoll v. Oracle***: Negotiated a \$12.7 million settlement in nationwide overtime case under the Fair Labor Standards Act and state law on behalf of internet sales representatives.

\* ***UAW Local 2244 and New United Motor Manufacturing, Inc.***: Obtained an arbitration award in excess of a million dollars for violation of a contractual provision requiring an employer to pay wage premiums to employees who start their shifts before 6:00 a.m.

\* ***ATU Local 1292 and Alameda County Transit District***: Obtained an arbitration award prohibiting a public transit district from using a lease arrangement to evade contractual restrictions on outsourcing bargaining unit jobs.

\* ***California Federation of Interpreters v. Region 1 Court Interpreter Employment Relations Committee/California Federation of Interpreters v. Region 2 Court Interpreter Employment Relations Committee/California Federation of Interpreters v. Region 4 Court***: Obtained arbitration awards requiring Superior Courts to pay mileage compensation to court interpreters and holding that the courts acted illegally by giving interpreting assignments to independent contractors.

\* ***New United Motor Manufacturing, Inc. and United Auto Workers, Local 2244***: Successfully challenged in arbitration an employer's policy of terminating sick leave benefits for ill or injured employees, providing relief to nearly one hundred employees.

\* ***Int'l Bhd. of Electrical Workers Local 551 v. WSB Electric***: Enjoined a contractor and its officers from continuing to commit unfair business practices by underpaying workers on public works projects, leading to the debarment of the contractor from bidding on public works projects for three years.

\* ***Associated Builders and Contractors***: Obtained a National Labor Relations Board decision that an association of non-union construction contractors violated the National Labor Relations Act by filing and prosecuting a lawsuit challenging a union program to recapture jobs for union workers.

\* ***McCabe Hamilton & Renny Co., Ltd. v. Int'l Longshore & Warehouse Union, Local 142***: Obtained, and secured against federal court challenge, a \$355,000 arbitration award for a longshore worker who was assaulted, permanently disabled, and forced to spend two years in a witness protection program due to the employer's breach of a contractual duty to provide a safe workplace.

\* ***Advocate Health Care Network v. Service Employees Int'l Union***: Obtained dismissal of defamation, commercial disparagement, unfair trade practices, and maintenance claims arising from union's support for community campaign to change hospital chain's practice of overcharging uninsured patients.

\* ***In re Opinion of Bill Lockyer, Attorney General (State Allocation Board)***: Obtained an interpretation from the California Attorney General requiring school districts to utilize competitive bidding laws to award public school construction projects, thereby insuring that union contractors have an opportunity to bid on such work.

\* ***In re Santa Ana Transit Village***: Obtained a California administrative ruling that a transfer of property for a redevelopment project at so-called "fair reuse value" is not equivalent to a transfer at the "fair market price," thereby requiring the payment of prevailing wages to construction workers on those projects.

\* ***Wagner v. Professional Engineers in California Gov't***: Established that the appropriate remedy for legal deficiencies in a union's annual fair share fee notice is for the union to correct and re-issue the notice, not to refund fees previously collected.

\* ***Bricklayers and Allied Craftworkers Local 3 v. Northern California Mason Contractors Multiemployer Bargaining Ass'n***: Obtained an arbitration award upholding a union's right to allocate annual economic increases under a collective bargaining agreement between wages and fringe benefits.

\* ***Contra Costa County and Contra Costa Public Defenders Ass'n***: Obtained an arbitration award against Contra Costa County for violating the “parity” clause of its collective bargaining agreement, which required the County to provide its public defenders with any new benefits provided to its district attorneys.

\* ***Montoya v. Laborers International Union of North America***: Obtained the voluntary dismissal with prejudice, after filing a motion to dismiss on grounds of justiciability and preemption, of a challenge to an international labor union’s procedures for transferring geographic jurisdiction between local union affiliates.

\* ***Southern Wine & Spirits v. Simpkins***: Defeated a motion for preliminary injunction in Florida state court seeking to prevent California-based employee of Florida company from working for company’s California competitor.

\* ***SEIU Local 24/7 and Pacific Gas & Electric Company***: Obtained a seven-figure arbitration award for an employer’s failure to pay its security guards for on-duty meal periods.

\* ***UGL-UNNICO Service Co.***: Helped obtain a National Labor Relations Board decision reinstating a bar to challenging a union’s majority status after a new employer assumes control of an organized facility, thereby allowing the parties a reasonable period of time to negotiate a collective bargaining agreement.

\* ***S&F Market Street Health Care LLC and Windsor of North Long Beach***: Obtained victory before a National Labor Relations Board administrative law judge and an injunction in federal district court in a case alleging that a nursing home employer engaged in unlawful “surface bargaining” by insisting on a package of contract proposals that would have forced the union to surrender all representational authority for the duration of the collective bargaining agreement.

\* ***Sheen v. SAG***: Successfully defeated a motion for preliminary injunction under the Labor-Management Reporting and Disclosure Act seeking to stop the counting of votes in a union merger election, resulting in the merger passing by an overwhelming majority.

\* ***Holloway v. Best Buy Co., Inc.***: Obtained a consent decree, with a four-year duration, in a federal court class action requiring changes in Best Buy’s personnel policies and procedures that will enhance the equal employment opportunities for the thousands of women, African Americans, and Latinos employed by Best Buy nationwide.

\* ***Reed v. Los Angeles Unified School District***: Overturned on appeal a California Superior Court decision approving a settlement agreement that impaired the statutory and contractual rights of public school teachers, over the objection of the teachers’ union (which had not agreed to the settlement), on the grounds that the approval of the settlement violated the teachers’ due process right to an adjudication of the merits of the underlying claim and the requirements of the California statute regarding judgments based on settlements.



\* ***Los Angeles Times Communications LLC v. Los Angeles Unified School District***: On behalf of an intervening labor union, obtained a Court of Appeal decision holding that public school teachers' performance evaluations, identified with particular teachers, are not subject to disclosure under the California Public Records Act.

\* ***Professional Engineers in California Government v. Brown***: Obtained, and successfully defended on appeal, a ruling that the California Governor and Department of Personnel Administration exceeded their authority by unilaterally imposing unpaid furloughs on public employees.

\* ***CRONA and Stanford Hospital & Clinics***: Obtained an arbitration decision finding that an employer violated the recognition clause of a collective bargaining agreement by transferring represented nurses' duties to non-union nurses.

\* ***CRONA and Stanford Hospital & Clinics and Lucile Packard Children's Hospital***: Obtained an arbitration decision that stopped hospitals from making unilateral changes to reduce nurses' health benefits.

\* ***Turtle Bay Exploration Park, City of Redding***: Obtained a decision on administrative appeal that a hotel project was covered by the California's prevailing wage law because the developer was not paying fair-market rent for the use of public land, overturning the agency's original, contrary determination.

\* ***Air Conditioning Trades Ass'n v. Baker***: Obtained the dismissal of a constitutional challenge to a California law that protects prospective apprentices from exploitation by requiring a showing of a training need before state approval will be granted to new apprenticeship programs.

\* ***CRONA and Stanford Hospital & Clinics***: Obtained an arbitration decision finding that a union could grieve an employer's violations of procedural protections in the collective bargaining agreement related to termination of probationary employees.

\* ***Kairy v. SuperShuttle Int'l, Inc.***: Successful Ninth Circuit appeal reinstating California employment law claims brought by misclassified airport drivers whose employer argued that allowing the claims to proceed in court would impermissibly interfere with the regulatory authority of the California Public Utilities Commission.

\* ***Green v. Bank of America***: Two successful Ninth Circuit appeals in "suitable seating" case brought on behalf of bank tellers, overturning district court rulings that had construed the law as requiring each employee to specifically request seating, held the law preempted by the National Banking Act, and imposed excessive exhaustion requirements on employees seeking statutory relief.

\* ***Garrett v. Bank of America***: Negotiated a \$15 million civil penalty settlement, of which more than \$7 million was paid to the California Labor and Workforce Development Agency for the enforcement of labor laws and the education of employers and employees about their rights and responsibilities, as well as injunctive relief requiring the defendant to comply with California's "suitable seating" laws, in an action brought under California's Private Attorney General Act.

\* ***Brooks v. U.S. Bank***: Obtained a \$1.9 million settlement of a federal court case brought on behalf of a class of 2,600 in-store bankers for violation of California's "suitable seating" law.

\* ***Rite-Aid v. Superior Court***: In a case arising under California's "suitable seating" law, obtained an appellate reversal of the trial court's denial of class certification, finding that the trial court erred by deciding threshold merits issues at the class certification stage.

\* ***Alex Rodriguez v. Major League Baseball Players Association***: Defended Major League Baseball Players Association against duty of fair representation claims asserted by baseball player whose challenge to Major League Baseball drug testing suspension was resolved in a collectively bargained arbitration procedure, resulting in the player's voluntary dismissal of his lawsuit shortly after filing complaint.

\* ***Iskanian v. CLS Transportation***: Briefed and argued a California Supreme Court case prohibiting employers from requiring arbitration of representative action claims brought against California's Private Attorney General Act.

\* ***SEIU Healthcare Michigan v. Snyder***: Obtained an injunction under the Contract Clause of the U.S. Constitution against the implementation of a Michigan statute that would have nullified an existing collective bargaining agreement covering thousands of homecare workers.

\* ***Acquisto v. Sacramento City Unified School District***: Obtained a writ of mandate overturning a school district's mass layoff of public school teachers out of seniority order.

\* ***United Farmworkers of America, AFL-CIO v. Dutra Farms***: Obtained judgments against 18 growers and a growers' association prohibiting them from illegally financing an "employee committee" to defeat union organizing drives.

\* ***Steam Press Holdings, Inc. v. Hawaii Teamsters, Local 996***: Established that federal labor law precludes an employer from obtaining damages under state defamation law for economic losses resulting from a strike.

\* ***In re Gulf USA Corporation and Pintlar Corporation***: Preserved millions of dollars of retiree medical benefits in a major bankruptcy proceeding on behalf of thousands of retired Idaho mine and smelter workers.

\* ***IBEW Local 595 v. Aubry***: Enjoined the Department of Industrial Relations from spending taxpayer funds to implement a new methodology that would drastically cut prevailing wage rates, where the Legislature had refused to appropriate funds for that purpose.

- \* ***California State Building and Construction Trades Council v. Duncan***: Enjoined the expenditure of state funds on administrative rulemaking proceedings that would have lowered the minimum wage for apprentices throughout California, on the ground that the Governor lacked the authority to item-veto the Legislature's decision not to fund such proceedings.
- \* ***County of Alameda v. Aubry***: Enjoined California from reducing the prevailing wage in the construction industry by 20 percent, where the agency had failed to comply with the Administrative Procedure Act's rulemaking requirements.
- \* ***United Steel Workers Local 12-369 v. United Steel Workers, Int'l***: Successfully defended at trial and on appeal an international union wrongfully accused of discrimination and violations of labor law.
- \* ***Williamson v. Microsemi***: Obtained a \$2.35 million settlement, amounting to 113% of targeted bonuses, on behalf of a class of employees and executives of a merged company who failed to receive change-in-ownership/retention bonuses to which they were entitled after the completion of the merger.
- \* ***Salas/Pette/Slack v. Int'l Union of Operating Engineers***: In three separate cases, obtained dismissal with prejudice of meritless state and federal claims, including claims under the federal RICO statute, brought against an international union and its officials.
- \* ***CRONA and Lucile Packard Children's Hospital***: Obtained an arbitration award ordering hospital to pay its nurses contractually-required weekend premium pay in excess of \$100,000.
- \* ***Bierman v. Dayton/D'Agostino v. Patrick/ Mentele v. Inslee/Hill v. SEIU***: Defeated constitutional challenges to state laws that permit childcare and homecare workers to have union representation.
- \* ***Int'l Franchise Ass'n, Inc. v. City of Seattle***: Assisted, as amicus curiae, in defeating a motion for preliminary injunction that sought to stop Seattle's \$15 minimum wage from going into effect, and subsequently in successfully defending the district court's denial of the preliminary injunction on appeal to the Ninth Circuit, after which the plaintiff voluntarily dismissed the case.
- \* ***Nat'l Restaurant Ass'n v. Comm'n of Labor***: Secured dismissal on the merits of a fast food industry challenge to a New York state wage order requiring a \$15 per hour minimum wage to be paid to workers in chain restaurants.
- \* ***Demetris v. Transport Workers Union/Letbetter v. Transport Workers Union***: Obtained and defended on appeal a judgment of dismissal in favor of a labor union sued over its equity distribution plan in connection with American Airlines' bankruptcy proceedings.

\* ***Friedrichs v. California Teachers Ass'n***: Along with co-counsel, successfully defended against constitutional challenge California's "fair share fee" statute, which requires employees who share in the benefits of public sector collective bargaining, but who choose not to become members of the union that represents them, to pay a pro rata portion of the union's costs in obtaining those benefits.

\* ***Vaquero v. Ashley Furniture Industries, Inc.***: Successfully defended on appeal a federal court class certification order on behalf of commissioned furniture sales personnel who were not separately paid for non-sales activity, where employer failed to maintain records documenting the extent of that unpaid work.

\* ***United Public Workers, AFSCME, Local 646 v. Ige***: Obtained an injunction from the Ninth Circuit temporarily prohibiting the implementation of a Hawai'i state statute that would privatize public health care facilities during the term of a collective bargaining agreement covering those facilities, and subsequently obtained a settlement protecting the affected employees' jobs.

\* ***Unico v. Harris***: Obtained a federal district court decision upholding against a federal preemption and constitutional challenge a California law requiring contractors performing work at refineries to use a skilled and trained workforce.

\* ***Hamidi v. SEIU Local 1000***: Obtained a federal district court decision upholding the constitutionality of a California statute requiring state employees who choose not to become members of the union that represents them in collective bargaining to opt out of paying their pro rata portion of certain non-bargaining expenses if they do not wish to pay for such expenses.

\* ***Trustees of the U.A. Local 38 Defined Benefit Pension Plan v. Trustees of the Plumbers and Pipe Fitters National Pension Fund***: Successful representation of a national pension fund in arbitration, federal district court, and the Ninth Circuit, obtaining and defending an arbitration award requiring a local pension fund to remit full pension contributions to the home pension fund of traveling employees pursuant to a national reciprocity agreement between the funds.

\* ***Alvarez v. Inslee***: Defeated a constitutional challenge to collectively bargained agreements that grant union representatives access to the public sector employees they represent.

\* ***Bayer v. Neiman Marcus***: Obtained Ninth Circuit ruling that nominal damages are available for an employer's interference with its employee's efforts to pursue an Americans with Disabilities Act claim, even though the ADA precludes compensatory damages.

\* ***Fisk v. Inslee***: Obtained summary judgment in federal district court upholding union dues authorization agreements against a constitutional challenge.

\* ***AFT Local 2121 v. Accrediting Commission for Community and Junior Colleges***: Obtained settlement in a federal court challenge brought on behalf of labor organizations representing community college faculty and individual faculty members to the practices of an organization that accredits California community colleges and to that entity's threatened termination of the accreditation of City College of San Francisco, which preserves City College's accreditation and mandates policy and standards changes that will increase the accrediting organization's transparency and accountability, and avoid interference with the unions' collective bargaining relationships.

\* ***Andino/Ahmad/Arenzana/Avilo/Khan/Narayan v. EGL/CEVA***: Obtained settlements in multiple federal court actions asserting wage and hour claims under the California Labor Code on behalf of delivery truck drivers who were allegedly misclassified as independent contractors rather than employees.

\* ***Guzman-Padilla v. Van de Pol***: Negotiated a settlement of a federal court case brought on behalf of approximately 120 Hispanic employees of a dairy, under which the employer agreed to make substantial changes to its employment and housing policies and practices and to pay \$390,000 in class monetary relief.

\* ***Riffey v. Rauner***: Upheld on appeal to the Seventh Circuit a federal district court decision refusing to certify a plaintiff class seeking to recoup fair share fees previously paid for union representation in collective bargaining and grievance representation.

\* ***Riverbank Unified School Dist. v. Com'n on Professional Competence***: Obtained a California Court of Appeal decision ordering reinstatement of a teacher who had been wrongfully terminated, where the Superior Court failed to apply the correct legal standard and to accord sufficient weight to the administrative tribunal's credibility determinations.

\* ***Aguiar v. Superior Court (Cintas Corp.)/In re Farmers Ins. Exchange Claims Representative's Overtime Pay Litigation/ Gerlach v. Wells Fargo & Co./ Higazi v. Cadence Design Systems, Inc./ Bell v. Farmers Svcs., LLC/ Gerke v. Waterhouse Securities/ Mendoza-Barrera v. San Andreas HVAC, Inc./ Acevedo v. SelectBuild/ Hines v. KFC/In re The Pep Boys Overtime Actions/Figueroa v. Guess?, Inc./Marchelos v. Reputation.com/Tokoshima v. The Pep Boys – Manny, Moe, & Jack/ Cancilla v. Ecolab, Inc./ Behaein v. Pizza Hut/Spicher v. Aidells Sausage Co./Sanchez v. McDonald's/Hughes v. McDonald's/Becerra v. Fong/ Pimentel v. Fong/Lopez v. Delta Air Lines, Inc.***: Obtained numerous awards and settlements, worth tens of millions of dollars, in employment misclassification and wage-and-hour class actions and individual cases.

## ENVIRONMENT AND PUBLIC HEALTH

\* ***People v. Conagra Grocery Products Co.***: Obtained appellate affirmance of a trial court order requiring three paint manufacturers to pay hundreds of millions of dollars into a fund dedicated to abating health hazards caused by deteriorating lead-based paint in private homes throughout California.

\* ***NRDC v. Patterson (Rodgers)***: Obtained a court ruling that the U.S. Bureau of Reclamation illegally dried up California's second longest river by diverting excessive amounts of water for agricultural and other uses, and subsequently negotiated a comprehensive settlement providing for restoration of the river and reintroduction of native salmon population.

\* ***NRDC v. Kempthorne***: Working closely with the Natural Resources Defense Council and Earthjustice, overturned the U.S. Fish and Wildlife Service's biological opinion on the effect of the California Central Valley Project's operations on threatened Delta smelt and obtained protective interim remedies, including reduced water pumping from the Sacramento-San Joaquin River Delta and an order requiring the Service to issue a new biological opinion. Also obtained *en banc* decision from Ninth Circuit reversing district court and holding that the Bureau of Reclamation was obligated to consult with the U.S. Fish and Wildlife Service regarding the effect of renewing long-term water contracts on the threatened Delta smelt.

\* ***Les v. Reilly***: Required the Environmental Protection Agency to strictly apply the Delaney Clause's prohibition against cancer-causing substances in processed foods.

\* ***Public Citizen v. Dep't of Transportation***: Obtained a Ninth Circuit ruling (later overturned by the Supreme Court) blocking for several years the federal government's decision to allow Mexico-domiciled trucks to travel throughout the United States without an Environmental Impact Statement and a Clean Air Act conformity analysis.

\* ***California v. Browner***: In a challenge to the Environmental Protection Agency's systematic failure to enforce federal food safety laws, obtained a consent decree that required dozens of cancer-causing pesticides to be removed from the food supply.

\* ***Sierra Club v. Brown***: Obtained a settlement of a lawsuit against California's Governor and environmental agencies to prevent delays in adding substances to the list of chemicals that are known to the State of California to cause cancer and reproductive harm.

\* ***Pacific Coast Federation of Fishermen's Associations v. Gutierrez***: In association with the Natural Resources Defense Council and Earthjustice, overturned the National Marine Fisheries Service's biological opinion on the effect of the California Central Valley Project's operations on three species of threatened and endangered salmon and obtained protective interim remedies, including early opening of dam gates and shortening the periods in which the gates are closed, facilitating migration up and down the Sacramento River; also obtained an order requiring the Service to issue a new biological opinion.

\* ***United Steelworkers v. California Dep't of Forestry and Fire Protection***: Obtained a ruling that the California Department of Forestry's approval of a plan to log vast portions of California's redwood forests violated the California Forest Practice Act's requirements for a sustainable yield plan.

\* ***Orff v. United States*** (Supreme Court): Obtained a ruling (based on arguments in merits brief filed on behalf of environmental organizations) rejecting a challenge brought by agribusiness interests to the federal government's reduction of contractual water allocations to a local water district for the purpose of protecting threatened salmon and smelt.

\* ***PhRMA v. County of Alameda***: Defeated a certiorari petition filed by a national coalition of prescription drug manufacturers that challenged Alameda County's innovative Safe Drug Disposal Ordinance under the dormant Commerce Clause.

\* ***California Healthcare Ass'n v. California Dep't of Health Svcs.***: Defeated a hospital industry challenge to a California health regulation requiring minimum nurse-to-patient staffing ratios.

\* ***NRDC v. Price Pfister***: Compelled major faucet manufacturers to eliminate lead from drinking water faucets, pursuant to Proposition 65, the California Toxics Initiative.

\* ***NRDC v. The Reclamation Bd. of the Resources Agency of the State of California***: Obtained a writ of mandate overturning a state administrative agency's approval of an extensive development project on top of a major levee in the Sacramento River Delta, for violating regulations governing flood control levees.

\* ***Sunshine Canyon***: Successfully advocated in land use proceedings, on behalf of a coalition of environmental, labor, and community organizations, for stringent environmental conditions to be placed on a large solid waste landfill in Los Angeles County.

\* ***NRDC v. EPA***: Settled a Clean Air Act case requiring warning labels on processed foods manufactured with methyl bromide, an ozone-depleting substance.

\* ***NRDC v. Whitman***: Forced the Environmental Protection Agency to reassess the safety of some of the nation's most dangerous pesticides, to protect children, farmworkers, and consumers.

\* ***NRDC v. Smith Kline***: Required reductions in lead content of calcium dietary supplements.

\* ***EDF & NRDC v. Sta-Rite***: Successfully challenged the widespread use of lead in submersible water pumps, under the California Toxics Initiative.

\* ***Tosco Corp. v. Communities for a Better Environment***: Defeated a declaratory judgment action brought by an oil company to preclude environmental organizations from seeking penalties for its discharges of dioxin.

\* ***AFL-CIO v. Deukmejian***: Required the Governor of California to expand tenfold the list of carcinogenic chemicals subject to the California Toxics Initiative.

\* ***California Labor Federation v. Cal. OSHA***: Preserved the California Toxics Initiative against an OSHA preemption attack.

\* ***NRDC v. EPA***: Compelled the Environmental Protection Agency to stop holding “closed-door” meetings with industry representatives before setting pesticide health and safety standards.

\* ***AFL-CIO v. Deukmejian***: Overturned a regulation exempting food, drugs, and cosmetics from the California Toxics Initiative.

\* ***NRDC v. OEHHA***: Forced a state environmental agency to withdraw a “records retention” policy that had required agency scientists to destroy data and documents that were inconsistent with final agency position.

\* ***AFL-CIO v. Gorsuch***: Overturned the Environmental Protection Agency’s moratorium on public disclosure of industry pesticide health and safety studies.

\* ***NRDC v. Wilson***: Required the Governor of California to timely determine whether to expand the list of reproductive toxicants subject to the California Toxics Initiative to include five dozen chemicals identified as reproductive toxicants by the Federal Environmental Protection Agency.

\* ***NRDC v. Badger Meters, Inc.***: Required manufacturers of water meters that leach lead into residential drinking water to shift to a low lead-emitting alloy.

\* ***NRDC v. Safeway, Inc.***: Required large grocery retailers to achieve a substantial reduction in diesel truck emissions around their grocery distribution centers, which are located primarily in low-income areas.

\* ***Environmental Law Foundation v. Crystal Geysler Water Co.***: Required manufacturers to eliminate unlawfully high levels of arsenic, trihalomethanes, and heterotrophic bacteria from bottled drinking water.

\* ***As You Sow v. Icrest International LLC***: Obtained a consent judgment in a Proposition 65 lawsuit against a manufacturer of a seaweed product that requires the company to provide warnings to consumers regarding cadmium contained in the product.

\* ***City and County of San Francisco v. United States Tobacco Co.***: Required warnings to be provided to consumers regarding the health dangers of smokeless tobacco products.

\* ***Environmental Law Foundation v. Ironite Products Co.***: Obtained a consent judgment banning the continued sale in California of a fertilizer manufactured from hazardous waste that contained excessive levels of arsenic and lead.

\* ***As You Sow v. Quikrete***: Obtained consent judgment under California’s Proposition 65 requiring manufacturer to provide warnings regarding the presence of chemicals in its cement mixes and products that are known to the State of California to cause cancer and reproductive harm.



\* ***In re Vinegar Litigation***: Obtained settlements requiring food retailers to post consumer warnings regarding the presence of lead in balsamic vinegar.

\* ***In re St. Luke's Hospital Merger***: Persuaded the California Attorney General to conduct a review of the terms of a proposed merger of two hospitals, including the extent to which the merger would serve or disserve the needs of the affected communities.

\* ***Firebaugh Canal Water District v. U.S. Bureau of Reclamation***: Joined with U.S. Interior Department in defeating San Joaquin Valley water districts' attempts to compel the government to provide them low-cost drainage services, which would have kept more toxic-laden agricultural lands in production and required more water diversions.

\* ***NRDC v. Pritzker***: Obtained Ninth Circuit ruling that the National Marine Fisheries Service violated the Marine Mammal Protection Act by failing to consider whether mitigation measures in addition to those measures proposed by the U.S. Navy for its use of low-frequency sonar were necessary to achieve the least practicable adverse impact on marine mammals.

\* ***As You Sow v. River Canyon Retreat, Inc.***: Obtained a consent judgment in a Proposition 65 lawsuit against a distributor and retailer of eleven health food products requiring the company to provide warnings to consumers regarding lead and cadmium contained in the products, pay civil penalties to an enforcement agency, and make additional settlement payments.

\* ***As You Sow v. JFC Int'l, Inc.***: Obtained a consent judgment in a Proposition 65 lawsuit against a distributor of a seaweed product requiring the company to provide warnings to consumers regarding lead and cadmium contained in the product, conduct studies to identify cleaner alternative sources for the product, pay civil penalties to an enforcement agency, and make additional settlement payments.

## FREE SPEECH

\* ***Conant v. McCaffrey***: Obtained a permanent injunction under the First Amendment prohibiting the federal government from revoking or threatening to revoke the prescription drug licenses of California physicians on the basis of their confidential communications with their seriously ill patients regarding medical marijuana.

\* ***Walker v. Air Line Pilots Ass'n***: Obtained a jury verdict following a ten-week trial upholding the right of the Air Line Pilots Association to engage in free speech activities promoting solidarity among strikers.

\* ***Eller Media Co. v. City of Oakland***: Defeated efforts by billboard and alcohol industry to overturn a City of Oakland ordinance prohibiting billboards advertising alcoholic beverages in residential neighborhoods and in proximity to schools and playgrounds.

\* ***Sutter Health v. UNITE HERE***: Obtained reversal on appeal of an employer's \$17.3 million defamation verdict against a union based on a communication that was part of a labor dispute, on the ground that the trial court erred by failing to instruct the jury that the plaintiff was required to prove actual malice.

\* ***Auvil v. CBS 60 Minutes***: Obtained a dismissal of a class-action product-defamation suit brought by Washington apple growers against the Natural Resources Defense Council for having publicized the public health hazards of the growth regulator Alar.

\* ***SEIU v. City of Houston***: After obtaining a preliminary injunction under the First Amendment, obtained on appeal a ruling that three Houston ordinances that restrict the right to protest via parades and public gatherings in public parks, and that restrict the use of sound amplification equipment, violate the First Amendment.

\* ***Connelly v. No On 128, the Hayden Initiative***: Enforced a California law requiring state initiative campaign advertisements to identify industry campaign contributors.

\* ***Crawford v. Int'l Union of Rubber Workers Local 703***: Obtained appellate reversal of a six-figure jury verdict against a union and picketers who had exercised their free speech right to disparage strikebreakers.

\* ***Buyukmihci v. Regents***: Obtained a permanent injunction protecting the free speech rights of a tenured professor of veterinary medicine whom the University of California had tried to fire because of his animal rights views.

\* ***Carreira v. Trustees of the California State University***: Obtained the first order ever issued by a California court overturning the California State University's denial of a whistleblower retaliation complaint and ordering a jury trial on that claim; and subsequently negotiated a nearly \$1.8 million settlement for the whistleblower, a tenured professor at Long Beach State University.

\* ***Furukawa Farms v. California Rural Legal Assistance***: Successfully defended a statewide poverty law office against a suit brought by agricultural growers to block its advocacy on behalf of farm workers.

\* ***Coors v. Wallace***: Defeated an antitrust suit brought by Adolph Coors Company against the organizers of a nationwide consumer boycott of Coors beer.

\* ***Evergreen Oil Co. v. Communities for a Better Environment***: Obtained a dismissal under California's anti-SLAPP statute of an oil company's defamation action against a non-profit environmental advocacy group.

\* ***Tosco Corp. v. Communities for a Better Environment***: Obtained a dismissal for lack of federal jurisdiction of an oil company's federal court defamation action against an environmental group that had engaged in free speech about air pollution issues.

\* ***California Nurses Ass’n v. Stern***: Obtained a dismissal, under California’s anti-SLAPP statute, of a lawsuit contending that peaceful home visits by representatives of a labor organization constituted “stalking.”

\* ***ABC Security Service, Inc. v. SEIU Local 24/7***: Successfully defended labor union against a SLAPP suit brought by an employer seeking damages against a union for its organizing campaign to obtain recognition as the representative of the employer’s workers, and negotiated a stipulated dismissal under which the employer entered into a card-check and neutrality agreement with the union to govern the recognition process, resulting in recognition and a collective bargaining agreement.

\* ***Singer v. American Psychological Ass’n***: Obtained a dismissal, under California’s anti-SLAPP statute, of a lawsuit seeking to impose defamation liability on professional associations for statements made in amicus curiae briefs they had filed in court.

\* ***POSCO v. Contra Costa Building & Construction Trades Council***: Defeated an antitrust suit brought against various labor unions for engaging in environmental lobbying and litigation.

\* ***Recall Gray Davis Committee v. Regents of the University of California***: Obtained a dismissal, under California’s anti-SLAPP statute, of a lawsuit seeking to hold the State Building and Construction Trades Council of California, which sponsored a political event, vicariously liable for spontaneous protests outside the event venue.

\* ***Schavrien v. Lynch***: Obtained a dismissal, under California’s anti-SLAPP law, of a lawsuit against the former President of the California Public Utilities Commission, brought by an executive of an energy company regulated by the Commission, for publicly exposing the executive’s attendance at a campaign fundraising event in support of the spouse of a Commissioner.

\* ***Knox v. Westly***: Defeated a preliminary injunction motion brought several days before a statewide election to prohibit a union from spending union dues and fees to oppose anti-worker ballot initiatives.

\* ***Mosqueda v. CCPOA***: Defeated a libel action brought by a prison warden against a correctional officers union for statements made in support of litigation initiated by a union officer.

\* ***Western Growers Ass’n v. United Farm Workers***: Obtained a dismissal under California’s anti-SLAPP statute of an “unfair business practices” action brought by a growers’ association against a union for its free speech activities.

\* ***Allied Pilots Ass’n v. San Francisco***: Obtained an injunction allowing pilots to handbill and picket at San Francisco International Airport.

\* ***Bruce Church, Inc. v. United Farm Workers***: Overturned on First Amendment and statutory grounds a \$10 million judgment against the United Farm Workers for engaging in allegedly improper boycott activity.

\* ***Guess?, Inc. v. UNITE***: Obtained a dismissal, under California's anti-SLAPP statute, of a complaint alleging that a union had unlawfully supported picketing and litigation activity directed against the employer's workplace practices.

\* ***UFCW v. Brewer***: Obtained a permanent injunction under the First Amendment against provisions of two Arizona statutes, SB 1363 and SB 1365, that limit unions' ability to collect member dues, to participate in political advocacy, and to engage in protected speech activities.

\* ***D'Arrigo Bros. Co. of California v. United Farm Workers***: Obtained appellate reversal of California Superior Court decision denying a motion under California's anti-SLAPP statute to dismiss a civil lawsuit seeking money damages for a union's alleged conduct in assisting the General Counsel of the Agricultural Labor Relations Board to prosecute the union's unfair labor practice charge.

\* ***Global Community Monitor v. Lumber Liquidators, Inc.***: Obtained dismissal under California's anti-SLAPP statute of defamation and business tort claims brought by retailer of flooring products against environmental organization, arising from environmental organization's press release announcing its lawsuit against the retailer for Proposition 65's environmental notice and warning provisions in selling flooring products that emit excessive levels of formaldehyde.

## CAMPAIGN AND ELECTION

\* ***North Carolina State Conference of the NAACP v. The North Carolina State Bd. of Elections***: Obtained preliminary injunction from federal district court ordering North Carolina state and county officials to restore to the rolls thousands of voters whose registrations were unlawfully cancelled in the weeks leading up to the November 2016 election.

\* ***Northeast Ohio Coalition for the Homeless v. Husted/SEIU Local 1 v. Husted***: Struck down Ohio law that would have disqualified, prior to the November 2012 election, thousands of votes cast by registered voters in the right polling location but the wrong precinct due to poll-worker error.

\* ***Brunner v. Ohio Republican Party*** (Supreme Court): Helped to defeat the Republican Party's attempt, during the November 2008 election, to require Ohio election officials to turn over the records of newly registered voters whose voter registration and motor vehicle information did not match, which would have enabled the Party to seek disenfranchisement of up to 600,000 new voters.

\* ***Curley v. Lake County Bd. of Elections and Registration***: Obtained an injunction requiring election officials to permit early voting in the November 2008 election in predominantly African-American and Latino communities of Gary, Hammond, and East Chicago, Indiana.

\* ***Common Cause of Colorado v. Hoffman***: Obtained a stipulation and court order requiring Colorado's Secretary of State to stop the unlawful purging of registered voters prior to the November 2008 election and to count ballots cast by voters who had previously been improperly purged unless there was clear and convincing evidence that they were ineligible to vote.

\* ***State ex rel. Colvin v. Brunner/Project Vote v. Madison County Board of Elections***: Helped to defeat the Ohio Republican Party's efforts, during the November 2008 election, to require voters to wait 30 days after registering to vote before being able to cast an absentee ballot, which would have deprived thousands of voters of their right to vote absentee.

\* ***AFL-CIO v. Eu***: Invalidated a proposed initiative requiring a new federal constitutional convention to exact a "balanced budget" amendment, on the ground that the initiative violated Article V of the U.S. Constitution.

\* ***Common Cause v. Jones***: Obtained a court order requiring the replacement of pre-scored punch card voting machines in California prior to the 2004 Presidential election.

\* ***Fleischman v. Protect Our City***: Obtained, and successfully defended in the Arizona Supreme Court, an injunction removing an anti-immigrant initiative from the November 2006 Phoenix ballot on the ground that the city law granting initiative supporters the right to supplement signatures after the filing deadline was preempted by state law.

\* ***Hawaii State AFL-CIO v. Yoshina***: Overturned on state election law grounds Hawaii's decision to ignore abstentions in determining whether the required percentage of votes was cast in favor of a ballot measure calling for a new state constitutional convention.

\* ***Gomez v. City of Escondido***: Obtained a consent decree requiring the City of Escondido to convert to a district-based system for electing the City Council, in place of a longstanding at-large system that had diluted the voting strength of the Latino community and had prevented them from electing candidates of their choosing.

\* ***Bennett v. Yoshina***: Successfully defended against a federal court due process challenge the Hawaii electorate's vote to refuse to hold a new state constitutional convention.

\* ***Central California Farmers Ass'n v. Eu***: Defeated on state constitutional grounds an attempt by agribusiness to remove a comprehensive environmental protection initiative from the California ballot.

\* ***Kneebone v. Norris***: Successfully defended a local election official's decision to reject an initiative petition, which would have prohibited a city from entering into project labor agreements on any city-funded construction projects, on the ground that the initiative's proponents failed to comply with the publication requirements of the Election Code.

\* ***Cardona v. Oakland Unified School District***: Upheld the City of Oakland's right to delay redistricting on basis of the 1990 census until the census was adjusted to correct for the disproportionate undercount of minorities.

\* ***Barry v. Nishioka***: Obtained a writ of mandate ordering election officials to place candidates on the ballot despite apparent noncompliance with nomination petition formalities.

\* ***Edrington v. Floyd***: Successfully defended the City of Oakland's wording of the ballot question and analysis for a "just cause" eviction initiative against challenge by landlords.

\* ***Dallman v. Ritter***: Obtained, and successfully defended in the Colorado Supreme Court, a preliminary injunction against Colorado Amendment 54, a voter initiative that would have banned public employee unions from making political contributions in state and local elections, on the ground the initiative violated the First and Fourteenth Amendments.

## IMMIGRATION

\* ***Regents of University of California v. United States Dep't of Homeland Security***: Obtained a federal court preliminary injunction against the Trump administration's rescission of DACA as arbitrary and capricious under the Administrative Procedure Act.

\* ***AFL-CIO v. Chertoff***: Obtained a nation-wide injunction against a Department of Homeland Security regulation that would turn Social Security Administration "no-match" letters into an immigration-enforcement tool without authorization from Congress.

\* ***Catholic Social Services/Ayuda/Immigrant Assistance Project v. Reno***: Obtained the right to apply for legalization under the Immigration Reform and Control Act for hundreds of thousands of undocumented aliens who were prevented from applying because of unlawful federal regulations; and negotiated temporary work authorization for approximately three million aliens potentially eligible for legalization under the Act.

\* ***Calif. Rural Legal Assistance v. Legal Services Corp.***: Overturned a regulation prohibiting the provision of federally-funded legal services to a nationwide class of several million aliens who had been legalized through the amnesty process.

\* ***SEIU Local 535 v. Thornburgh***: Compelled the Immigration and Naturalization Service to rescind a regulation that deprived temporary nonimmigrant workers of the right to strike.

\* ***Patel v. Quality Inn South/EEOC v. Tortilleria "La Mejor"***: Through a series of cases, established the eligibility of undocumented immigrant workers for the full remedial protections of the Fair Labor Standards Act and Title VII of the 1964 Civil Rights Act.

\* ***Lopez-Alvarado v. Ashcroft***: Obtained a Ninth Circuit reversal of Board of Immigration Appeal's decision ordering deportation of an immigrant family that had lived in the United States for more than ten years.

\* ***Int'l Union of Bricklayers and Allied Craftsmen v. Meese***: Obtained a decision prohibiting the federal government and employers from using non-immigrant business (B-1) visas to circumvent the requirement that temporary, non-immigrant, foreign workers not undercut the prevailing wage.

## MISCELLANEOUS

\* ***Blessing v. Freestone*** (Supreme Court): Preserved the availability of a remedy under 42 U.S.C. 1983 in cases seeking enforcement of federal statutory rights.

\* ***Kashmiri v. Regents***: Won a \$33.8 million class-action judgment against the University of California for improperly charging fee increases to tens of thousands of undergraduate, graduate and professional students, and obtained a preliminary injunction prohibiting the University from charging professional students an additional \$15 million in fees.

\* ***Luquetta v. Regents***: Won more than \$48 million in a class action against the University of California for improperly charging fee increases to almost 3,000 professional students.

\* ***People v. Horton***: Obtained a California Supreme Court death penalty reversal on the direct appeal of a capital case.

\* ***Horton v. Mayle***: Obtained a Ninth Circuit habeas corpus remand of a former death penalty defendant's murder conviction due to the prosecutor's failure to disclose potentially exculpatory evidence, and obtained reversal of the conviction after an evidentiary hearing in the federal district court, resulting in the client's freedom after 27 years in prison.

\* ***Jane Doe v. Reddy***: Obtained an \$11 million settlement in a human trafficking case on behalf of young Indian women who were unlawfully brought into the United States and forced to provide sex and free labor.

\* ***Anderson v. Regents***: Obtained an \$11 million recovery in a Contracts Clause class action challenging the University of California's refusal to fund thousands of university professors' merit salary increases.

\* ***Eklund v. Byron Union School District***: Established the right of public school teachers to use games, role-playing, and other methods considered to be best pedagogical practices to teach about the history, culture and religion of Islam as part of a secular program of education in a world history class.

\* ***United States ex rel. Hendow v. University of Phoenix***: Won a \$78.5 million settlement in a False Claims Act case against a for-profit university that allegedly defrauded the government by falsely certifying its compliance with the Higher Education Act's prohibition against paying commissions to recruiters of new students, which was the second-largest settlement ever of a False Claims Act case in which the U.S. Government declined to intervene.

\* ***Oster v. Wagner***: Obtained an injunction to block implementation of a California statute that would have severely reduced the eligibility of elderly and disabled Californians for in-home support services that enable them to remain in their own homes.

\* ***Dominguez v. Schwarzenegger***: Obtained, and successfully defended on appeal, a preliminary injunction against the implementation of a state statute that would have reduced the wages of providers of in-home support services to elderly and disabled Californians, and blocked Fresno County from reducing the wages of its providers to the minimum wage.

\* ***M.R. v. Dreyfus***: Obtained a Ninth Circuit ruling that plaintiffs challenging a ten percent reduction in hours of Medicaid home care services are entitled to a preliminary injunction under the Americans with Disabilities Act.

\* ***Hart v. Electronic Arts/Keller v. Electronic Arts***: Successfully briefed and argued a Third Circuit appeal and briefed a Ninth Circuit appeal in cases establishing that NCAA student athletes have a state law right-of-publicity in the commercial use of their likenesses that is sufficient to overcome video game manufacturers' First Amendment defense, later resulting in \$40 million settlement.

\* ***Wells Fargo v. City of Richmond/Bank of New York v. City of Richmond***: Successful defense of lawsuits filed against the city of Richmond that allege it would be illegal for the city to exercise eminent domain authority to condemn residential mortgage loans.

\* ***Sharp v. Next Entertainment, Inc.***: Helped to obtain decision holding that the California Rules of Professional Responsibility do not preclude labor unions and other advocacy groups from funding class-action litigation, by filing amicus curiae brief and presenting oral argument on behalf of labor and public interest groups, including the ACLU of Southern California.

\* ***Utility Consumers' Action Network v. Sears/California Federal Bank/Household Credit Service/Texaco Credit Card Services/Capital One/Bank of America***: Obtained settlements in a series of consumer privacy class actions against financial institutions and credit card companies prohibiting unauthorized dissemination of personal account information to third party telemarketers.

\* ***California Labor Federation v. Cal. OSHA***: Invalidated, on state constitutional grounds, California Budget Act restrictions on the state's payment of public interest attorneys' fees.

\* ***Gardner v. Schwarzenegger***: Obtained a restraining order, preliminary injunction, and permanent injunction, which was affirmed on appeal, against enforcement of a state statute that would have permitted incarceration of non-violent drug offenders contrary to California Proposition 36, which mandated probation and drug treatment.

\* ***Hamilton v. Great Expectations***: Obtained an \$8.5 million settlement of a statewide class action against a video dating service that had electronically eavesdropped on confidential membership interviews.



\* ***Garvin v. Utility Consumers' Action Network/Savage v. Utility Consumers' Action Network***: Successful defense on appeal of a \$14 million settlement of a state law privacy class action challenging a bank's practice of selling confidential consumer information to third-party marketing companies.

\* ***Ammari Electronics v. Pacific Bell Directory***: Successfully defended on appeal a \$17.35 million jury verdict on behalf of small businesses that paid for, but did not receive, best-efforts distribution of Pacific Bell Yellow Page Directories.

\* ***Jensen v. Kaiser Permanente***: Obtained the rescission of a health maintenance organization's cost-cutting policy requiring staff psychiatrists to prescribe psychotropic medications for patients they have not examined.

\* ***Welfare Rights Org. v. Crisan***: Established an evidentiary privilege for communications between applicants for public benefits and their lay representatives, including union representatives.

\* ***Rogers v. Governing Bd. of the Sacramento City Unified Sch. Dist.***: Obtained a writ of mandate and a permanent injunction under the California Charter Schools Act prohibiting a school board from converting an existing public high school into a charter school without the approval of a majority of the school's teachers and requiring the school district to open a new non-charter public high school upon a showing of community support.

\* ***In re Sealed Case***: Obtained a \$13.2 million settlement of a False Claims Act case and two related wrongful termination cases on behalf of a husband and wife who were terminated after disclosing extensive fraud committed by their government contractor employer.

\* ***NAACP v. Davis***: Reinstated a statutory requirement that the California Highway Patrol must collect racial profiling data, despite gubernatorial funding veto.

\* ***California Court Reporters Ass'n v. Judicial Council***: Struck down rules that would have allowed official court reporters to be replaced by audiotape recordings in California Superior Courts, and obtained an injunction against expenditures of taxpayer funds in furtherance of such rules.

\* ***In re Marriage Cases***: Helped obtain a California Supreme Court decision upholding the right to same-sex marriage under the California Constitution, by filing amicus curiae brief in conjunction with professors and students from Howard University Law School.

\* ***Davidson v. County of Sonoma***: Obtained a substantial settlement on behalf of a law enforcement officer injured as a result of his employer's mock hostage training exercise in which he was seized and threatened at gunpoint.

\* ***Vasquez v. State of California***: Obtained a unanimous California Supreme Court decision holding that prevailing plaintiffs who seek private attorney general fees are not required, as a condition of eligibility for a fee award, to demonstrate that they made efforts to settle their dispute before filing their civil complaint.

\* ***Olney v. Pringle***: Negotiated a settlement prohibiting state legislators from paying large retroactive salary increases to select staff in violation of the state Constitution.

\* ***Gary W. v. State of Louisiana/La Raza Unida v. Volpe***: Required Louisiana and California to pay federal court civil rights attorney's fee awards, despite the refusal of state legislatures to appropriate the necessary funds.

\* ***The Northeast Ohio Coalition for the Homeless v. Husted***: Overturned a long-standing Sixth Circuit rule capping the number of compensable hours incurred in public interest attorneys' fees litigation to three percent of the hours incurred in litigating the underlying case.

\* ***Laffitte v. Robert Half Int'l Inc.***: Obtained a unanimous California Supreme Court decision approving the use of percentage-based common fund attorneys' fees in public interest litigation.

\* ***Nobles v. MBNA Corp.***: Obtained a settlement of a California consumer class action against a bank that misleadingly offered consumer lines of credit without disclosing hidden costs and credit impacts, resulting in a payment to class members of more than 85% of the claimed losses, with interest.

\* ***Beaver v. Tarsadia Hotels***: Obtained an order on reconsideration, and then successfully defended it on appeal, resulting in a \$130 million judgment for plaintiffs holding that the four-year limitations period of California's Unfair Competition Law applies to conduct that violates the federal Interstate Land Sales Transfer Act, despite the federal statute's shorter limitations period.

\* ***Fanning v. HSBC/Lindgren v. HSBC***: Negotiated a \$13 million settlement of privacy class actions in federal court on behalf of California credit card account holders who alleged that their telephone conversations with their bank's debt collection and financial fraud personnel were secretly recorded.

### **CITATIONS TO JUDICIAL DECISIONS**

The firm's attorneys have participated in the following U.S. Supreme Court cases, as counsel for either a party or an amicus: ***Expressions Hair Design v. Schneiderman***, 137 S. Ct. 1144 (2017); ***Fisher v. University of Texas at Austin***, 136 S. Ct. 2198 (2016); ***Armstrong v. Exceptional Child Ctr., Inc.***, 135 S. Ct. 1378 (2015); ***Harris v. Quinn***, 134 S. Ct. 2618 (2014); ***Arizona v. United States***, 567 U.S. 387 (2012); ***Nat' Fed'n of Indep. Business v. Sebelius***, 567 U.S. 519 (2012); ***Knox v. Svc. Employees Int'l Union, Local 1000***, 567 U.S. 298 (2012); ***Douglas v. Indep. Living Ctr. of So. California, Inc.***, 565 U.S. 606 (2012); ***Chamber of Commerce v. Whiting***, 563 U.S. 582 (2011); ***Granite Rock Co. v. Int'l Bhd. of Teamsters***, 561 U.S. 287 (2010); ***Rent-A-Center, West, Inc. v. Jackson***, 561 U.S. 63 (2010); ***Brunner v. Ohio***

*Republican Party*, 555 U.S. 5 (2008); *Chamber of Commerce v. Brown*, 554 U.S. 60 (2008), rev'g *Chamber of Commerce v. Lockyer*, 463 F.3d 1076 (9th Cir. 2006) (*en banc*); *Long Island Care at Home, Ltd. v. Coke*, 551 U.S. 158 (2007); *Orff v. United States*, 545 U.S. 596 (2005); *Dep't of Transportation v. Public Citizen*, 541 U.S. 752 (2004); *BE&K Construction Co. v. NLRB*, 536 U.S. 516 (2002), *on remand*, 351 N.L.R.B. No. 29 (2007); *Hoffman Plastic Compounds v. NLRB*, 535 U.S. 137 (2002); *EEOC v. Waffle House*, 534 U.S. 279 (2001); *Lorillard Tobacco Co. v. Reilly*, 533 U.S. 525 (2001); *Lujan v. G&G Fire Sprinklers, Inc.*, 532 U.S. 189 (2001); *Circuit City Stores, Inc. v. Adams*, 532 U.S. 105 (2001); *Sutton v. United Air Lines, Inc.*, 527 U.S. 471 (1999); *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999); *Nat'l Fed'n of Federal Employees, Local 1309 v. Dep't of the Interior*, 526 U.S. 86 (1999); *Wright v. Universal Maritime Svc. Corp.*, 525 U.S. 70 (1998); *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998); *Burlington Indus. v. Ellerth*, 524 U.S. 742 (1998); *Textron Lycoming Reciprocating Engine Div., Avco Corp. v. UAW*, 523 U.S. 653 (1998); *Allentown Mack Sales and Svc., Inc. v. NLRB*, 522 U.S. 359 (1998); *Bay Area Laundry & Dry Cleaning Pension Trust Fund v. Ferbar Corp.*, 522 U.S. 192 (1997); *Blessing v. Freestone*, 520 U.S. 329 (1997); *California Dep't of Industrial Relations v. Dillingham Construction, Inc.*, 519 U.S. 316 (1997); *Walters v. Metropolitan Educ. Enterprises*, 519 U.S. 202 (1997); *Auciello Iron Works, Inc. v. NLRB*, 517 U.S. 781 (1996); *UFCW v. Brown Group*, 517 U.S. 544 (1996); *NLRB v. Town & Country Elec., Inc.*, 516 U.S. 85 (1995); *McKennon v. Nashville Banner*, 513 U.S. 352 (1995); *Hawaiian Airlines v. Norris*, 512 U.S. 246 (1994); *Livadas v. Bradshaw*, 512 U.S. 107 (1994); *NLRB v. Health Care & Retirement Corp.*, 511 U.S. 571 (1994); *ABF Freight System Inc. v. NLRB*, 510 U.S. 317 (1994); *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993); *Reno v. Catholic Social Svcs.*, 509 U.S. 43 (1993); *Dist. of Columbia v. Greater Washington Bd. of Trade*, 506 U.S. 125 (1992); *Forsyth County v. Nationalist Movement*, 505 U.S. 123 (1992); *Gade v. Nat'l Solid Waste Mgt. Ass'n*, 505 U.S. 85 (1992); *INS v. Nat'l Ctr. for Immigrants' Rights*, 502 U.S. 183 (1991); *Gilmer v. Interstate/Johnson Lane Corp.*, 500 U.S. 20 (1991); *UAW v. Johnson Controls, Inc.*, 499 U.S. 187 (1991); *ALPA v. O'Neill*, 499 U.S. 65 (1991); *McNary v. Haitian Refugee Ctr., Inc.*, 498 U.S. 479 (1991); *United States v. Kokinda*, 497 U.S. 720 (1990); *Keller v. State Bar of California*, 496 U.S. 1 (1990); *NLRB v. Curtin Matheson Scientific, Inc.*, 494 U.S. 775 (1989); *Guidry v. Sheet Metal Workers Nat'l Pension Fund*, 493 U.S. 365 (1989); *Breining v. Sheet Metal Workers Int'l Ass'n, Local Union No. 6*, 493 U.S. 67 (1989); *Webster v. Reproductive Health Svcs.*, 492 U.S. 490 (1989); *Bd. of Trustees of SUNY v. Fox*, 492 U.S. 469 (1989); *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989); *Frisby v. Schultz*, 487 U.S. 474 (1988); *Lingle v. Norge Div. of Magic Chef, Inc.*, 486 U.S. 399 (1988); *Edward J. DeBartolo Corp. v. Florida Gulf Coast Bldg. & Constr. Trades Council*, 485 U.S. 568 (1988); *Bd. of Airport Commissioners v. Jews for Jesus, Inc.*, 482 U.S. 569 (1987); *Caterpillar, Inc. v. Williams*, 482 U.S. 386 (1987); *Fall River Dying & Finishing Corp. v. NLRB*, 482 U.S. 27 (1987); *Fort Halifax Packing Co. v. Coyne*, 482 U.S. 1 (1987); *Atchison, Topeka & Santa Fe Ry. v. Buell*, 480 U.S. 557 (1987); *California Federal Savings & Loan Ass'n v. Guerra*, 479 U.S. 1312 (1987); *Baker v. General Motors Corp.*, 478 U.S. 21 (1986); *Int'l Union, UAW v. Brock*, 477 U.S. 274 (1986); *Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986); *NLRB v. Financial Institution Employees*, 475 U.S. 192 (1986); *Pacific Gas & Electric Co. v. Public Utilities Comm.*, 475 U.S. 1 (1986); *Pattern Makers' League v. NLRB*, 473 U.S. 95 (1985); *Ruckelshaus v. Monsanto Co.*, 467 U.S. 986 (1984); *Ellis v. Bh'd of Ry. Airline & S.S. Clerks*, 466 U.S. 435 (1984); *Arizona Governing Committee v. Norris*, 463 U.S. 1073 (1983); *Shaw v. Delta Airlines*, 463 U.S. 85 (1983);

*Newport News Shipbuilding & Dry Dock Co. v. EEOC*, 462 U.S. 669 (1983); *Bush v. Lucas*, 462 U.S. 367 (1983); *Connick v. Myers*, 461 U.S. 138 (1983); *Knight v. Minnesota Community College Faculty Ass'n*, 460 U.S. 1048 (1983); *Bowen v. United States Postal Service*, 459 U.S. 212 (1983); *Bd. of Educ. v. Pico*, 457 U.S. 853 (1982); *Heffron v. ISKCON*, 452 U.S. 640 (1981); *Donovan v. Dewey*, 452 U.S. 594 (1981); *NLRB v. Retail Stores Employees Union*, 447 U.S. 607 (1980); *Pruneyard Shopping Center v. Robins*, 447 U.S. 74 (1980); *Whirlpool Corp. v. Marshall*, 445 U.S. 1 (1980); *Babbitt v. United Farm Workers Nat'l Union*, 442 U.S. 289 (1979); *Cannon v. Univ. of Chicago*, 441 U.S. 677 (1979); *New York Telephone Co. v. New York Labor Dep't*, 440 U.S. 519 (1979); *Hisquierdo v. Hisquierdo*, 439 U.S. 572 (1979); *City of Los Angeles v. Manhart*, 435 U.S. 702 (1978).

The firm's attorneys have also participated in the following cases in the federal courts of appeals: *Riffey v. Rauner*, 873 F.3d 558 (7th Cir. 2017); *Int'l Union of Operating Engineers Local 139 v. Schimel*, 863 F.3d 674 (7th Cir. 2017); *Demetris v. Transport Workers Union*, 862 F.3d 799 (9th Cir. 2017); *Int'l Bhd. of Teamsters v. United States Dep't of Transportation*, 861 F.3d 944 (9th Cir. 2017); *Bayer v. Neiman Marcus Group, Inc.*, 861 F.3d 853 (9th Cir. 2017); *NLRB v. Alternative Entertainment, Inc.*, 858 F.3d 393 (6th Cir. 2017); *Maloney v. T3Media, Inc.*, 853 F.3d 1004 (9th Cir. 2017); *Hill v. Svc. Employees Int'l Union*, 850 F.3d 861 (7th Cir. 2017); *Jarvis v. Cuomo*, 660 Fed. Appx. 72 (2d Cir. 2016); *Natural Resources Defense Council v. Pritzker*, 828 F.3d 1125 (9th Cir. 2016); *Brown v. Wal-Mart Stores, Inc.*, 651 Fed. Appx. 672 (9th Cir. 2016); *Bierman v. Dayton*, 817 F.3d 1070 (8th Cir. 2016); *Beaver v. Tarsadia Hotels*, 816 F.3d 1170 (9th Cir. 2016); *D'Agostino v. Patrick*, 812 F.3d 240 (1st Cir. 2016); *Villarreal v. R.J. Reynolds Tobacco Co.*, 839 F.3d 958 (11th Cir. 2016) (*en banc*); *Green v. Bank of America, N.A.*, 634 Fed. Appx. 188 (9th Cir. 2015); *Int'l Franchise Ass'n v. City of Seattle*, 803 F.3d 389 (9th Cir. 2015); *Texas v. United States*, 787 F.3d 733 (5th Cir. 2015); *DeBoer v. Snyder*, 772 F.3d 388 (6th Cir. 2014); *Friedrichs v. California Teachers Ass'n*, 2014 WL 10076847 (9th Cir. Nov. 18, 2014), *aff'd by an equally divided court*, 136 S. Ct. 1083 (2016); *Natural Resources Defense Council v. Jewell*, 749 F.3d 776 (9th Cir. 2014); *Kilby v. CVS Pharmacy, Inc.*, 739 F.3d 1192 (9th Cir. 2013); *Valle del Sol Inc. v. Whiting*, 732 F.3d 1006 (9th Cir. 2013) and 709 F.3d 808 (9th Cir. 2013); *United Steel Workers Local 12-369 v. United Steel Workers, Int'l*, 728 F.3d 1107 (9th Cir. 2013); *In re NCAA Student-Athlete Name & Likeness Licensing Litig.*, 724 F.3d 1268 (9th Cir. 2013), *cert. dismissed sub nom. Elec. Arts Inc. v. Keller*, 135 S. Ct. 42 (2014); *Svc. Employees Int'l Union v. Nat'l Union of Healthcare Workers*, 718 F.3d 1036 (9th Cir. 2013); *Hart v. Elec. Arts, Inc.*, 717 F.3d 141 (3d Cir. 2013), *cert. dismissed*, 135 S. Ct. 43 (2014); *Int'l Bhd. of Teamsters v. United States Dep't of Transportation*, 714 F.3d 580 (2013); *Firebaugh Canal Water Dist. v. United States*, 712 F.3d 1296 (9th Cir. 2013), *cert. denied*, 134 S. Ct. 1300 (2014); *Carrillo v. Schneider Logistics, Inc.*, 501 Fed. Appx. 713 (9th Cir. 2012); *Gale v. First Franklin Loan Servs.*, 701 F.3d 1240 (9th Cir. 2012); *Northeast Ohio Coalition for the Homeless v. Husted*, 696 F.3d 580 (6th Cir. 2012), *later proceeding*, 831 F.3d 686 (2016); *Mulhall v. UNITE HERE Local 355*, 667 F.3d 1211 (11th Cir. 2012); *M.R. v. Dreyfus*, 663 F.3d 1100 (9th Cir. 2011), *amended on denial of pet. for rehearing en banc*, 697 F.3d 706 (9th Cir. 2012); *Kairy v. SuperShuttle Int'l*, 660 F.3d 1146 (9th Cir. 2011); *Virginia ex rel. Cuccinelli v. Sebelius*, 656 F.3d 253 (4th Cir. 2011); *Harris v. Quinn*, 656 F.3d 692 (7th Cir. 2011), *rev'd*, 134 S. Ct. 2618 (2014); *Florida v. United States Dep't of Health and Human Svcs.*, 648 F.3d 1235 (11th Cir. 2011); *Knox v. Cal. State Employees Ass'n, Local 1000*, 628 F.3d 1115 (9th Cir. 2010), *rev'd sub nom Knox v. Svc.*

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In the federal district courts, the firm's cases have included the following: ***Kao v. Abbott Laboratories Inc.***, 2017 WL 5257041 (N.D. Cal. Nov. 13, 2017); ***Blair v. Rent-A-Center, Inc.***, 2017 WL 4805577 (N.D. Cal. Oct. 25, 2017); ***Regents of University of California v. United States Department of Homeland Security***, 2017 WL 4642324 (N.D. Cal. Oct. 17, 2017), *pet'n for writ of mandamus denied sub nom In re United States*, 875 F.3d 1200 (9th Cir. 2017), *cert. granted, vacated, and remanded*, 2017 WL 6505860 (Dec. 20, 2017), *remanding to district court*, 2017 WL 6541751 (9th Cir. Dec. 21, 2017), *preliminary injunction granted on remand*, 2018 WL 339144 (N.D. Cal. Jan. 9, 2018); ***Clark v. City of Seattle***, 2017 WL 3641908 (W.D. Wash. Aug. 24, 2017); ***Fisk v. Inslee***, 2017 WL 4619223 (W.D. Wash. Oct. 16, 2017); ***Chamber of Commerce v. City of Seattle***, 2017 WL 3267730 (W.D. Wash. Aug. 1, 2017); ***Yohn v. California Teachers Ass'n***, 2017 WL 2628946 (C.D. Cal. June 1, 2017); ***Alvarez v. Inslee***, 2017 LRRM 91,147, 2017 WL 1079923 (W.D. Wash. May 22, 2017); ***Natural Resources Defense Council v. McCarthy***, 231 F. Supp. 3d 491 (N.D. Cal. 2017); ***Pioneer Roofing Org. v. Sheet Metal Workers Local Union No. 104***, 2017 LRRM 16,035, 2017 WL 201615 (N.D. Cal. Jan. 18, 2017); ***Bierman v. Dayton***, 227 F. Supp. 3d 1022, 208 LRRM 3085 (D. Minn. 2017); ***Winner v. Rauner***, 2016 LRRM 422,986, 2016 WL 7374258 (N.D. Ill. Dec. 20, 2016); ***North Carolina State Conference of the NAACP v. The North Carolina Bd. of Elections***, 2016 WL 6581284 (M.D.N.C. Nov. 4, 2016); ***Hoffman v. Inslee***, 2016 WL 6126016 (W.D. Wash. Oct. 20, 2016); ***Pette v. Int'l Union of Operating Engineers***, 2016 WL 4596338 (C.D. Cal. Sept. 2, 2016); ***Salazar v. McDonald's Corp.***, 2016 WL 4394165 (N.D. Cal. Aug. 16, 2016), and subsequent orders, 2017 WL 88999 (N.D. Cal. Jan. 5, 2017), and 2017 WL 950986 (N.D. Cal. Mar. 10, 2017); ***Totten v. Kellogg Brown & Root, LLC***, 2016 WL 316019 (C.D. Cal. Jan. 22, 2016); ***Ochoa v. McDonald's Corp.***, 133 F. Supp. 3d 1228, 1237 (N.D. Cal. 2015), and subsequent order, 2016 WL 3648550 (N.D. Cal. July 7, 2016); ***D'Agostino v. Patrick***, 98 F. Supp. 3d 109 (D. Mass. 2015), *aff'd*, 812 F.3d 240 (1st Cir. 2016); ***Greene v. Dayton***, 81 F. Supp. 3d 747 (D. Minn. 2015); ***Bierman v. Dayton***, 2014 WL 5438505 (D. Minn. 2014), appeal dismissed as moot, 817 F.3d 1070 (8th Cir. 2016); ***Natural Resources Defense Council v. Pritzker***, 62 F. Supp. 3d 969 (N.D. Cal. 2014); ***Beaver v. Tarsadia Hotels***, 29 F. Supp. 3d 1294 (S.D. Cal. 2014), on reconsideration, 29 F. Supp. 3d 1323 (S.D. Cal. 2014), *aff'd*, 816 F.3d 1170 (9th Cir. 2016); ***Svc. Employees Int'l Union, Local 1 v. Husted***, 887 F. Supp. 2d 761 (S.D. Ohio 2012), *aff'd in part and rev'd in part sub nom Northeast Ohio Coalition for the Homeless v. Husted*, 696 F.3d 580 (6th Cir. 2012), and later proceeding, 906 F. Supp. 2d 745 (S.D. Ohio 2012); ***Friendly House v. Whiting***, 846 F. Supp. 2d 1053 (D. Ariz. 2012), *aff'd*, ***Valle del Sol Inc. v. Whiting***, 709 F.3d 808 (9th Cir. 2013); ***Narayan v. EGL, Inc.***, 285 F.R.D. 473 (N.D. Cal. 2012); ***Oster v. Lightbourne***, 2012 WL 685808 (N.D. Cal. March 2, 2012); ***Carrillo v. Schneider Logistics, Inc.***, 2012 WL 556309 (C.D. Cal. Jan. 31, 2012), 2011 WL 6104839 (C.D. Cal. Dec. 7, 2011), and 823 F. Supp. 2d 1040 (C.D. Cal. 2011); ***Ellis v. Costco Wholesale Corp.***, 285 F.R.D. 492 (N.D. Cal. 2012); ***San Francisco Baykeeper v. West Bay Sanitary Dist.***, 2011 WL 6012936 (N.D. Cal. Dec. 1, 2011); ***UFCW Local 99 v. Brewer***, 817 F. Supp. 2d 1118 (D. Ariz. 2011), later proceeding, 934 F. Supp. 2d 1167 (D. Ariz. 2013); ***Copello v. Boehringer Ingelheim***, 2011 WL 3325857 (N.D. Ill. Nov. 2, 2011); ***M.R. v. Dreyfus***, 767 F. Supp. 2d 1149 (W.D. Wash. 2011); ***Southern Wine + Spirits Co. v. Simpkins***, 2011 WL 124631 (S.D. Fla. Jan. 14, 2011); ***Dimenco v. Svc. Employees Int'l Union***, 2011 WL 89999 (N.D. Cal. Jan. 10, 2011); ***M.R. v. Dreyfus***, 2011 WL 31553 (W.D. Wash. Jan 05, 2011); ***Common Cause of Colorado v. Buescher***, 2010 WL 4537073 (D. Colo. Nov. 3, 2010), and 2010 WL 4156486 (D. Colo. Oct. 18,

2010); *Dominguez v. Schwarzenegger*, 2010 WL 3447691 (N.D. Cal. Aug. 30, 2010), 2010 WL 2673715 (N.D. Cal. July 2, 2010), and 2010 WL 2348659 (N.D. Cal. June 8, 2010); *Danieli v. IBM*, 2010 WL 2399329 (S.D.N.Y. March 29, 2010); *V.L. v. Wagner*, 669 F. Supp. 2d 1106 (N.D. Cal. 2009); *Martinez v. Schwarzenegger*, 2009 WL 3353227 (N.D. Cal. Oct. 15, 2009), and 2009 WL 1844989 (June 26, 2009); *The OSO Group v. Bullock & Associates*, 2009 WL 2422285 (N.D. Cal. Aug. 6, 2009); *NRDC v. Kempthorne*, 627 F. Supp. 2d 1212 (E.D. Cal. 2009), 2009 WL 1575208 (E.D. Cal. June 3, 2009), and 2008 WL 5054115 (E.D. Cal. Nov. 19, 2008); *Veliz v. Cintas Corp.*, 2009 WL 1107702 (N.D. Cal. 2009); *New United Motor Mfg., Inc. v. UAW, Local 2244*, 184 L.R.R.M. 2539, 2008 WL 2540702 (N.D. Cal. June 19, 2008); *Pacific Coast Fed'n of Fishermen's Ass'n v. Gutierrez*, 2008 WL 2223070 (E.D. Cal. May 20, 2008), subsequent proceeding, 2008 WL 2851568 (E.D. Cal. July 18, 2008); *United States ex rel. UNITE HERE v. Cintas Corp.*, 2008 WL 1767039 (N.D. Cal. April 16, 2008); *McCabe Hamilton & Renny Co., Ltd. v. Int'l Longshore & Warehouse Union, Local 142*, 557 F. Supp. 2d 1171 (D. Haw. 2008); *AFL-CIO v. Chertoff*, 552 F. Supp. 2d 999 (N.D. Cal. 2007); *Svc. Employees Int'l Union v. City of Houston*, 542 F. Supp. 2d 617 (S.D. Tex. 2008); *Knox v. Westly*, 183 L.R.R.M. 3232, 2008 WL 850128 (E.D. Cal. March 28, 2008), *rev'd sub nom Knox v. Cal. State Employees Ass'n, Local 1000*, 628 F.3d 1115 (9th Cir. 2010), *rev'd sub nom Knox v. Svc. Employees Int'l Ass'n, Local 1000*, 132 S. Ct. 2277 (2012); *Arizona Contractors Ass'n, Inc. v. Candelaria*, 534 F. Supp.2d 1036 (D. Ariz. 2008), *aff'd sub nom Chicanos Por La Causa, Inc. v. Napolitano*, 544 F.3d 976 (9th Cir. 2008); *Golden Gate Restaurant Ass'n v. City and County of San Francisco*, 42 Employee Benefits Cases 2185, 2007 WL 4570521 (N.D. Cal. Dec. 26, 2007), *rev'd*, 546 F.3d 639 (9th Cir. 2008); *Arizona Contractors Ass'n, Inc. v. Napolitano*, 526 F. Supp. 2d 968 (D. Ariz. 2007), later proceeding *Arizona Contractors Ass'n, Inc. v. Candelaria*, 534 F. Supp. 2d 1036 (D. Ariz. 2008), *aff'd sub nom Chicanos Por La Causa, Inc. v. Napolitano*, 544 F.3d 976 (9th Cir. 2008); *Fusi v. Emery World Airlines, Inc.*, 183 L.R.R.M. 2225, 2007 WL 4207863 (S.D. Ohio 2007); *In re American Family Mut. Ins. Co. Overtime Pay Litigation*, 155 Labor Cases ¶ 35,353, 2007 WL 2936319 (D. Colo. 2007); *Int'l Longshore & Warehouse Union, Local 142 v. C. Brewer & Co.*, 496 F. Supp. 2d 1179 (D. Haw. 2007); *SkyWest Pilots ALPA Org. Comm. v. SkyWest Airlines, Inc.*, 2007 WL 1848678, 182 L.R.R.M. 2485 (N.D. Cal. 2007); *Adams v. Inter-Con Security Systems, Inc.*, 242 F.R.D. 530, 2007 WL 1089694 (N.D. Cal. 2007); *Chao v. Allied Pilots Ass'n*, 2007 WL 518586, 181 L.R.R.M. 2578 (N.D. Tex. 2007); *Adcock v. UAW*, 2006 WL 3257044, 180 L.R.R.M. 3291 (W.D.N.C. 2006); *Knox v. Westly*, 2006 WL 2374763, 180 L.R.R.M. 3170 (E.D. Cal. 2006), earlier proceeding, 2005 WL 3031622 (E.D. Cal. 2005), subsequent proceedings, 2007 WL 516263, 181 L.R.R.M. 2501 (E.D. Cal. 2007), 2006 WL 3147683 (E.D. Cal. 2006); *Vega v. Contract Cleaning Maintenance*, 2006 WL 1554383, 11 Wage & Hour Cas.2d 1121 (N.D. Ill. 2006); *Patterson v. Heartland Industrial Partners, LLP*, 428 F. Supp. 2d 714 (N.D. Ohio 2006), earlier proceeding, 225 F.R.D. 204 (N.D. Ohio 2004); *Darensburg v. Metropolitan Transportation Comm'n*, 2006 WL 167657 (N.D. Cal. 2006); *NRDC v. Rodgers*, 381 F. Supp. 2d 1212 (E.D. Cal. 2005), motion for reconsideration denied, 2005 WL 2466067 (E.D. Cal. 2005), earlier proceeding, 2005 WL 1388671 (E.D. Cal. 2005); *Rachford v. Air Line Pilots Ass'n, Int'l*, 375 F. Supp. 2d 908 (N.D. Cal. 2005), later proceeding, 2006 WL 927742 (N.D. Cal. 2006), *aff'd mem.*, 284 Fed. Appx. 473 (9th Cir. 2008); *Casumpang v. Int'l Longshore & Warehouse Union, Local 142*, 361 F. Supp. 2d 1195 (D. Haw. 2005), subsequent proceeding, 411 F. Supp. 2d 1201 (D. Haw. 2005); *Patel v. Sugan, Inc.*, 354 F. Supp. 2d 1098 (N.D. Cal. 2005); *In re Farmers Ins. Exchange Claims Representatives' Overtime Pay Litigation*, 300 F.



Supp. 2d 1020 (D. Ore. 2003), amended, 336 F. Supp. 2d 1077 (D. Ore. 2004), *aff'd in part, rev'd in part, and remanded*, 466 F.3d 853 (9th Cir. 2006), later proceeding, 14 Wage & Hour Cas.2d 356, 2008 WL 4763029 (D. Ore. Oct. 28, 2008); **Cummings v. Connell**, 281 F. Supp. 2d 1187 (E.D. Cal. 2003), *rev'd*, 402 F.3d 936 (9th Cir. 2005), later proceeding, 2006 WL 1716160, 180 L.R.R.M. 2159 (E.D. Cal. 2006); **SEIU Local 87 v. SEIU Local 1877**, 230 F. Supp. 2d 1099 (N.D. Cal. 2002); **Does I v. Gap, Inc.**, 2002 WL 1000068 (D.N.M.I. 2002), related proceeding, 2002 WL 1000073 (D.N.M.I. 2002); **Chamber of Commerce v. Lockyer**, 225 F. Supp. 2d 1199 (C.D. Cal. 2002), *rev'd*, 463 F.3d 1076 (9th Cir. 2006) (*en banc*); **Common Cause v. Jones**, 213 F. Supp. 2d 1110, 213 F. Supp. 2d 1116 (C.D. Cal. 2002); **Catholic Social Svcs. v. Ashcroft**, 206 F.R.D. 654 (E.D. Cal. 2002); **In re World War II Era Japanese Forced Labor Litigation**, 164 F. Supp. 2d 1153 (N.D. Cal. 2001), and 114 F.Supp. 939 (N.D. Cal. 2000); **Does I v. Advance Textile Corp.**, 2001 WL 1842389 (D.N.M.I. 2001); **NRDC v. Whitman**, 53 E.R.C. 1673, 2001 WL 1221774 (N.D. Cal.), later proceeding, 2001 WL 1456783 (N.D. Cal. 2001), appeal dismissed sub nom **NRDC v. EPA**, 35 Fed. Appx. 590, 2002 WL 1042092 (9th Cir. 2002); **Eller Media Co. v. City of Oakland**, 2000 WL 33376585 (N.D. Cal. 2000), earlier proceedings, 1998 WL 827426 (N.D. Cal. 1998), and 1998 WL 549494 (N.D. Cal. 1998); **CF&I Steel, L.P. v. Bay Area Rapid Transit District**, 2000 WL 1375277 (N.D. Cal. 2000); **Chadwick v. IBEW**, 2000 WL 1006373 (N.D. Cal. 2000); **Friedman v. Cal. State Employees Ass'n**, 2000 U.S. Dist. LEXIS 7049, 163 L.R.R.M. 2924 (E.D. Cal. 2000); **Foster v. Garcy**, 1999 U.S. Dist. LEXIS 21876, 140 Lab. Cas. (CCH) ¶ 58,914 (N.D. Cal. 1999); **Tosco v. Communities for a Better Environment**, 41 F. Supp. 2d 1061 (C.D. Cal. 1999); **Bishop v. Air Line Pilots Ass'n**, 159 L.R.R.M. 2005, 1998 U.S. Dist. LEXIS 11948 (N.D. Cal. 1998), *aff'd mem.*, 2000 U.S. App. LEXIS 3270 (9th Cir. March 1, 2000); **Martens v. Smith Barney, Inc.**, 181 F.R.D. 243, 1998 U.S. Dist. LEXIS 9226, 77 FEP Cas. (BNA) 532 (S.D.N.Y. 1998); **Catholic Social Svcs. v. Reno**, 1998 U.S. Dist. LEXIS 10429, 10430, 10431 (E.D. Cal. 1998); **Sims v. Alameda-Contra Costa Transit Dist.**, 2 F. Supp. 2d 1253 (N.D. Cal. 1998); **Cremin v. Merrill Lynch**, 957 F. Supp. 1460 (N.D. Ill. 1997); **McLendon v. Continental Group, Inc.**, 872 F. Supp. 142 (D.N.J. 1994); **Alameda Newspapers, Inc. v. City of Oakland**, 860 F. Supp. 1428 (N.D. Cal. 1994); **Ford v. New United Motors Mfg., Inc.**, 857 F. Supp. 707 (N.D. Cal. 1994); **Sneede v. Coye**, 856 F. Supp. 526 (N.D. Cal. 1994); **In re Gulf USA Corp.**, 171 Bankr. 379 (D. Id. 1994); **Auvil v. CBS, 60 Minutes**, 800 F. Supp. 928 (E.D. Wash. 1992); **Cardona v. Oakland Unified School Dist.**, 785 F. Supp. 837 (N.D. Cal. 1992); **Associated Builders & Contractors v. BACA**, 769 F. Supp. 1537 (N.D. Cal. 1991); **EEOC v. Tortilleria "La Mejor"**, 758 F. Supp. 585 (E.D. Cal. 1991); **Akau v. Tel-A-Com Hawaii, Inc.**, 1990 Dist. LEXIS 4647 (D. Hawaii 1990); **Puzz v. United States Dep't of the Interior**, 1989 Dist. LEXIS 16649 (N.D. Cal. 1989); **Bricklayers and Allied Craftsmen, Local Union No. 3 v. Masonry & Tile Contractors Ass'n of So. Nevada**, 136 L.R.R.M. 2319 (D. Nev. 1990); **California ex rel. Van de Kamp v. Reilly**, 750 F. Supp. 433 (E.D. Cal. 1990); **UFCW Local 1564 v. City of Clovis**, 735 F. Supp. 999 (D.N.M. 1990); **Immigrant Assistance Project v. INS**, 709 F. Supp. 998 (W.D. Wash. 1989) *aff'd*, 976 F.2d 1198 (9th Cir. 1993), *vacated and remanded*, 510 U.S. 594 (1993); **Ayuda, Inc. v. Barr**, 687 F. Supp. 650 (D.D.C. 1988), *rev'd in part*, 880 F.2d 1325 (D.C. Cir. 1989), *vacated and remanded*, 498 U.S. 1117 (1991), *on remand*, 948 F.2d 742 (D.D.C. 1991), 700 F. Supp. 49 (D.D.C. 1988), 744 F. Supp. 21 (D.D.C. 1990), *stayed*, 919 F.2d 153 (D.C. Cir. 1990), *rev'd*, 948 F.2d 742 (D.C. Cir. 1991), *vacated and remanded*, 509 U.S. 916 (1993), *on remand*, 7 F.3d 246 (D.C. Cir. 1993), *pet. for rehearing denied*, 14 F.3d 61 (D.C. Cir.), *cert. denied*, 513 U.S. 815 (1994); **Bower v. Bunker Hill Co.**, 675 F. Supp. 1263, 675 F. Supp. 1254, 114 F.R.D. 587 (E.D. Wash. 1986), and 689 F. Supp. 1032

(E.D. Wash. 1985); *Int'l Union of Bricklayers and Allied Craftsmen v. Meese*, 616 F. Supp. 1387 (N.D. Cal. 1985); *Adolph Coors Co. v. Sickler*, 608 F. Supp. 1417 (C.D. Cal. 1985); *Int'l Union, UAW v. Donovan*, 570 F. Supp. 210 (D.D.C. 1983), *rev'd*, 746 F.2d 855 (D.C. Cir. 1984); *Int'l Union, UAW v. Donovan*, 568 F. Supp. 1047 (D.D.C. 1983), *rev'd*, 746 F.2d 839 (D.C. Cir. 1984), *rev'd sub nom Int'l Union, UAW v. Brock*, 477 U.S. 274 (1986), *on remand*, 816 F.2d 761 (D.C. Cir. 1987); *Int'l Union, UAW v. Donovan*, 554 F. Supp. 1172 (D.D.C. 1983); *La Raza Unida v. Volpe*, 545 F. Supp. 36 (N.D. Cal. 1982); *AFL-CIO v. Marshall*, 494 F. Supp. 971 (D.D.C. 1980).

The firm has also participated in the following state supreme court cases, among others: *Gerawan Farming, Inc. v. Agricultural Labor Relations Bd.*, 3 Cal.5th 1118 (2017); *Roy Allan Slurry Seal, Inc. v. American Asphalt South*, 2 Cal.5th 505 (2017); *Laffitte v. Robert Half Int'l Inc.*, 1 Cal.5th 480 (2016); *Kilby v. CVS Pharmacy, Inc.*, 63 Cal.4th 1 (2016); *United Public Workers v. Abercrombie*, 133 Haw. 188 (2014); *Paratransit, Inc. v. Unemployment Ins. Appeals Bd.*, 59 Cal.4th 551 (2014); *Iskanian v. CLS Transp. Los Angeles, LLC*, 59 Cal.4th 348 (2014); *Duran v. U.S. Bank Nat'l Ass'n*, 59 Cal.4th 1 (2014); *American Nurses Ass'n v. Torlakson*, 57 Cal.4th 570 (2013); *County of Los Angeles v. Los Angeles County Employee Relations Comm'n*, 56 Cal.4th 905 (2013); *Ralphs Grocery Co. v. United Food & Commercial Workers Union Local 8*, 55 Cal.4th 1083 (2012); *State Bldg. & Construction Trades Council v. City of Vista*, 54 Cal.4th 547 (2012); *United Teachers of Los Angeles v. Los Angeles Unified School Dist.*, 54 Cal.4th 504 (2012); *Brinker Restaurant Corp. v. Superior Court*, 53 Cal.4th 1004 (2012); *Peterson v. State*, 280 P.3d 559 (Alaska 2012); *Hawaii State Teachers Ass'n v. Abercrombie*, 126 Haw. 318 (2012); *California Grocers Ass'n v. City of Los Angeles*, 52 Cal.4th 177 (2011); *Professional Engineers in California Gov't v. Schwarzenegger*, 50 Cal.4th 989 (2010); *St. John's Well Child and Family Center v. Schwarzenegger*, 50 Cal.4th 960 (2010); *Hawaii Gov't Employees Assn. v. Lingle*, 239 P.3d 1 (Haw. 2010); *City of San Jose v. Operating Engineers Local No. 3*, 49 Cal.4th 597 (2010); *Pearson Dental Supplies, Inc. v. Superior Court*, 48 Cal.4th 665 (2010); *Amalgamated Transit Union v. Superior Court*, 46 Cal.4th 993 (2009); *Sheehan v. The San Francisco 49ers, Ltd.*, 45 Cal.4th 992 (2009); *Vasquez v. State of California*, 45 Cal.4th 243 (2008); *State ex rel. Colvin v. Brunner*, 120 Ohio St.3d 110, 896 N.E.2d 979 (Ohio 2008); *EPIC v. California Dep't of Forestry & Fire Protection*, 44 Cal.4th 459 (2008); *In re Marriage Cases*, 43 Cal.4th 757 (2008); *Gentry v. Superior Court*, 42 Cal.4th 443 (2007); *Fleischman v. Protect Our City*, 214 Ariz. 406, 153 P.3d 1035 (2007); *Tahara v. Matson Terminals, Inc.*, 111 Hawaii 16, 136 P.3d 904 (2006); *Reynolds v. Bement*, 36 Cal.4th 1075 (2005); *City of Long Beach v. Dep't of Industrial Relations*, 34 Cal.4th 942 (2004), *vacating* 110 Cal.App.4th 636 (2003); *AFL-CIO v. Hood*, 885 So.2d 373 (Fla. 2004); *Intel Corp. v. Hamidi*, 30 Cal.4th 1342 (2003); *Viner v. Sweet*, 30 Cal.4th 1232 (2003); *Hamilton v. Maryland Casualty Co.*, 27 Cal.4th 718 (2002); *Golden Gateway Ctr. v. Golden Gateway Tenants Ass'n*, 26 Cal.4th 1013 (2001); *Gerawan Farming, Inc. v. Lyons*, 24 Cal.4th 468 (2000); *Armendariz v. Foundation Health Psychcare Svcs.*, 24 Cal.4th 83 (2000); *Morillion v. Royal Packing Co.*, 22 Cal.4th 575 (2000); *Cel-Tech Communications, Inc. v. Los Angeles Cellular Telephone Co.*, 20 Cal.4th 243 (1999); *Hawaii State AFL-CIO v. Yoshina*, 935 P.2d 89 (Haw. 1997); *Masonry & Tile Contractors Ass'n v. Jolley, Urga & Wirth*, 941 P.2d 486 (Nev. 1997); *People ex rel. Lundgren v. Superior Court (American Standard)*, 14 Cal.4th 294 (1996); *AFL-CIO v. Unemployment Ins. Appeals Bd.*, 13 Cal.4th 1017 (1996), *rev'g* 38 Cal.App.4th 1205 (1995); *People v. Horton*, 11 Cal.4th 1068 (1996); *So. California Chapter of*

*Associated Builders & Contractors, Inc. v. California Apprenticeship Council*, 4 Cal.4th 422 (1992); *In re Horton*, 54 Cal.3d 82 (1991); *Cumero v. Public Employment Relations Bd.*, 49 Cal.3d 575 (1989); *Keller v. State Bar*, 47 Cal.3d 1152 (1989); *DeTomaso v. Pan American World Airways*, 43 Cal.3d 517 (1987); *County of Los Angeles v. State of California*, 43 Cal.3d 46 (1987); *Long Beach City Employees Ass'n v. City of Long Beach*, 41 Cal.3d 937 (1986); *Regents of the Univ. of California v. Public Employment Relations Bd.*, 41 Cal.3d 601 (1986); *San Jose Teachers Ass'n v. Superior Court*, 38 Cal.3d 839 (1985); *AFL-CIO v. Eu*, 36 Cal.3d 687 (1984); *Legislature of the State of California v. Deukmejian*, 34 Cal.3d 658 (1983); *San Mateo City School Dist. v. Public Employment Relations Bd.*, 33 Cal.3d 850 (1983); *Welfare Rights Org. v. Crisan*, 33 Cal.3d 766 (1983); *Serrano v. Unruh*, 32 Cal.3d 621 (1982); *Mandel v. Myers*, 29 Cal.3d 531 (1981); *Pacific Legal Foundation v. Unemployment Ins. Appeals Bd.*, 29 Cal.3d 101 (1981); *Sears Roebuck & Co. v. San Diego County Dist. Council of Carpenters*, 25 Cal.3d 317 (1979); *Robins v. Pruneyard Shopping Center*, 23 Cal.3d 899 (1979).

The firm has also participated in the following cases in the state courts of appeal, among others: *People v. Conagra Grocery Products Co.*, 17 Cal.App.5th 51 (2017); *Turman v. Superior Court*, 17 Cal.App. 5th 969 (2017); *Vergara v. California*, 246 Cal.App.4th 619 (2016); *Nat'l Restaurant Ass'n v. Comm'n of Labor*, 141 A.D.3d 185, 34 N.Y.S.3d 232 (2016); *El Centro v. Lanier*, 245 Cal.App.4th 1494 (2016); *Jenks v. DLA Piper Rudnick Gray Cary US LLP*, 243 Cal.App.4th 1 (2015); *Noe v. Superior Court*, 237 Cal.App.4th 316 (2015); *Koval v. Pac. Bell Tel. Co.*, 232 Cal.App.4th 1050 (2014); *Van Zant v. Apple, Inc.*, 229 Cal.App.4th 965 (2014); *Professional Engineers in California Gov't v. Brown*, 229 Cal.App.4th 861 (2014); *Sheet Metal Workers' Int'l Ass'n, Local 104 v. Duncan*, 229 Cal.App.4th 192 (2014); *California High-Speed Rail Authority v. Superior Court*, 228 Cal.App.4th 676 (2014); *Los Angeles Unified School Dist. v. Superior Court*, 228 Cal.App.4th 222 (2014); *Hall v. Rite Aid Corp.*, 226 Cal.App.4th 278 (2014); *D'Arrigo Bros. v. United Farmworkers*, 224 Cal.App.4th 790 (2014); *ALPA Int'l v. United Airlines, Inc.*, 223 Cal.App.4th 706 (2014); *Farmers Ins. Exch. v. Superior Court*, 218 Cal.App.4th 96 (2013); *Gonzalez v. Downtown L.A. Motors LP*, 215 Cal.App.4th 36 (2013); *California Redevelopment Ass'n v. Matosantos*, 212 Cal.App.4th 1457 (2013); *Veronese v. Lucasfilm Ltd.*, 212 Cal.App.4th 1 (2012); *Hernandez v. Chipotle Mexican Grill, Inc.*, 208 Cal.App.4th 1487 (2012); *Reed v. United Teachers Los Angeles*, 208 Cal.App.4th 322 (2012); *Hensel Phelps Construction Co. v. San Diego Unified Port Dist.*, 197 Cal.App.4th 1020 (2011); *California Chamber of Commerce v. Brown*, 196 Cal.App.4th 233 (2011); *County of Los Angeles v. Los Angeles County Employee Relations Comm'n*, 192 Cal.App.4th 1409 (2011); *Ralph's Grocery Co. v. UFCW Local 8*, 192 Cal.App.4th 200 (2011); *Home Depot v. Superior Court*, 191 Cal.App.4th 210 (2011); *EPIC v. California Dep't of Forestry and Fire Protection*, 190 Cal.App.4th 217 (2010); *Bright v. 99 Cents Only Stores*, 189 Cal.App.4th 1472 (2010); *Lazarin v. Superior Court*, 188 Cal.App.4th 1560 (2010); *Sutter Health v. UNITE-HERE*, 186 Cal.App.4th 1193 (2010); *Gardner v. Schwarzenegger*, 178 Cal.App.4th 1366 (2009); *In re Consumer Privacy Cases*, 175 Cal.App.4th 545 (2009); *County of Sonoma v. Superior Court*, 173 Cal.App.4th 322 (2009); *Aguiar v. Superior Court (Cintas Corp.)*, 170 Cal.App.4th 313 (2009); *Project Vote v. Madison County Bd. of Elections*, 2008 WL 4445176 (Ohio Sept. 29, 2008); *Curley v. Lake County Bd. of Elections and Registration*, 896 N.E.2d 24 (Ind. App. 2008); *Amaral v. Cintas Corp. No. 2*, 163 Cal.App.4th 1157 (2008); *Sharp v. Next Entertainment, Inc.*, 163 Cal.App.4th 410 (2008); *State Building and Construction Trades Council v. Duncan*, 162 Cal.App.4th 289 (2008); *Kashmiri v. Regents of*

*the University of California*, 156 Cal.App.4th 809 (2007); *Sheet Metal Workers Int'l Ass'n, Local Union No. 104 v. Rea*, 153 Cal.App.4th 1071 (2007); *Aguiar v. Cintas Corp. No. 2*, 144 Cal.App.4th 121 (2006); *The Hess Collection Winery v. California Agricultural Relations Bd.*, 140 Cal.App.4th 1584 (2006); *So. California Edison Co. v. Public Utilities Comm'n*, 140 Cal.App.4th 1085 (2006); *Du Charme v. IBEW, Local 45*, 110 Cal.App.4th 107 (2003); *Svc. Employees Int'l Union v. Superior Court*, 89 Cal.App.4th 1390 (2001); *Bell v. Farmers Ins. Exch.*, 87 Cal.App.4th 805 (2001), later proceeding, 115 Cal.App.4th 715 (2004), later proceeding, 135 Cal.App.4th 1138 (2006), later proceeding, 137 Cal.App.4th 835 (2006); *United Farm Workers v. Dutra Farms*, 83 Cal.App.4th 1146 (2000); *Western Crop Protection Ass'n v. Davis*, 80 Cal.App.4th 741 (2000); *Pulaski v. California Occupational Safety and Health Stds. Bd.*, 75 Cal.App.4th 1315 (1999); *IBEW Local 595 v. Superior Court*, 54 Cal.App.4th 1291 (1997); *IBEW v. Aubry*, 41 Cal.App.4th 1632 (1996); *California Court Reporters Ass'n v. Judicial Council*, 39 Cal.App.4th 15 (1995), later proceeding, 59 Cal.App.4th 959 (1997); *L.A. County Court Reporters Ass'n v. Superior Court*, 31 Cal.App.4th 403 (1995); *Smith v. Superior Court (Degnan)*, 31 Cal.App.4th 205 (1994); *AFL-CIO v. Unemployment Ins. Appeals Bd.*, 23 Cal.App.4th 51 (1994); *California Labor Fed'n v. California Safety and Health Stds. Bd.*, 5 Cal.App.4th 985 (1991), later proceeding, 221 Cal.App.3d 1547 (1990); *Jerabek v. Public Employment Relations Bd.*, 2 Cal.App.4th 1298 (1991); *Zambrano v. Oakland Unified School Dist.*, 229 Cal.App.3d 802 (1991); *Rust v. Vallejo*, 215 Cal.App.3d 771 (1989); *AFL-CIO v. Deukmejian*, 212 Cal.App.3d 425 (1989); *Wallace v. Consumers Cooperative, Inc.*, 170 Cal.App.3d 836 (1985); *Filipino Accountants Ass'n, Inc. v. State Bd. of Accountancy*, 155 Cal.App.3d 1023 (1984); *Brown v. Superior Court*, 137 Cal.App.3d 778 (1982); *Serrano v. Priest*, 131 Cal.App.3d 188 (1982); *AFL-CIO v. Employment Development Dep't*, 88 Cal.App.3d 811 (1979).