

### Practice Areas

#### Labor and Employment

Affirmative Action Plans and OFCCP Compliance  
EEOC/Agency Class Investigation and Litigation  
Defense  
Discrimination Defense  
Trials and Arbitrations  
FLSA/Wage-and-Hour Defense  
Corporate Immigration Law  
California Employment Law  
Executive Agreements and Severance  
Labor Management Relations  
Leave of Absence and Disability Advice/Defense  
Non-Compete and Trade Secret Litigation  
Pay Equity Advice and Defense  
Pre-Hire Testing and Background Check Advice/Defense  
Preventive Employment Counseling  
Reductions in Force  
Whistleblower/False Claims Act Defense  
Workplace Investigations  
Industry Focus: Health Care  
Industry Focus: Restaurants  
Industry Focus: Retail  
Industry Focus: Tech Startups

Nilan Johnson Lewis provides employers based in California, and those with operations and employees in the state, with litigation defense and advice on California's unique employment laws. Our combination of expertise and responsiveness, as well as our distinctive staffing model, sets us apart from other firms. We pride ourselves on offering practical, results-driven California know-how at a Midwestern value. Our California employment law experts consist of four California-licensed attorneys ranging from an experienced shareholder to senior and junior associates, including an attorney practicing on the ground in Southern California. Our California counseling work includes a full range of wage-and-hour, discipline and discharge, and pay equity issues; our practical legal and business advice helps our clients minimize the risks of class, collective, and PAGA claims. We litigate leanly and efficiently in California courts, combining boots-on-the-ground expertise in Southern California with a deep bench of employment law talent based in Minnesota.

### Representative Matters

- Defending a Fortune 500 technology company in a state-wide PAGA action based on underlying allegations of off-the-clock work, meal and rest break violations, and unreimbursed expenses.
- Defending an Equal Pay Act challenge that threatens to undermine the company's entire arbitration program and touches upon novel, cutting-edge issues in California and federal law.
- Defended (in Southern California federal court and Kern County state court) a national healthcare services company in a California statewide class and PAGA action alleging off-the-clock, meal and rest break, wage statement, and reimbursement claims. We leveraged a motion to dismiss into an agreement to engage in early mediation. The matter settled on favorable terms.
- Defending numerous discrimination actions for a national insurance company after forcing them from California state court into arbitration.
- Defended (in Los Angeles state court) a national hospital chain in a disability discrimination and CFRA claim. We succeeded in dismissing most claims at summary judgment then settled on favorable terms.
- Defending (in Northern California federal court) multiple Fortune 500 companies in a novel putative plaintiff and defendant class action involving allegedly age discriminatory Facebook recruiting advertisements.
- Defended (in San Bernardino state court) a national technology company in a California statewide reimbursement class action. We achieved a favorable settlement after successfully limiting the scope of the requested expenses.
- Represented (in Southern California federal court) a national retail company in a California meal and rest break and off-the-clock case. We achieved a favorable settlement after strategically limiting informal pre-mediation discovery.
- Defended (in Southern California federal court) a national technology company in a California statewide off-the-clock field service worker class and collective action. We achieved a favorable settlement after convincing the Court to significantly limit California class-wide discovery.
- Defended (in Los Angeles state court) a national medical technology company in an IT worker misclassification case. We settled the case on

favorable terms one day before trial.

- Routinely represent clients before California administrative agencies, including the DLSE and the DFEH.
- Implemented a statewide “Pick Up Stix” strategy and simultaneously resolving a class claim before the DOL and in federal court for a California technology company, reaching resolution with the DOL, avoiding class certification, and obtaining dismissal of the remaining claims.