



## Class, Collective & PAGA Representative Actions

Lathrop GPM represents employers in all matters relating to class, FLSA collective and PAGA (California's Private Attorneys General Act) actions. Our lawyers are recognized as creative and effective leaders in this space, having defended literally hundreds of these cases.

Our team litigates class and collective actions efficiently and effectively, successfully defending employers against claims including:

- Unpaid wages, including overtime
- Split-shift premiums
- Vacation and sick pay
- Premium pay for missed meal and rest breaks
- Reporting time pay
- Unreimbursed business expenses
- Failure to provide accurate itemized wage statements
- Failure to provide suitable seating
- Pay equity and discrimination

### *California's Private Attorneys General Act (PAGA)*

In California, we also have extensive experience defending employers in PAGA representative actions under the Labor Code. Given the volatility and frequency of these claims, along with their potential for seven- and eight-figure exposure, our attorneys devise creative "out-of-the-box" solutions to narrow the scope of discovery and the trial of PAGA (as well as class) actions, making any litigation less burdensome on our clients.

On behalf of California employers, we act as *amicus curiae* counsel in California's appellate courts on matters related to novel PAGA issues. Additionally, our lawyers

### Primary Contacts

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are thought leaders in this space, frequently publishing articles on PAGA's legal developments.

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## Experience

- Represented a West Coast petroleum distributor in a wage and hour class action suit regarding misclassified employees. The case settled on terms that were favorable for our client.
  - Represented Fortune 500 company in defense of nationwide class action alleging gender discrimination and hostile environment claims. Defeated class certification on nationwide hostile environment claim; defeated damages class on pay and promotion claims; obtained summary judgment on numerous lead plaintiffs' hostile environment claims.
  - Represented Fortune 500 company in defense of nationwide class action alleging the company misclassified employees as non-exempt in violation of the FLSA. Obtained decertification of over 500 employees and former employees nationwide; obtained dismissal of misclassification claims of putative class members.
  - Defeated a motion to certify a class action lawsuit for violation of overtime laws filed by a group of truck drivers against a multi-state employer.
  - Defended large public school system in expedited class-action lawsuit alleging disability and race discrimination stemming from largest mass school closing in U.S. history. Defeated class certification motion and preliminary injunction motion following full discovery and a hearing on the merits. Obtained complete defense victories on the merits in related multi-plaintiff litigation in other forums.
  - Represented a restaurant in a class action lawsuit brought by the EEOC on behalf of approximately 200 current and former Hispanic employees of the restaurant who alleged discrimination based upon national origin.
  - Defended staffing company in a federal wage and hour collective action. Obtained order decertifying the class.
  - Defended an employer in a Minnesota state action involving claims that the plaintiffs were incorrectly classified as independent contractors and had been improperly paid under state wage and hour laws.
  - Defended class action alleging gender and race discrimination suit. Resolved by confidential settlement.
  - Defended employer in wage and hour tip pooling case brought by former employee on behalf of others similarly situated in Massachusetts.
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