



Derek Havel

Partner

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PRACTICE AREAS

- Labor and Employment

INDUSTRIES

- Financial Services
- Food and Beverage
- Healthcare
- Insurance
- Retail

OVERVIEW

Derek Havel is a partner in the Labor and Employment Practice Group in the firm's Los Angeles office.

Areas of Practice

Mr. Havel handles all facets of the litigation process in labor and employment disputes. Mr. Havel has significant experience in defending wage and hour class actions, including claims for overtime pay, meal and rest period violations, and vacation pay. In particular, Mr. Havel has considerable experience in the hospital, retail, and insurance industries. He has successfully defeated class certification motions and prevailed on summary judgment motions in class actions.

Mr. Havel has considerable jury trial experience in defending both class actions and single plaintiff employment cases. He has successfully defended labor and employment disputes under both state and federal law, including discrimination on the basis of race, sex, age, religion, disability, national origin, marital status, sexual orientation, and other classifications. He has specific experience under the California Fair Employment and Housing Act, Title VII, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and other labor and employment laws.

Mr. Havel also has experience in traditional labor law. He has drafted briefs for the National Labor Relations Board, and defended employers against unfair labor practice charges.

EDUCATION

- J.D., University of California, Los Angeles, 1997
- B.A., Georgetown University, 1994, *magna cum laude*

ADMISSIONS

- All California Courts
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- Ninth Circuit

EXPERIENCE

Recent Significant Client Wins

Cunningham vs. Long Beach Memorial, Los Angeles County Superior Court, Case No. BC421688 (2011). Prevailed on summary judgment in a putative class action alleging unpaid overtime on behalf of 12-hour employees.

Rivera vs. Whole Foods, Los Angeles County Superior Court, Case No. LC 090604 (2011). After a week long jury trial, Whole Foods prevailed with a complete defense verdict in a sexual harassment, retaliation, and wrongful termination claim.

Leon vs. Union Bank, Ventura County Superior Court, Case No. 56-2010-00386548 (2011). Prevailed on summary judgment in a disability discrimination and retaliation claim.

Gerard vs. Orange Coast Memorial Medical Center, Orange County Superior Court, Case No. 30-2008-00096591 (2010). Defeated class certification of proposed wage and hour class action, including meal and rest period claims.

McCoy vs. Saddleback Memorial Medical Center, Orange County Superior Court, Case No. 30-2008-00116393 (2010). Defeated class certification of proposed wage and hour class action, including meal and rest period claims.

White vs. Whole Foods Market, Los Angeles County Superior Court, Case No. BC 380974 (2009). Two week jury trial of a pregnancy discrimination and wrongful termination claim. Complete defense verdict.

Oberfoell vs. Cedars-Sinai Medical Center, Los Angeles County Superior Court, Case No. BC332075 (2009). Prevailed on motion for summary judgment in proposed wage and hour class action, including overtime and meal and rest period claims.

Zumbowicz vs. HASC, Los Angeles County Superior Court, Case No. BC360399 (2009). Prevailed on motion for summary judgment on behalf of Memorial Health System in anti-trust class action alleging underlying labor code violations. Affirmed on appeal.

Hamilton vs. Long Beach Memorial Medical Center, Los Angeles County Superior Court, Case No. BC 380974 (2008). Prevailed on motion for summary judgment in proposed wage and hour class action, including overtime and pay stub claims. Affirmed on appeal.

Matlin vs. Tilly's, Los Angeles County Superior Court, Case No. BC322422 (2007). Defeated class certification and prevailed on summary judgment in proposed wage and hour class action, including overtime and meal and rest period claims.

McDonnell vs. Whole Foods Market, Los Angeles County Superior Court, Case No. BC323344 (2006). Defeated class certification and prevailed on summary judgment in proposed wage and hour class action, including meal and rest period claims.

Elliott vs. Circuit City, Los Angeles Superior Court, Case No. 291733 (2006). Prevailed on motion for summary judgment in proposed wage and hour class action, including overtime claims.

HONORS

- Southern California Super Lawyer, 2011, 2012