



Derek Havel

Partner

Los Angeles/Downtown
333 South Hope Street
Forty-Third Floor
Los Angeles, CA 90071

Tel: 213.620.1780
Fax: 213.620.1398
dhavel@sheppardmullin.com

PRACTICE AREAS

- Labor and Employment

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 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

Representative Matters

Mr. Havel represented a nationwide temporary worker placement agency in the defense of a wage and hour class action alleging unpaid waiting time penalties owed at the conclusion of each assignment. The company was granted summary judgment on all claims.

Mr. Havel represented a major California hospital system in the defense of a wage and hour class action. The plaintiffs alleged that the hospital was improperly compensating its 12-hour shift employees and failing to provide meal and rest breaks. The hospital was granted summary judgment on all claims.

Mr. Havel represented a nationwide electronics retailer in the defense of a wage and hour class action. The plaintiffs, commissioned sales people, alleged that they had not received overtime compensation due. The company was granted summary judgment on all claims.

Mr. Havel represented a nationwide grocery store chain in the defense of a wage and hour class action. The plaintiff alleged that employees throughout California were denied their meal and rest breaks. The company successfully opposed class certification, and was then granted summary judgment on all claims.

Mr. Havel represented a nationwide insurance company in the defense of a wage and hour class action. The plaintiffs alleged that the insurance company's claims adjusters were improperly classified as exempt employees. The case was settled on favorable terms for the defendant.

Mr. Havel represented a large mortgage company in the defense of an age discrimination claim. The plaintiff alleged that he was improperly selected for layoff as a result of his age. The case proceeded to a jury trial and the mortgage company received a complete defense verdict.

Mr. Havel represented a major telecommunications company in the defense of a claim for retaliation and national origin discrimination. A former executive alleged that he was terminated from his employment as a result of complaints regarding unfair business practices and as a result of his national origin. The telecommunications company was granted summary judgment on all claims. The plaintiff appealed and the summary judgment was upheld on appeal.