

# Daily Journal

JULY 14, 2010

## LABOR & EMPLOYMENT

Employment law has always represented a significant portion of legal work done in California. The practice has become even more crucial as California continues to build on its reputation as one of the nation's most employee-friendly states. As a result, some

of the nation's most sophisticated employment lawyers are based here. In this issue we highlight the very top practitioners in the field, and the cutting-edge cases they are handling across the state, the nation and even internationally.

— Editor's Note

### EMPLOYMENT DEFENSE

California lawyers companies turn to first



**TRACEY A. KENNEDY**  
Sheppard Mullin Richter & Hampton  
Los Angeles

**Year in Review:** Year in review: In the first published opinion for California casinos, Kennedy represented Hawaiian Gardens Casino Inc. and its general manager in a wage-and-hour class action brought before the state Supreme Court. The case questioned whether Labor Code Section 351 that bars employers from accessing employees' tips and gratuities creates a private right of action for employees. The justices stated that employees could go to court on claims related to labor law violations, such as conversion and unfair competition and the court affirmed the trial court's order holding that tip pools in California Casinos are legal.

Earlier in the year Kennedy obtained a complete defense verdict in the Los Angeles County Superior Court brought against Network Management Group, a third party company that provides employees to work at casino gaming tables. The case was a major wage-and-hour class action that would have required the company to restructure its business model.

**Next challenge:** In August Kennedy will head to Washington, D.C. to represent a plaintiff in a sexual harassment case. Kennedy is enjoying the challenge of working on the plaintiffs' side, something she has never done before.