



→ Matthew A. Tobias

Partner

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

Areas of Practice

Matthew specializes in labor and employment matters on behalf of employers and management. Matthew has considerable jury trial experience and has tried to verdict employment matters such as age, sex, national origin, and disability discrimination, as well as harassment, retaliation, and wrongful termination claims. A significant portion of his practice is devoted to the defense of complex wage and hour class action litigation. He has successfully defeated class certification motions and prevailed on summary judgment in class actions, as well as single plaintiff cases. He has experience representing employers in union negotiations, grievance proceedings and unfair labor charges.

Prior to joining Sheppard Mullin, Matthew worked for the City of Los Angeles as an investigator responding to claims of unlawful discrimination, harassment, and retaliation, conducting lectures to City employees on compliance with state and federal EEO laws, and representing the City in union-related matters.

Experience

Trials

October 2011 - Jury Trial (6 days)

Court: Los Angeles County Superior Court (Hon. Louis Meisinger)

Case: Retaliation, Wrongful Termination, Failure to Prevent Retaliation

Industry: Retail Grocery

Role: Managing Associate

Verdict: Defense

April 2012 - Bench Trial (10 days) (Class Action)

Court: Los Angeles County Superior Court (Hon. David Minning)

Case: Wage and Hour Class Action (tip pool) (Business & Professions Code § 17200)

Industry: Gaming

Role: Managing Associate

Verdict: Defense

December 2012 - Jury Trial (9 days)

Court: Santa Barbara County Superior Court (Hon. Donna Geck)

Case: Sexual Harassment Retaliation, Wrongful Demotion, and Termination

Industry: Healthcare
Role: Second Chair Trial Attorney
Verdict: Defense

March 2013 - Jury Trial (19 days)

Court: Los Angeles County Superior Court (Hon. Abraham Kahn)
Case: Age and National Origin Discrimination, Defamation, and Retaliation
Industry: Banking/Financial Services
Role: Second Chair Trial Attorney
Verdict: Plaintiff (3 claims); Defense (2 claims and punitive damages)

February 2014 - Jury Trial (21 days)

Court: Alameda County Superior Court (Hon. Robert McGuiness)
Case: Age Harassment, Age Discrimination, Retaliation, and Failure to Prevent (three defendants)
Industry: Insurance
Role: Second Chair Trial Attorney
Verdict: Defense

May 2016 – Jury Trial (6 days)

Court: Los Angeles County Superior Court (Hon. Victor E. Chavez)
Case: Sexual, Race and Sexual orientation Harassment and Intentional Infliction of Emotional Distress
Industry: Retail Grocery
Role: Managing Associate
Verdict: Defense

November 2017 - Jury Trial (12 days)

Court: Orange County Superior Court (Hon. Derek Hunt)
Case: Gender Discrimination, Retaliation, Failure to Accommodate, Failure to Engage in Interactive Process, and Disability Discrimination
Industry: Sports/Entertainment
Role: Co-First Chair Trial Attorney
Verdict: Defense

Reported Cases

Lampe v. Queen of the Valley Medical Center (2018) 19 Cal.App.5th 832
David v. Queen of the Valley Medical Center (2020) 51 Cal.App.5th 653

Articles

- "California Supreme Court Hands Down Victory for Employers in Tip Pooling Cases," *California Labor & Employment Law Review*, Volume 25, No. 2

Labor & Employment Law Blog Posts

- "California Counties Mandate Face Coverings & Stricter Requirements for Businesses," April 9, 2020
- "New Year, New Minimum Wage Rates in California," December 21, 2017
- "Sixth Circuit Provides Clarification On Legality Of Draw-On-Commission Policy," November 21, 2017
- "Sheppard Mullin Secures Major Victory for Chipotle in Nationwide Misclassification Action By Demonstrating Variations Among Proposed Class Members," April 10, 2017

- "REMINDER: California Family Rights Act Amendments Go Into Effect July 1, 2015," June 29, 2015

Practices

Labor and Employment
Labor and Employment Counseling
Employee Hiring/Discipline/Termination
Handbooks and Personnel Policies
Harassment Investigation and Training
Wage and Hour Regulations
Labor and Employment Litigation
Discrimination, Harassment, and Retaliation
Wage and Hour Class Actions
Wrongful Termination
Labor Union Management Relations

Industries

Fashion, Apparel and Beauty
Food and Beverage
Healthcare
Retail
Sports

Education

J.D., Southwestern Law School, 2010, *summa cum laude*, Lead Articles Editor, *Southwestern Law Review*
B.S., University of Southern California, 2003

Admissions

All California Courts
All California U.S. District Courts