



→ Robert K. Foster

Associate

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Robert Foster is an associate in the Labor and Employment Practice Group in the firm's San Diego (Del Mar) office.

Areas of Practice

Bobby represents employers in various types of employment litigation, including class action wage and hour claims; PAGA claims; and discrimination, wrongful termination, harassment and retaliation lawsuits. In addition, he also provides strategic advice to employers on a wide range of employment issues, including wage and hour compliance, employee classification, and OSHA matters.

Bobby litigates actions involving trade secret claims, unfair competition and enforcement of restrictive covenants and non-competes. He also handles various commercial litigation disputes, including breach of contract, breach of fiduciary duty, fraud, tortious interference with contract, unfair competition and shareholder derivative claims.

During law school, Bobby served as a judicial extern to the Honorable M. Margaret McKeown of the United States Court of Appeals for the Ninth Circuit, the Honorable Gilbert Nares of the California Court of Appeal, Fourth Appellate District, Division One and the Honorable Janis L. Sammartino of the United States District Court for the Southern District of California.

Prior to law school, Bobby accumulated over ten years of practical litigation experience as a paralegal. He served as lead paralegal for IP litigation groups in matters at the federal district and appellate courts, ITC, PTAB and TTAB. He also served as lead paralegal for matters involving antitrust, federal government contracts and energy regulatory law.

Articles

- Protecting Social Media Contacts as Trade Secrets
Daily Journal, 10.07.2020

Labor and Employment Law Blog

- "California Passes Law Establishing New Wage and Hour Requirements for Employers in the Garment Industry," October 19, 2021
- "OSHA Updates COVID-19 Guidance to Align With Recently Updated CDC Guidance," August 18, 2021

- "OSHA Adopts New COVID-19 National Emphasis Program to Increase Its Enforcement Efforts," March 22, 2021
- "What the Expiration of COVID-19 Paid Leave Laws Means for California Employers," January 5, 2021
- "Cal/OSHA Adopts New COVID-19 Emergency Standards Requiring Immediate Action by Employers in California," November 23, 2020
- "Enactment of AB 685 Establishes COVID-19 Exposure Notice Requirements for California Employers and Cal/OSHA Enforcement Changes," September 22, 2020
- "What Employers Need to Know About California's New COVID-19 Supplemental Paid Sick Leave Law," September 18, 2020
- "OSHA Publishes Responses to Frequently Asked Questions on Worker Safety During COVID-19 Pandemic," July 10, 2020
- "OSHA Issues New COVID-19 Guidance Answering Practical Questions on Returning to Work," June 25, 2020
- "Overview of Recent Updates for Employers in the Commercial Trucking Industry," May 28, 2020
- "Cal/OSHA Issues New COVID-19 General Industry Guidance for All California Employers," May 18, 2020
- "The Cost and Burden of Discovery for California Employers Will Likely Increase in 2020," January 27, 2020

Intellectual Property Law Blog

- "Protecting Social Media Contact Lists as Trade Secrets," March 31, 2020

Trade Secrets Law Blog

- "A Cautionary Tale on Including an Expiration Date in NDAs," September 29, 2021

Books

Employer's Guide To COVID-19 And Emerging Workplace Issues (Over 690 pages)
04.21.2020

Events

Returning to the Office: *The Legal Requirements and Practical Considerations Employers Must Consider in the "New Normal"*

Webinar, 06.30.2021

Memberships

Member, Law Alumni Board of Directors, University of San Diego School of Law

Member, San Diego County Bar Association

Practices

Labor and Employment

Labor and Employment Counseling
Handbooks and Personnel Policies
Health and Safety Regulations/OSHA
Wage and Hour Regulations
Labor and Employment Litigation
Discrimination, Harassment, and Retaliation
Wage and Hour Class Actions
Wrongful Termination
Trade Secrets
Intellectual Property
Litigation
Class Action Defense
Securities Litigation
Alternative Dispute Resolution

Industries

Food and Beverage
Hospitality
Retail

Education

J.D., University of San Diego, 2019, *cum laude*; *Order of Barristers*; Lead Articles Editor, *San Diego Law Review*; 1st Place Overall, USD Alumni Torts Moot Court Tournament
B.A., Emory University, 2005

Clerkships

Judicial Extern to the Honorable M. Margaret McKeown of the U.S. Court of Appeals for the Ninth Circuit
Judicial Extern to the Honorable Justice Gilbert Nares, California Court of Appeal, Fourth District, Division 1
Judicial Extern to the Honorable Janis L. Sammartino of the U.S. District Court for the Southern District of California

Admissions

California
United States District Court for the Central District of California

United States District Court for the Southern District of California