



→ Adam R. Rosenthal

Partner

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Adam R. Rosenthal is a partner in the Labor and Employment Practice Group in the firm's San Diego (Del Mar) and Los Angeles offices.

Adam is an AV Preeminent® rated attorney from Martindale-Hubbell. Adam has also been recognized for his exemplary client services by BTI Consulting Group as a BTI Client Service All-Star®.

Areas of Practice

Adam represents a broad spectrum of employers in all areas of employment law before federal and state courts across the US and arbitration forums. Over his career as a litigator, Adam has represented employers of all sizes, from large multinationals in class action lawsuits with tens of millions of dollars at issue, to smaller employers faced with “bet the company” lawsuits brought by former employees. Because of his trial experience, Adam is regularly asked by clients to take over existing cases from other law firms, where he offers a fresh perspective on how to achieve the client’s litigation objectives.

Adam has considerable experience representing clients in complicated wage and hour class actions and California Private Attorney General Act (“PAGA”) lawsuits, as well as single plaintiff cases with claims for wrongful termination, retaliation, discrimination, and harassment. Adam also represents clients prosecuting and defending trade secrets disputes. Adam regularly provides advice to C-Suite executives and General Counsel on complex employment law matters.

Among his recent notable successes, Adam obtained a complete defense verdict in a jury trial on allegations of disability discrimination and retaliation. Adam also prevailed in AAA single plaintiff arbitration involving race discrimination and retaliation. He obtained a similar result following a multi-day JAMS arbitration in a high-profile retaliation and RICO case brought against a large multinational client. Adam has successfully represented clients in more than 250 wage and hour class and PAGA actions, involving claims under the California Labor Code and the Fair Labor Standards Act.

Lecturing and Writing

Adam frequently lectures on employment law issues to in-house legal departments, frontline managers, trade associations and business and HR groups. Adam is one of only a handful of practicing employment attorneys invited to join the prestigious SHRM® Speakers Bureau.

In April 2020, along with Sheppard Mullin partners Richard Simmons and Brian Murphy, Adam co-authored the *Employer's Guide to COVID-19 and Emerging Workplace Issues* book (Castle Publications, LLC; ISBN: 978-1-940747-61-3). Adam's second book was released in May of 2021, *Managing Employees Without Fear: How to Follow the Law, Build a Positive Work Culture, and Avoid Getting Sued* (Society for Human Resource Management; ISBN: 1586446649). Adam is also a Co-Editor of the California Labor and Employment ALERT, a bimonthly newsletter that provides HR professionals and attorneys in-depth analysis of recent case law, statutes, and regulations impacting employers in California and across the United States.

Education and Other Activities

While in law school at UC Davis, Adam served as the sole student member of the University of California Board of Regents, where he championed student rights, affordability, and environmental issues on behalf of more than 250,000 University of California students. Prior to law school, Adam taught middle school History and English in Oakland, California as part of the prestigious Teach For America program. Adam is currently the Board Chair for the San Diego Region of the ADL—a leading civil rights organization.

Honors

Client Service All-Star, *BTI Consulting*, 2020

San Diego Rising Star, *Super Lawyers*, 2017-2019

Legal 500, Labor and Employment, 2017

AV Preeminent® Rated, Martindale-Hubbell

Articles

- Putting Your Litigation Story Into Action
Corporate Counsel, 12.01.2017
- How to Prepare Your Company's Litigation Story
Corporate Counsel, 11.30.2017
- How to Prepare: The Nuts and Bolts of Creating a Litigation Story
Corporate Counsel, 11.29.2017
- What Is a Litigation Story? Advice for GCs Preparing Their Company's Litigation Strategy
Corporate Counsel, 11.28.2017
- Talking Implicit Bias at Work
Daily Journal, 07.29.2016
- 3 Ways To Approach Class Waivers In Employment Agreements
Law360, 06.16.2016

Labor and Employment Law Blog Posts

- "Overview of Recent Updates for Employers in the Commercial Trucking Industry," May 28, 2020
- "The Cost and Burden of Discovery for California Employers Will Likely Increase in 2020," January 27, 2020

Books

Managing Employees Without Fear: How to Follow the Law, Build a Positive Work Culture, and Avoid Getting Sued

05.18.2021

Employer's Guide To COVID-19 And Emerging Workplace Issues: Year 2

02.2021

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

04.21.2020

Media Mentions

Ensure Discipline Is Well-Documented

Society for Human Resource Management, 06.14.2022

Events

SHRM Annual Conference & Expo 2022

New Orleans, LA, June 12-15, 2022

Managing Employee Risk in Your Hybrid Workplace

Webinar, 03.17.2022

SHRM Annual Conference & Expo 2021

How To Prevent Your Employees from Suing Your Company: A Candid Conversation About What Leads Disgruntled Employees to Become Plaintiffs and What HR Can Do to Prevent this from Happening

Las Vegas, Nevada, 09.11.2021

Walking the Tightrope: How to Build a More Diverse and Inclusive Workforce While Remaining Legally Compliant

08.18.2021

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

Webinar, 06.30.2021

Navigating COVID-19 Employment Issues In & Out Of The Office

Webinar, 11.19.2020

Litigation Avoidance and COVID-19: What Hotel Owners and Operators Can Do Now to Avoid Employment and Premises Liability Lawsuits

Webinar, 06.23.2020

Health and Safety Legal Considerations for COVID-19

Webinar, 05.26.2020

COVID-19 and the Law: What Companies Need to Know About The \$2.2 Trillion Stimulus Package
Webinar, 04.03.2020

Coronavirus & The Workplace: What Every Employer Needs to Know
Webinar, 03.23.2020

Labor & Employment Law Update & Happy Hour - San Diego
Fall 2019
Hyatt Regency La Jolla, 10.17.2019

Third Thursday Emerging Company Webinar Series
Ten Employment Law Mistakes Every Startup Should Avoid
Via GlobalMeet, 02.21.2019

Labor & Employment Law Update & Happy Hour - San Diego
Fall 2017 Seminar Series
11.02.2017

Breakfast With Your Labor Lawyer - San Diego
Spring 2017 Seminar Series
04.26.2017

Memberships

Member Emeritus, Board of Regents, University of California
Member, Board of Directors, Anti-Defamation League (ADL), San Diego Region
Former Member, Executive Committee, Board of Directors, Hillel of San Diego

Podcasts & Webinars

Nota Bene Podcast Episode 128: What Managers Need to Know About the Changing Employment Landscape
with Adam Rosenthal
06.02.2021

Ten Employment Law Mistakes Every Startup Should Avoid
02.21.2019

Practices

Discrimination, Harassment, and Retaliation
Labor and Employment
Labor and Employment Counseling
Labor and Employment Litigation
Unfair Competition and Trade Secrets

Wage and Hour Class Actions
Wrongful Termination

Industries

Financial Services
Healthcare
Nonprofit
Retail, Fashion & Beauty
Transportation
Trucking and Logistics

Education

J.D., University of California, Davis, 2006
B.A., University of California, Los Angeles, 2001, *cum laude*

Admissions

California
U.S. Court of Appeals, for the Ninth Circuit

Additional Office

Los Angeles