



Richard A. Paul

Partner

rpaul@paulplevin.com

PROFESSIONAL EXPERIENCE

- Paul, Plevin, Sullivan & Connaughton LLP, Partner, August 1998 – Present
- Gray Cary Ware & Freidenrich, 1973-1998

EDUCATION

- Stanford Law School, J.D., 1973
- Valparaiso University, B.A., with Honors, 1970; Distinguished alumni award, 2005

ADMISSIONS

- All California State Courts
- United States District Court; Northern, Eastern, Central and Southern Districts
- Ninth Circuit Court of Appeals

Rich Paul has been a fixture among California management employment lawyers for over 30 years, with a special emphasis on representing research and institutions of higher education, as well as community impact and other complex organizations, in transactions and litigation.

After graduating from Stanford Law School, Rich joined the Gray Cary firm, and became a partner and Chair of that firm's Employment Law Group. In 1998 Rich co-founded his own firm, Paul, Plevin, Sullivan & Connaughton, to continue focusing on private and public sector employment law issues for California employers and matters affecting high tech, research, higher education and arts and other community organizations.

Mr. Paul is a frequent lecturer on California and national employment law panels, having been an invited presenter in Chicago, Atlanta, New Orleans, Las Vegas, Scottsdale, Toronto, Washington, D.C., and other venues. He has served as an adjunct Professor of Employment Law at USD Law School for many years, and has been a regular lecturer at UCSD and a visiting lecturer at other law schools. He has served on a variety of Boards, including the Editorial Review Board for the California Employment Law Letters, and is past Chairman of the Board of The San Diego Blood Bank.

Mr. Paul has been named annually by his peers since 1987 as among "The Best Lawyers in America." He has also been ranked among the "Best Lawyers in San Diego" (*San Diego Magazine*), "Best Employment Lawyers in San Diego" (*San Diego Daily Transcript*), "San Diego Super Lawyers" (*New York Times Supplement*), "Best Labor and Employment Counsel in California" (*Corporate Counsel Magazine*), "Southern California Super Lawyers" (*L.A. Times*) and similar publications. In 2010 he was invited to become a Fellow in the prestigious national College of Employment and Labor Lawyers, and in October, 2010 was named as the single "Best Labor and Employment" lawyer in San Diego by the *Best Lawyers'* publication.

PUBLICATIONS: SELECTED ARTICLES

- Author, "Navigating Privacy in the Web 2.0 Universe" (LEAP, 2011)
- Author, "Academic Tenure Policies in a Changing Environment" (NACUA, 2011)
- Author, "Brave New Cyberworld Revisited" 27 Comp. & Internet Lwyr. 1 (2010)
- Co-Author, "City of Ontario v. Quon: New Insights into the Privacy Rights of Texting Employees" 2010 Bender's Cal. Lab. & Empl. Law Bull. 209, 227 (2010)
- Author, "An Employer's Guide to the Web 2.0 Universe: Regulating Employee Social Network Behavior" (ABA, 2010)
- Author, "Keeping Pace with the Face: Regulating Employee Social Network Behavior" (NACUA, 2010)
- Author, "Updating Tenure Policies in a Changing Environment" (NACUA, 2009)
- Co-author, "Brave New Cyberworld: The Employer's Legal Guide to the Interactive Internet" 24 Lab. Law. 109 (ABA, 2008)

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- Co-author, "Blogs, IM and MySpace" (Labor and Employment Advanced Practices Symposium, 2007)
- Author, "Wait—That's Privileged: Or is It?" (Nat'l. Assn. of College and Univ. Attys., 2007)
- Author, "Atmospheres and Environments: Can 'Warmed Up' Workplaces Survive the Chill of Correctness?" 29 T. Jefferson L. Rev. 77 (2006)
- Author, "Beautiful Minds: A Look at Mental Disabilities" (LEAP, 2004, updated for CALPELRA, 2010)
- Author, "Protecting Your Intangible Assets II: Non-Competition, Raiding, Non-Solicitation and Unfair Competition" (PPSC, 2000)
- Author, "Employee Civil Rights in the New Workplace" (The California Labor Letter, 2000)
- Author, "Protecting Your Intangible Assets: A Primer on Trade Secrets" (May, 2000)
- Author, "The Art of Analysis: Critical Thinking in Human Resources Assessments" (2000)

PUBLICATIONS: COURSEBOOKS, PROGRAM MATERIAL AND RECURRING PRESENTATIONS

- Course Materials, Employment Law and Technology (U.S.D. Law School, 2009)
- Course Materials, "Negotiations, Persuasion and Communication" (UCSD Extension, 2005-present)
- Course Materials, "Managing Academic Employment Issues" (October, 2000 and passim)
- Coursebook, Healthcare Human Resources Law (UCSD, 2000-present)
- San Diego Employers Association, Employment Law Annual Update (annually, 1983-present)

PUBLICATIONS: OTHER

- "126 Things I Never Got Around to Telling You" (2007)
- Collected Poetry, passim
- "Cradle to Grave: An Employment Drama in Six Acts" (2004)
- "The Art of Analysis in Practice" -- A Two Day Live Action HR Workshop (QUALCOMM, 2000)

SPEAKING ENGAGEMENTS: ACADEMIC

- Adjunct Professor, Employment Law and Technology, USD Law School (2009)
- Adjunct Professor, Employment Law, USD Law School (1996-2006)
- Guest Lecturer, First Amendment and Employment (University of San Diego School of Law 2007 ff.)
- Lecturer, Healthcare Fraud and Abuse, Cal. Western Law School (2008-2011)
- Panelist, Women and the Law (Ginzburg Lectures, T. Jefferson L. S., 2006)
- Lecturer, Nonprofit Management, USD Grad. School of Education (2004-2006)
- Lecturer, U.C. San Diego, various programs (1993-present)

SPEAKING ENGAGEMENTS: PROFESSIONAL

- Presenter, Web 2.0 (ABA, San Francisco, 2010)
- Featured Speaker, LEAP 2010: 6th Annual Labor and Employment Law Advanced Practices Symposium (April 21-23, 2010)
- Presenter, NACUA, Cyberissues (Washington D.C., 2010) Privacy and Privilege (Toronto, 2009)
- Lecturer, A History of Employment Law, UCSD Executive Program for Scientists and Engineers (February 8, 2010)
- Presenter, SDEA, Annual Employment Law Update (San Diego, January 20, 2010)
- Speaker, Labor and Employment Advanced Practices Symposia (Chicago, Las Vegas, Atlanta, New Orleans, Phoenix, Napa, Coronado, 2000-2009)
- Panelist, Employee Privacy Update 2009 (Amer. Corp. Counsel, 2009)
- Panelist, Cal. State Bar. L & E Section Annual Meeting (Fall, 2008)
- Presenter, Employment Law, Orange County Bar Ass'n (2008)
- Presenter, Employment Law, NABE, ABA Midwinter meetings (L.A., 2008)
- Panelist, Public Sector Employment Law, Council on Education in Management (2000); LEAP and PPSC (2005-2009); Reno, NV, (2007)
- Panelist, Managing a Work Force, California Labor Letters (San Francisco, Los Angeles and Orange County, various)
- Creator and Presenter, Conducting Effective Investigations, U.C.-wide training (Santa Barbara, 2000; ACCA, passim)
- Presenter, Investigating Claims of Corporate Wrongdoing: A Practical Look at Ethical and Professional Issues (SDCBA, 2000)
- Speaker, San Diego Employers Association Employment Law Update Seminars (1983-2008)
- Presenter, Department Chair Workshops: UCSD, UCI and Chapman University (passim)
- Invited lecturer, Genetic Testing (Enright Inns of Court, 2003)

OTHER

- Arbitrator and mediator, various
- Expert witness, various
- Trainer, Harassment Prevention; Fraud; Trade Secrets; Employment Law and Compliance; Art of Analysis; Motivating Employees; Executive Compliance; Communications, Negotiation and Dispute Resolution; other

REPRESENTATIVE MATTERS (FROM OVER 500 CASES)

Recent published appellate opinions of note:

- *Lachtman v. Regents*, Cal.Ct.App. 2007 (Academic right to dismiss)
- *Tran v. Superior Court*, U.S.D.C., S.D.Ca. 2007 (11th Amendment class action dismissal)
- *Hong v. Regents*, U.S.D.C., C.D.Ca. 2007 (Sec. 1983 Free Speech in employment)
- *Washington v. CSU*, Cal.Ct.App. 2004 (Tenure denial upheld)
- Defense of Title IX and other sports-related claims
- Defense of City Attorney and Universities in political and free speech cases