



Fred M. Plevin

Managing Partner

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EDUCATION

- Boston University School of Law, J.D. 1986, magna cum laude
- State University of New York, Albany B.S., Biology, 1983, cum laude

PROFESSIONAL EXPERIENCE

- Paul, Plevin, Sullivan & Connaughton LLP Managing Partner, August 1998 – Present
- Gray Cary Ware & Freidenrich Associate, 1986-1992; Partner, 1993-1998; Chair, Gray Cary Employment Services Practice Group (1998)

ADMISSIONS

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

Fred Plevin has specialized in serving employers throughout California for over 23 years. His practice consists of defending litigated employment claims for private and public sector clients, providing advice and counsel regarding a wide variety of employment-related issues, and conducting management training.

Mr. Plevin's litigation experience includes well over 250 employment cases for diverse clients such as the University of California, various California Superior Courts, Gateway, Qualcomm, Biogen Idec, LensCrafters, Vivendi Games, Mitchell International, Rubio's Restaurants, Chapman University and Pacific Western Bank. Mr. Plevin is an experienced trial attorney, with an excellent record in jury trials of employment matters including sexual harassment, employment discrimination, wrongful termination, fraud and related claims. He also has extensive experience in other employment-related claims, including trade secrets disputes and wage and hour class actions, in state and federal court.

Mr. Plevin applies his litigation experience to counsel California employers on the day-to-day issues that confront them. He advises employers on a wide variety of matters, including discipline and terminations, layoffs, wage/hour and leave questions, disability issues, the investigation of harassment and other misconduct, executive compensation issues, the adoption and application of employment policies, and employment and severance agreements.

Training is another important part of the firm's practice. Mr. Plevin regularly provides employment-related training, and has developed a seminar entitled "Seven Habits of the Frequently Sued Manager" that is popular with several leading San Diego companies

Mr. Plevin is a frequent speaker on human resources issues to groups such as the Society for Human Resources Management, the Compensation and Benefits Association, the Association of Independent California Colleges and Universities and the American Corporate Counsel Association.

Since 2005, Mr. Plevin has been selected by his peers to be included in *The Best Lawyers in America*, one of just a handful of San Diego employment attorneys that share this honor. In 2006 he was also named as one of San Diego's top labor and employment lawyers by the *San Diego Daily Transcript* and was highlighted by *The Recorder* and callaw.com as

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one of California's top employment lawyers not working at a "mega firm." He has also been listed in *Southern California Super Lawyers* and *The Best of the U.S.* attorney listings since 2007. In 2009, Mr. Plevin was in the top 50 *Super Lawyers* list for San Diego. He has achieved Martindale Hubbell's highest rating ("AV") for Legal Ability and General-Ethical Standards.

In 2009, Mr. Plevin was invited to become a Fellow of the Litigation Counsel of America, an invitation-only group of accomplished litigators from across the nation. Mr. Plevin is also a charter member of the Wage & Hour Defense Institute, a defense-side, wage and hour litigation group consisting of wage and hour litigators from all 11 federal circuits.

REPRESENTATIVE MATTERS

- Summary judgment for public entity in disability discrimination claim by bi-polar employee terminated for making threats
- Summary judgment for private university client in highly publicized [qui tam](#) action under the federal False Claims Act alleging fraudulent receipt of student aid funding
- Successfully opposed class certification in overtime class action involving software engineers
- Obtained a \$600,000 writ of attachment against former executive based on travel and expense abuses
- Successful trial of scientific misconduct charges to University Privilege and Tenure Committee and successful defense of related writ proceeding
- Favorable settlements of wage and hour class actions involving misclassification and/or meal and rest breaks
- Defense verdict in bench trial of race and discrimination claims by Employee Relations Manager of public entity employer
- Jury trial to defense verdict of national origin discrimination claim by a research scientist
- Jury trial to defense verdict of "hiring fraud" and Labor Code section 970 claims
- Jury trial to defense verdict of claims of hostile environment sexual harassment and gender discrimination
- Jury trial to partial defense verdict on claims of gender and age discrimination and retaliation in tenure denial of University professor
- Successful defense of claim in arbitration by former executive for contractual severance pay
- Summary judgment for employer in claims of breach of employment contract, national origin discrimination and harassment, and retaliation
- Summary judgment for public entity employer on race and age discrimination claim based on a refusal to hire
- Summary judgment for public entity employer on Labor Code section 1102.5 retaliation claim
- Dismissal of University professor's wrongful termination claim based on unsuccessful writ of mandate challenge to personnel action
- Dismissal of wage and hour class action against public entity employer based on Constitutional immunity
- Representation of employer in unfair labor practice proceedings on appeal to the National Labor Relations Board and in connection with representation election
- Development and preparation of employment agreement for Chief Executive Officer of pre-IPO technology company
- Training of management on issues of harassment, discrimination, and avoiding employment lawsuits
- Advice on employment issues arising from merger of public companies
- Advice on corporate-wide layoff for national company with operations in several states

RECENT PUBLIC SEMINARS

- Employee Privacy and Other Hot Button Issues Arising From the Era of Social Media (SHRM Law Day - January 2010)
- Investigating Employee Misconduct: Special Issues for Public Employers (2009 CALPELRA state-wide conference)
- Layoffs Without Lawsuits, (with Lee, Hecht, Harrison - April 2008; SHRM Law Day - January 2009)
- Dealing with Misclassified Employees (for SHRM Law Day) - January 2008
- Leave of Absence "Boot Camp" (for SHRM San Diego and American Corporate Counsel) - January and May 2007
- Investigating Employee Misconduct (for American Corporate Counsel Association) - May 2006
- 2003 - 2008 annual Employment Law Update (for San Diego Compensation and Benefits Association)
- Conducting Internal Investigations (for SHRM Law Day) - February 2006
- Complying the State and Federal Background Check Laws (for Association of Independent California Colleges and Universities) - December 2005
- Telework in the 21st Century (2006 PPS&C Workplace Law Update) - October 2005
- The Ten Most Common Employment Law Mistakes (for SHRM San Diego) - January 2005