



Kurt A. Franklin

Partner

Kurt focuses on overseeing complex, multi-party, class action, and civil rights and impact-litigation defense cases, regularly serving as lead counsel. In the private sector, he has represented franchisee groups and entire business communities in complex multi-party lawsuits. And in the public sector he has appeared before the California Supreme Court to represent more than 100 California cities and local government entities in an amicus effort.

Moreover, for almost 20 years, Kurt has advised businesses and state and local governmental entities about disability access laws. He is well versed in the Americans with Disabilities Act (ADA), the Unruh Act, the California Disabled Persons Act, Health & Safety Code sections 19955 et seq., the Fair Housing Act, the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the California Access Compliance Building Regulations (Title 24). Clients seeking Kurt's help include the State of California, special districts, law firms, transit systems, schools and colleges, a prominent theater, associations, a management group that oversees sports stadiums, a major sporting event authority, a major California racetrack, an animal preserve, restaurants, hotels, clubs, franchisees, commercial building owners, nationwide and local shopping center owners, hospitals and other health care providers, apartments, senior communities, general contractors, architects and others. When multiple defendants are sued by the same plaintiff, Kurt's complex-litigation background has led to unique large defense-side group representations that can help clients minimize defense-side attorneys' fees and costs.

Kurt also works with clients to develop disability-access preventative strategies that include training, preparing responses to informal complaints, coordinating with architects and Certified Access Specialists (CASPs), reviewing agreements with architects and contractors, reviewing lease and franchise agreements, reviewing purchase agreements, developing due diligence checklists, system wide audits, and review of insurance policies that might cover access claims.

Further, Kurt regularly advises California employers in wage-and-hour, trade secret, discrimination, harassment, retaliation, wrongful termination, whistleblower, traditional labor law, arbitration, collective bargaining, employee privacy, due process and government ethics. He has deep experience with public employee bargaining, public employee due process, the California Public Records Act, the Public Safety Officers Procedural Bill of Rights Act, the NLRA, RLA, and section 13(c) of the Federal Transit Act. In addition, Kurt serves as national employment

San Francisco

Hanson Bridgett LLP
425 Market Street, 26th Floor
San Francisco, CA 94105

415-995-5086 Direct Phone
415-995-3482 Fax

kfranklin@hansonbridgett.com

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counsel for a Silicon Valley based Fortune 500 company, including coordination of outside litigation counsel in other states.

Kurt serves on Hanson Bridgett's Management Committee.

Publications

"New Law Should Limit Disability-Access Litigation in California," co-author, *Labor & Employment Law Alert* (May 2016)

"The Defend Trade Secrets Act Opens Federal Courts To Claims Of Misappropriation Of Trade Secrets," co-author, *Labor & Employment Law Alert* (May 2016)

"Is Your Online Business Accessible To Persons With Disabilities?" co-author, *Technology Law Alert* (April 2016)

"What the Final New Airbnb Legislation Means for You, Your Tenants and Your Liabilities," co-author, *Land Use Law Alert* (October 2014)

"Governor Signs New Paid Sick Leave Law: Healthy Workplaces, Healthy Families Act of 2014 [AB 1522]," co-author, *Labor and Employment Law Alert* (September 2014)

"The NLRB General Counsel's Decision To Name McDonald's As A Joint Employer Threatens To Change The Franchise Model," co-author, *Labor and Employment Law Alert* (July 2014)

"Long Term Rules for Short Term Rentals," co-author, *SF Apartment Magazine* (June 2014)

"Reducing the Risk of an ADA Lawsuit," co-author, *Journal of the California Dental Association* (September 2013)

"Attack on Quick Service Restaurants - Escalating Campaign for Increased Minimum Wage and the Pending Fast Food Strike," co-author, *Labor & Employment Law Alert* (August 2013)

"As of June 1, 2013, Compliance Required for New Disabled Access Local Rules for Non-Residential Properties, Under San Francisco Administrative Code Section 38," *Hanson Bridgett Land Use Newsletter* (August 2013)

"Don't Become the Next Wage/Hour Target," *California Employer Daily* (November 2010)

"Do Aggressive Decisions Save Money?," *California Employer Daily* (November 2010)

"California Dreaming: 2008 ADA Amendments Make Federal Law More Like the Republic of California, Where Virtually Every Employee Can Claim a Disability," *Labor & Employment Law Update* (Winter 2008)

Presentations

"Elimination of Bias - ADA Compliance – Accessibility Issues," presenter, Land Use Fall 2018 Study Section Conference (November 2018)

"Sexual Harassment Preventing Training," California Special Districts Association (July 2018)

"ADA Compliance and Elimination of Bias in the Legal Profession," County Counsel's Association of California Probate and Mental Health Conference (October 2017)

"ADA Compliance & Elimination of Bias in the Legal Profession," County Counsel's Association of California Land Use Spring 2016 Conference (May 2016)

"Independent Contractor or Employee: Overview and Update," co-speaker, Hanson Bridgett Labor & Employment Seminar (January 2016)

"Meal Breaks and CA Sick Leave," co-presenter, Golden Gate Restaurant Association Webinar (June 2015)

"The Press is Downstairs and They Have Cameras," co-presenter, County Counsels' Association of California Annual Meeting (September 2014)

"Franchisor Liability Class Action Employment Claims - Consider Educating Franchisees on Risk, Mitigation, and Defense Strategy," GWFA Summer Meeting (June 2014)

"Social Media and Ethical Issues for Public Agency Attorneys," co-speaker, County Counsel Association of California – Land Use Spring Conference (May 2014)

"Elimination of Bias in the Legal Profession," co-speaker, County Counsel Association of California – Land Use Spring Conference (May 2014)

"ADA Compliance for Government Access Issues: Compliance, Risks and Strategies," County Counsel's Association of California (November 2013)

"Defending ADA Title III Lawsuits; Selected Laws and Strategies," Alameda County Bar Association (August 2013)

"Layoffs, RIFs, Severances and Releases: Making Your Releases Stick," Advanced California Employer Seminar (2007)

Press

"Surfer gang harassment allegations dismissed by Palos Verdes officials, records show," *Los Angeles Times* (May 2016)

"Allegations flowing in against the surfer gang of Lunada Bay," *Los Angeles Times* (April 2016)

"More surfers harassed by Bay Boys want to join lawsuit, attorney says," *Daily Breeze* (April 2016)

"Attorneys React To DOL Misclassification Guidance," *Law360* (July 2015)

Honors & Awards

Northern California Super Lawyers, Employment & Labor (2013-2017)

Professional Affiliations

The Bar Association of San Francisco, Labor and Employment Section

The American Bar Association

The Association of Business Trial Lawyers

Editorial Advisory Board for the California Wage and Hour Advisor (2007)

Education

J.D., University of San Francisco School of Law (1994)

B.A., University of California, Los Angeles (1988)

Admissions and Courts

California

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the District of Columbia Circuit

U.S. District Court for the Northern District of California

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Southern District of California