



Raymond F. Lynch

Partner

Ray has substantial litigation experience in state and federal trial and appellate courts. Ray's practice focuses on employment, labor and benefits litigation with an emphasis on defense of complex disputes. His practice includes class and other multi party actions. He has represented employers in the government, transportation, life sciences, utility, manufacturing, health care and financial industries. Ray's practice also includes litigating, commercial, unfair competition, trade secret and environmental cases.

He has argued matters before the Ninth Circuit Court of Appeals. He has tried cases in state and federal courts and before administrative agencies, including the National Labor Relations Board. Ray has successfully conducted numerous arbitrations and has extensive labor relations experience.

Ray counsels employers on the full range of employment law compliance and litigation prevention. With a master's degree in industrial relations and prior experience as a human resource manager, he brings a unique and valuable perspective to his legal practice.

Representative Work

Successfully resolved retiree health vested rights case in Federal District Court for the Northern District of California. *Sonoma County Association of Retired Employees v. Sonoma County* (2017) See, 708 F.3d 1109 (9th Cir. 2013); *Retiree Support Group of Contra Costa County v. Contra Costa County* (2016).

Successfully obtained summary judgment of putative class action case alleging employee misclassification as preempted by the Federal Aviation Administration Authorization Act. *Elijahjuan, et al. v. Mike Campbell and Associates Logistics, et al.*, Los Angeles Superior Court (2014)

Obtained dismissal of unfair labor practice charges following administrative trial, affirmed by NLRB and Ninth Circuit Court of Appeal. *Int'l Longshore & Warehouse Union v. NLRB*, 363 Fed. Appx. 488 (9th Cir. 2010)

Successful defense of class action pension case following bench trial. *George Mathews, etc., et al. v. Ventura County Employees' Retirement Association, and County of Ventura*, Ventura County Superior Court, CIV 220607

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Practices/Industries

Labor & Employment
Employee Benefits
Appellate
Litigation & Dispute Resolution
Class Actions
Transportation & Logistics
Public Sector Litigation
Employment Class Actions

Obtained dismissal of employment discrimination case on summary judgment subsequently affirmed by Ninth Circuit Court of Appeal. *Surrell v. California Water Service Company*, 518 F.3d 1097 (9th Cir. 2008)

Successful defense of sexual harassment case against employer and CEO following two week arbitration. The award was confirmed by a superior court.

Publications

"Big Changes on the Way: What You Need to Know about the Joint Employer Rule" co-author, *Industry Week* (August 2018)

"Courts Split On Pension Vested Rights Analysis," co-author, *Employee Benefits Alert* (March 2018)

"California Supreme Court Confirms that Labor Code Section 226.7 and IWC Wage Order No. 4 Prohibits On-Duty and On-Call Rest Periods," co-author, *Labor & Employment Law Alert* (December 2016)

"Class Action Waiver Split May Go Up," co-author, *Daily Journal* (September 2016)

"Ninth Circuit Invalidates Class Action Waiver As Violating Employees' Right To Engage In 'Concerted Action,'" co-author, *Labor & Employment Law Alert* (August 2016)

"McDonald's On The Hook For Class Certification Of Wage And Hour Claims Under Ostensible Agency Theory," co-author, *Labor & Employment Law Alert* (July 2016)

"*Montanile*: A Cautionary Tale For ERISA Plans," co-author, *Litigation & Dispute Resolution Alert* (January 2016)

"Looking Ahead After NLRB Joint Employer Ruling," co-author, *The Recorder* (September 2015)

"Tough Times Ahead For Transit Cos. After New NLRB Test?" co-author, *Law360* (September 2015)

"NLRB Imposes Broad New Joint Employer Standard," co-author, *Labor & Employment Law Alert* (September 2015)

"A Favorable Light on FAAAA Preemption," co-author, *The Transportation Lawyer* (August 2014)

"Employment Law Roundtable," *California Employment Law Magazine* (Summer 2006)

"Who's The Boss? Defeating Joint Employment Allegations Early In Employment Litigation," co-author, *The Transportation Lawyers Association* (August 2010)

"Class Actions after AT&T Mobility," *Daily Journal* (July 2012)

Presentations

"Mock Mediation and Alternative Dispute Resolution," American Trucking Associations Forum for Motor Carrier General Counsel (July 2017)

"Brace for Impact: Wage and Hour Challenges for 2016," co-speaker, ATA Litigation Center's Forum for Motor Carrier General Counsel (July 2016)

"Brace for Impact: Wage and Hour Challenges for 2016", moderator, ATA Litigation Center's Forum for Motor Carrier General Counsel (July 2016)

"Legal Update," co-speaker, Western Pension & Benefits Council San Francisco 2016 Spring Conference (May 2016)

"Federal and California Wage and Hour Developments," co-speaker, Hanson Bridgett Labor & Employment Seminar (January 2016)

"To Have and Have Not – FAAAA Preemption," co-speaker, American Trucking Associations Forum for Motor Carrier General Counsel (July 2014)

"Current Developments on Pension and Benefits," co-presenter, MLI Conference Boalt Hall (February 2014)

"Independent Contractor Classification Issues in Trucking Industry," California Trucking Association Meeting (January 2014)

"Wage and Hour Pitfalls," HR Compliance Roadmap Seminar (January 2014)

"The Contours of Preemption under the FAAAA," American Trucking Association Litigation Forum (July 2013)

"Compliance and Avoiding Pitfalls of Wage and Hour Errors," AGC of California Annual Legal Retreat (October 2011)

"Pension Reform: What's on the Horizon," MMANC Winter Forum (February 2011)

"Wage and Hour Class Action Lawsuits Against Assisted Living Communities," co-presenter, CALA Webinar (April 2010)

"Family Feud: Managing Employee Relations," American Trucking Association Litigation Forum (July 2009)

"Meal and Rest Break Litigation—Brinker and Beyond," Association of Corporate Counsel (September 2008)

Judicial Clerkships

Law Clerk, National Labor Relations Board Administrative Law Judges

Extern to the Honorable Eugene F. Lynch, United States District Court for the Northern District of California

Education

J.D., *cum laude*, University of California, Hastings College of the Law

M.A., University of Minnesota

B.A., University of Minnesota

Admissions and Courts

Raymond F. Lynch
Partner



California

U.S. Court of Appeals for the Ninth 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