HansonBridgett



Raymond F. Lynch

Partner

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Firm Leadership
Employee Benefits Litigation Practice Co-Leader

Areas of Focus

- Employee Benefits Litigation
- Labor and Employment
- Employee Benefits
- Appellate
- Litigation and Dispute Resolution
- Class Actions
- Public Sector Litigation
- Employment Class Actions

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Ray has substantial litigation experience in state and federal trial courts. He has tried court, administrative and arbitration cases. He has been lead counsel in approximately eighteen appellate cases with more than ten oral arguments in California state appellate courts and the Ninth Circuit Court of Appeals.

Ray focuses on employment, labor and benefits law. He has deep experience as lead counsel in class action wage and hour and pension cases, PAGA actions and other multi- party cases. He has represented clients in a broad spectrum of industries including utilities, transportation, health care, technology, manufacturing, bio-tech and financial industries. Ray has also frequently represented California counties and cities in complex litigation matters. In addition, he has been lead counsel representing clients in environmental, trade secret, insurance, and contract disputes.

With a master's degree in industrial relations and prior experience as a human resource manager, Ray brings unique experience to his employment law counseling, compliance risk management and litigation prevention.

Representative Work

Successfully defeated class certification in a case brought by County Sheriffs, Firefighters and Probation Employees. See *Imperial County Sheriff's Assoc., et al., v. County of Imperial, et al.*, Imperial County Superior Court (2019).). The class certification has been remanded. *Imperial Cnty. Sheriff's Ass'n v. Cnty. of Imperial*, 87 Cal.App.5th 898, 303 Cal. Rptr. 3d 875

(Cal. Ct. App. 2023)

Successfully obtained judgment for Stanislaus County following a court trial in *Michael R. O'Neal, et al. v. Stanislaus County Employees' Retirement Association, et al*., Stanislaus County Superior Court (2019). The case was appealed and won. See *O'Neal, et al. v. Stanislaus County Employees' Retirement Assoc.* (2017) 8 Cal.App. 5th 1184; *O'Neal, et al. v. Stanislaus County Employees' Retirement Assoc.,* WL 5817325 (Cal.App. 5 Dist., Dec. 08. 2021, *unpublished* – review denied Mar. 16, 2022)

Mitra Richter v. T-Mobile USA, Inc., et al., SACV20-00396-JVS (ADSx) (C.D. Cal. Oct. 4, 2021).

Contra Costa County Sheriff's Association v. County of Contra Costa, et al., CCC Sup. Ct., Case No. N19-0097 (Jan. 12, 2019)

Successfully resolved retiree health vested rights class cases 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. The judgement was reversed on appeal, remanded, and subsequently successfully resolved. *Hireem Elijahjuan, et al. v. Mike Campbell and Associates Logistics, et al.,* B255533 (Cal. Ct. App. Nov. 4, 2015)

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 —>

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

"U.S. Supreme Court Finds That Individual PAGA Claims Can Be Compelled To Arbitration," Labor & Employment Law Alert (June 2022)

"New California Court of Appeal Decision Upholds Decisions Made By County Retirement System During Great Recession," Litigation Law Alert (December 2021)

"California Supreme Court Upholds Pension Reform Changes As Constitutional," co-author, *Employee Benefits Law Alert* (July 2020)

"Business Realities in the Age of COVID-19," co-author, *Seniors Housing Business* (June 2020)

"The CARES Act Increases Unemployment Compensation Coverage and the DOL Clarifies Exemptions to the FFCRA," co-author, *Labor & Employment Law Alert* (March 2020)

"CARES Loans Come With "Union Neutrality" Price Tag," co-author, *Labor & Employment Law Alert* (March 2020)

"Employer's Notification Requirements of Possible COVID-19 Exposure," co-author, *Labor & Employment Law Alert* (March 2020)

"Ignorance Is Bliss (If You Are an ERISA Plaintiff)," co-author, *Employee Benefits Law Alert* (February 2020)

"What Employers Should Know About California's Proposed Worker Classification Bill," co-author, *BenefitsPRO* (August 2019)

"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 Law 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)

Presentations

"Coronavirus: Key Issues for Employers," co-presenter, Hanson Bridgett Labor & Employment Webinar (March 2020)

"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 (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* UC Law San Francisco (Formerly UC Hastings) ()

M.A., University of Minnesota ()

B.A., University of Minnesota ()

Admissions and Courts

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