

## Elizabeth Staggs Wilson

Shareholder

Co-Chair, Class Action Practice Group

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## Focus Areas

Class Action

Wage and Hour

Litigation and Trials

## Overview

Elizabeth Staggs Wilson's practice focuses on the defense of private clients in the field of wage and hour class, representative, mass and single actions, as well as enforcement of arbitration agreements. She has successfully and efficiently defended more than 500 lawsuits alleging wage and hour violations, including multi-plaintiff, representative and class action lawsuits. She has also defended clients against claims of wrongful termination, discrimination, harassment, unfair competition, and theft of trade secrets. She has obtained favorable verdicts in two jury trials, multiple bench trials and arbitration.

As co-chair of Littler's National Class Action Avoidance and Defense Practice Group, she oversees the training and development of more than 250 counsel, as well as develops strategic initiatives to challenge the ever-growing body of pro-employee procedures and law enabling the expansion of class, collective, mass and representative complex actions brought against employers nationwide.

Elizabeth has handled cases in state and federal courts, as well as at the administrative level, including the following:

- In bellwether jury trial involving exempt misclassification claims of two grocery store managers, obtained two 11-1 jury verdicts in retailer's favor; verdict by Los Angeles County Superior Court jury set highly favorable precedent for hundreds of coordinated store manager misclassification claims against client that Elizabeth is currently defending in Los Angeles County Superior Court

- Successfully compelled plaintiffs mass action against restaurant client into individual arbitrations, defeated wage and hour and sexual harassment claims in the first of the matters to proceed to arbitration and leveraged results to resolve scores of remaining arbitrations for *de minimis sums*
- Successfully opposed certification of the Fair Labor Standards Act (FLSA) collective action for off-the-clock work; then obtained complete defense verdict in jury trial of the individual class representative's claims in U. S. District Court, Central District of California
- Obtained ruling of non-certification of all claims for property management company in case involving misclassification of property level employees in Los Angeles County Superior Court
- Defended assisted living facility against eight class actions with multiple sets of plaintiffs' counsel; in one action, successfully capitalizing on opposing counsel's dilatory tactics, successfully obtained a ruling of non-certification; the court not only found an absence of commonality and typicality, but also ruled that plaintiff's counsel was inadequate – a highly unusual finding
- Defended national healthcare provider in wage and hour class actions by successfully moving to dismiss class claims based upon the class representative's agreement to arbitrate only individual claims
- Defended hospital clients in wage and hour class actions regarding missed meal and rest periods and other wage payment issues
- Obtained appellate ruling enforcing media client's arbitration agreement with a class action waiver that was upheld by the California Supreme Court
- Defended several employers in cases involving alleged misclassification of independent contractors as employees, partially defeating class certification in one case and obtaining highly favorable settlements in several others
- Defended a national retailer in a wage and hour class action involving claims of misclassified exempt managers to a highly favorable resolution
- Successfully defended multi-plaintiff sexual harassment cases on behalf of employers in both the retail and media industries
- First-chaired arbitration for a children's product company defending against claims of pregnancy discrimination; the arbitrator issued a decision denying all liability
- Defended a start-up company against claims of fraud and breach of contract brought by a high-level executive seeking 50% ownership of the business
- Obtained summary judgment on behalf of an employer regarding claims of disability discrimination in a complex case of alleged joint employment with the U. S. government
- Obtained dismissal of an unfair business practices claim where a plaintiff sought to enjoin a Washington corporation from enforcing a non-competition agreement against a former California employee
- Extensively litigated a class action case under Titles II and III of the Americans with Disabilities Act (ADA); obtained injunctive relief on summary adjudication from a district court, which was upheld by the U. S. Court of Appeals for the Ninth Circuit; successfully opposed a petition for certiorari to the U. S. Supreme Court on the issue of Eleventh Amendment immunity
- Defended a Washington employer from a claim of fraud in the inducement by the company's former president who had relinquished a high-level position with a telecommunications company located in California; obtained summary judgment on the eve of trial; the judgment was upheld by the U. S. Court of Appeals for the Ninth Circuit

- Tried numerous cases before the California Division of Labor Standards Enforcement involving wage and hour disputes

In addition, Elizabeth regularly provides clients with practical advice to ensure compliance with the rapidly evolving field of labor and employment law, including the complex areas of wage and hour and leave laws. She assists clients with wage and hour audits. She crafts California and federal compliant wage and hour policies and procedures, including industry-specific meal period policies and waivers, and alternative workweek vote materials. She has developed particular experience in the healthcare field assisting hospitals and other healthcare facilities to comply with wage and hour laws.

Elizabeth has presented and trained professional groups on a myriad of employment-related topics including sexual harassment, leave law, wage and hour, disability accommodation and effective management.

Prior to joining Littler, Elizabeth was a partner at another firm.

## Professional and Community Affiliations

- Member, Pasadena Art Alliance

## Recognition

- Named, The Best Lawyers in America®, 2020-2025

## Education

J.D., Northwestern University School of Law, 1991

B.A., Harvard Radcliffe College, 1987, *magna cum laude*

## Bar Admissions

California

Illinois

## Publications & Press

### **A Lawsuit 'Field Day' Over Calif. Healthcare Worker Wage Hike**

*Law360 Employment Authority*

June 4, 2024

### **California Supreme Court Clarifies the Scope of "Hours Worked" Under California Law**

*Littler Insight*

April 1, 2024

**California Raises Health Care Minimum Wage, Expands to Affect More Positions**

*Littler Insight*

October 25, 2023

**Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers**

*Littler Press Release*

August 19, 2021

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Littler Press Release*

August 20, 2020

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Littler Press Release*

August 15, 2019

**Staffing Companies Face Potential Exposure for Interview Time**

*Littler Insight*

November 4, 2009

**New California Paycheck Law Aimed at Temp Industry Creates Risk for a Broad Range of Industries**

*Littler Insight*

February 18, 2009

**California Employment Law Deskbook, Co-Editor**

**Speaking Engagements**

**Autopsy of a Wage and Hour Class Action**

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2023

**Avoiding Government Liability When the Government Comes Knocking**

HR Law Conference, Palm Desert, CA

March 2003