

## Jody A. Landry

Shareholder

501 West Broadway  
Suite 900  
San Diego, CA 92101  
main: (619) 232-0441  
direct: (619) 515-1811  
fax: (619) 232-4302  
jlandry@littler.com



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## Focus Areas

Discrimination and Harassment  
Wage and Hour  
Class Actions  
Policies, Procedures and Handbooks  
Litigation and Trials

## Overview

In her practice, Jody A. Landry handles employment litigation matters of a broad variety, including both single plaintiff and class actions, that generally stem from claims of:

- Overtime misclassification
- Failure to provide meal/rest breaks
- Wrongful termination
- Sexual harassment
- Employment discrimination
- Retaliation
- Breach of contract
- Other wage and hour violations

Appearing in state and federal courts, she regularly handles class actions involving a variety of wage and hour issues arising under:

- Fair Labor Standards Act
- Fair Employment and Housing Act
- California Labor Code (and Wage Orders)
- Other California laws

Her notable litigation successes include obtaining defense jury verdicts in cases involving race discrimination/wrongful termination, disability discrimination, sexual harassment, retaliation and overtime pay. She also defeated a class certification on several alleged missed meal period claims.

Jody also handles administrative matters before California's Division of Labor Standards Enforcement and the Department of Fair Employment and Housing. She also spends a great deal of time advising and counseling clients on day-to-day human resource and personnel issues, including:

- Handbooks
- Discipline
- Termination
- Wage and hour matters
- Layoffs, pregnancy leave
- Family and medical leave
- Employment benefits

Her clients include retailers, service establishments and manufacturing operations.

Jody served on Littler Mendelson's Associate's Committee for six years and on the Firm Nominating Committee for eight years. In law school, she was a member of the *University of San Diego Law Review*.

## Selected Matters

Jody has litigated 100+ class and/or PAGA cases. Provided below is a sampling of wage and hour cases where Jody obtained favorable results for clients.

- In federal court, won summary judgment in a certified class of general managers for retail stores/restaurants for a travel store client.
- In federal court, defeated class certification on a meal period class action for a car rental business with respect to mechanics, the case was then transferred back to state court where class certification motion was refiled and it was defeated again. Plaintiff appealed and the denial of class certification was upheld on appeal.
- Defeated class certification on a meal and rest break class for a group of San Diego hospitals in a state court case. The case was appealed which required additional briefing on the class certification motion. The second motion for class certification was also defeated. Another appeal followed and the denial of class certification was upheld on appeal.
- Defeated class certification on a meal and rest period case for a different car rental business in a federal court action.
- Won a motion for summary judgment on a federal overtime exemption claim in a putative class/collective action in federal court with respect to claims adjusters for an insurance business. An appeal soon followed and the case resolved through an individual settlement.

- Convinced counsel in putative class action WARN case that claims were meritless and reached an individual settlement. The defendant was a technology company.

## Recognition

- Named, Lawyer of the Year, *The Best Lawyers in America*®, 2017, 2021
- Named, The Best Lawyers in America®, 2013-2022
- Named, Top Lawyer, Labor & Employment, *San Diego Magazine*, 2015
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*

## Education

J.D., University of San Diego School of Law, 1986, *magna cum laude*

B.A., Pacific Union College, 1983

## Bar Admissions

California

## Publications & Press

### **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

### **Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 15, 2018

### **Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 17, 2017

**Littler Shareholder Jody Landry Named a "Lawyer of the Year" in the 2017 Edition of the Best Lawyers in America®**  
August 29, 2016

**The Best Lawyers in America® Honors More Than 180 Littler Lawyers in Its 2017 Edition**  
*Littler Press Release*  
August 16, 2016

**Littler Attorneys Recognized in the Best Lawyers in America® 2016 Edition**  
*Littler Press Release*  
August 18, 2015

**Littler Attorneys Included in the Best Lawyers in America® 2015 Edition**  
*Littler Press Release*  
August 18, 2014

**California Law Extends Workplace Discrimination Prohibition to Stalking Victims and Imposes New Reasonable Accommodation Requirement**  
*Littler Insight*  
December 5, 2013

**Littler Attorneys Named in Best Lawyers in America® 2014 Edition**  
*Littler Press Release*  
August 15, 2013

**Best Lawyers in America® Names 164 Littler Attorneys to 2013 Edition**  
*Littler Press Release*  
September 7, 2012

**Employer's Right to Settle Disputed Claims with Individual Employees Affirmed**  
*Littler Insight*  
March 12, 2009

**Jody Landry Recommends Less Alcohol for Holiday Office Parties**  
*San Diego Business Journal*  
December 18, 2006

**Effective January 1, 2003, California Will Have Its Own WARN Law That Imposes Notice and Documentation Requirements That Differ in a Number of Respects From Its Existing Federal Law Counterpart**  
*Littler Insight*  
October 1, 2002

## Speaking Engagements

**Timely Talk About Wage and Hour Law Regular Rate Perils**

May 22, 2018

**Mastering the Exasperating: Navigating California's Leave of Absence Laws**

San Diego, CA

June 7, 2013