

# Daily Journal

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## LABOR & EMPLOYMENT

### Rising tide of joint employer lawsuits

#### EDITORS' NOTE

Who's an employer?

That is one of the most significant questions to emerge in the past year.

Whether in the context of franchised operations, independent contractors or staffing agencies, businesses across the country are puzzling over how regulators and courts will draw the line amid tectonic shifts in the global economy.

For the lawyers on the Daily Journal's list of top practitioners in California, employment has been and will remain one of the busiest areas of the law. Their accomplishments continue to boost the state's influence over the rest of the country.

In reviewing hundreds of nominations from law firms, alternative dispute resolution providers and others, we sought to recognize work that is having a broad impact on the legal community, the nation and society. We honor the best of them in these pages.

## California's Top Labor & Employment Lawyers

# Carney R. Shegerian

<b>FIRM:</b> Shegerian & Associates Inc.	<b>CITY</b> Santa Monica	<b>SPECIALTY</b> Plaintiffs' employment litigation
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specialist Shegerian. He thinks that settlements should be known in order to stop the bad conduct that led to the suit.

He put this into practice in December 2014 when he secured an \$8 million settlement for his client in a medical leave and cancer discrimination case. The plaintiff was terminated while she was receiving treatment for breast cancer. According to Shegerian, his client initially continued to work while going to chemotherapy, but when the chemo didn't work, she took a medical leave for additional treatment. She was fired from her position as a therapist during her medical leave.

"They were upset she was taking off time and like a lot of companies, they just did not want to accommodate her. They were tired of dealing with her medical issues," Shegerian said. The plaintiff was devastated by how she was treated, after receiving positive performance reviews throughout her tenure at the company, Shegerian said. *Dudley v.*

*Hathaway-Sycamores Child and Family Services, et al.*, BC500007 (L.A. Super. Ct., filed Jan. 28, 2013.)

"When an employer tells you you're bad, especially when dealing with a long-term employee, it's devastating, because people doubt themselves."

In another case, Shegerian won a verdict of \$26,106,664 for his client in an age discrimination suit against Staples Inc. and one of its subsidiaries in February 2014. According to Shegerian, it stands as the largest employment verdict awarded in Los Angeles.

His client was terminated for allegedly stealing a pepper from the on-site cafeteria. However Shegerian was able to prove that his employer wanted to get rid of the plaintiff due to his age. The case is on appeal.

"It was clear at trial that he paid for [the pepper]," said Shegerian. "It all just proved to be a fraud."

"I think it happens to be bad public policy to ever agree to confidentiality clauses," said single-plaintiff

— Hetert-Qebu Walters