



DORSEY™
DORSEY & WHITNEY LLP
USA CANADA EUROPE ASIA-PACIFIC



Southern California
(949) 932-3652 P
(949) 932-3601 F
massoumi.mandana@dorsey.com

(949) 932-3600 P

Mandana Massoumi

Partner

Mandana Massoumi is a partner in Dorsey's employment department and her practice is focused exclusively in this area of law. She represents employers at trial and arbitration on complex employment litigation, wage and hour class actions, multi-plaintiff and single plaintiff cases involving various employment claims, including discrimination and harassment, wrongful discharge, unfair competition, and misappropriation of trade secrets.

Mandana regularly advises a wide range of corporations—public and private, large and small—on labor and employment-related issues, including wage and hour matters under state law and the FLSA, unfair competition, reasonable accommodation under the Americans with Disabilities Act ("ADA"), the Family Medical Leave Act ("FMLA") and the Fair Employment and Housing Act ("FEHA"), protecting proprietary information, non-solicitation issues, and other related personnel matters. Mandana also designs and conducts wage and hour audits, investigations and training on every aspect of the employment relationship. She has given numerous presentations on a wide array of employment and management training and seminars.

Representative Work

- +‡ Advice, Training and Audits: Mandana designs and delivers employment and compliance training, wage and hour audits, and conducts independent investigations. She regularly advises employers on various California and federal employment laws, and provides strategic advice to ensure compliance.
- +‡ Litigation Defense and Dispute Resolution: Mandana's litigation practice emphasizes complex employment litigation and wage and hour class actions. Mandana has represented employers at trial and arbitration. She has also obtained summary judgment on numerous employment cases involving claims of wrongful discharge, discrimination, trade secret, harassment, wage and hour and other employment-related claims.
 - +‡ *Williams v. The Wiremold Company* – Represented client on age and disability discrimination claims; obtained defense verdict at arbitration.
 - +‡ *Allied North America Insurance Brokerage Corp. of California v. Woodruff-Sawyer* (USDC, No. Dist.) – Represented client in unfair competition, misappropriation of trade secrets, interference with prospective economic advantage claim. Obtained favorable resolution after start of trial.
 - +‡ *Perez v. Charter Communications* (USDC, Cent. Dist.) – Represented client in wrongful termination, race, disability and medical leave

discrimination claim. Obtained summary judgment for defendants on all claims.

- +* *Taylor v. Canon U.S.A., Inc.* (CA) – Obtained summary judgment on all counts, including claims for wrongful termination and sexual harassment.
- +* *Mendonca v. Charter Communications* (USDC, Cent. Dist.) – Represented client in wrongful termination and disability discrimination claim. After taking plaintiff's deposition, obtained devastating admissions and plaintiff agreed to dismiss his claims with prejudice.
- +* *Hernandez v. Charter Communications* (USDC, Cent. Dist.) – Represented client in sexual harassment and wrongful termination case. Successfully obtained adverse admissions from plaintiff and resolved case for nominal value.
- +* *Plount v. U.S. Bank* (LASC) – Represented client in disability discrimination and wrongful termination claim. Obtained significant adverse admissions and resolved case for nominal value.
- +* *Mondragon v. ATK* (USDC, Cent. Calif.) – Represented client in wrongful termination and disability discrimination claim. After taking Plaintiff's deposition, Plaintiff agreed to dismiss his claim.
- +* *Wittenburg v. Glidden Company* (LASC) – Obtained summary judgment on all counts, including claims of wrongful termination and unfair competition.

Class Action Litigation

Mandana has extensive experience in defending against class action litigation involving claims of misclassification, off-the-clock work, failure to pay overtime wages, failure to provide meal and rest breaks, and other employment related claims alleged pursuant to California wage and hour laws, California Business and Professions Code Section 17200, et. seq. , and the FLSA. Mandana has successfully won motion to strike class allegations, obtained an order denying class certification, and won motion to limit statute of limitations on various class action cases. A sample of Mandana's wage and hour class action experience includes:

- +* *Jennings v. Mattress Gallery*
- +* *Mitchell v. Dardin Restaurants*
- +* *Levine v. 24 Hour Fitness*
- +* *Coleman v. Toys R'Us*
- +* *Reed v. Sunrise Healthcare*
- +* *Everrett v. Borders Books*
- +* *Rodriguez v. Gate City*
- +* *Barrera v. Ruby's Diner, Inc.*
- +* *Mancuso v. Dardin Restaurants*
- +* *Seewoster v. 24 Hour Fitness*
- +* *Diltz v. Macy's West*
- +* *Minor v. Sun Health*
- +* *Fletcher v. Toro*
- +* *Peru v. Gate City*

Recent Results

- +* *King v. Merrill Corporation* (LASC) – Won motion to strike all class and representative allegations in meal and rest break class action.
- +* *Narouz v. Charter Communications* (USDC, Cent. Dist.) – Court denied

plaintiff's motion for class certification (appeal pending before the Ninth Circuit). Won motion to strike limiting statute of limitations on meal break and itemized wage statements to only one year (instead of three).

Admissions

- +* California
- +* The United States District Court for the Northern, Central, Southern and Eastern Districts of California
- +* The United States Court of Appeals for the Ninth Circuit

Honors

- +* Recognized as a "Rising Star," by the Los Angeles Magazine, 2010
- +* Recognized as the Labor and Employment Law Contributor for Orange County by the Los Angeles Daily Journal, 2009

Education

- +* University of San Francisco School of Law
J.D., 1997, Moot Court Board of Directors, Moot Court Honors
- +* University of California, San Diego
Economics & Political Science (Dual Degrees), 1993, Dean's Honors

Presentations

- +* Workplace and Employment Law Updates, Employers' Group, 2008
- +* Clear and Present Danger: New Threats from Wage & Hour Class Actions, Corporate Counsel Symposium XVIII Dorsey & Whitney, October 2007
- +* You're Fired! The Apprentice Meets Retaliation, Washington State Council, 2007 Employment Law & Legislative Conference
- +* Golden State in the Apple Orchard: California Law for Non-California HR Professionals, Washington State Council, 2007 Employment Law & Legislative Conference
- +* Conquer the Changing Workplace: Workplace Employment Updates, Employer's Group, 2006
- +* Survival Guide For Employers on the Left Coast, Minnesota Employment Law Counsel, 2005
- +* Updates in California Law, Dorsey & Whitney LLP, 2005 to present
- +* Privacy Potholes When Investigating Employee Conduct, Dorsey & Whitney LLP, 2005
- +* Quirky Questions and Updates on California Employment Law, Dorsey & Whitney LLP, 2005
- +* Understanding Workplace Leave Laws: ADA, FMLA, FEHA, PDL, Council on Education in Management, 2003-2004
- +* Employment and Labor Law Issues, Lorman Educational Series, 2001
- +* Speaker, San Francisco Bar Association Lunch Seminars, 2000
- +* Trainer, Sexual Harassment Prevention Training, 2001 to present
- +* Trainer, Preventative Workplace Strategies for Managers, 2003 to present

Attorney Articles

- +* [The California Supreme Court Limits the "Stray Remarks" Doctrine and Rejects Private Right to Sue on Tip Pooling](#), August 11, 2010
- +* [Top 5 Decisions by the California Supreme Court in 2009](#), February 9, 2010
- +* ["The Ninth Circuit's Recent Focus on Wage and Hour Cases: Providing Employers With Further Guidance In Defending Against Wage and Hour](#)

- Litigation," LA Daily Journal, October 29, 2009
- +‡ Whistleblowing While You Work, LA Daily Journal, September 9, 2009
 - +‡ "Managing the Challenges of Layoffs and Reductions in Force," Orange County Business Journal, April 1, 2009
 - +‡ "Lessons from 2008: Update and Communicate," Los Angeles Daily Journal, January 2, 2009
 - +‡ "Greasing Global Palms," Los Angeles Daily Journal, April 21, 2008
 - +‡ "Trading Spaces," Los Angeles Daily Journal, March 3, 2008
 - +‡ "New Year's Solutions for Employers," Los Angeles Daily Journal, January 4, 2008
 - +‡ The Wage-and-Hour Class Action Epidemic, Workforce Magazine, January 2008
 - +‡ The Wage-and-Hour Class Action Epidemic, Employment Law 360, December 4, 2007
 - +‡ California Supreme Court Rules in Favor of Employers on California Disability Discrimination Law and Bonus Plans, Employment Law Update, August 2007
 - +‡ California Courts Warn Employers: Train Your Managers!, Orange County Business Journal, July 2007
 - +‡ Washington Law Amended to Add Sexual Orientation to List of Prohibited Categories of Discrimination, Counsel to Counsel Labor & Employment Law Alert, Lexis/Nexis, February 2006
 - +‡ Updates in California and Ninth Circuit Law, Labor & Employment Law Update, August 2005
 - +‡ Immediate Need for Sexual Harassment Training in Light of California's Supreme Court Decision Expanding the Scope of California's Sexual Harassment Law, July 2005