LCW LIEBERT CASSIDY WHITMORE

Suzanne Solomon

Of Counsel

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Suzanne Solomon is an experienced trial lawyer who has represented public entities, private companies and individuals in a wide range of employment disputes for more than 18 years. At Liebert Cassidy Whitmore, Suzanne's litigation practice focuses on defense of single- and multi-plaintiff employment claims for discrimination, retaliation, harassment, violation of wage and hour laws, due process, First Amendment retaliation, and numerous other tort and statutory employment law claims.

Before joining LCW's San Francisco office, Suzanne was a partner with a San Francisco firm and focused her practice on litigation of employment and class action matters. She has tried cases before judges and juries in both state and federal courts. She also has extensive experience representing law enforcement agencies, including winning summary judgment of discrimination claims made against Police Departments and command staff. Suzanne has also handled appellate matters in state and federal courts, including a case of first impression in the Ninth Circuit Court of Appeals regarding the criteria courts may use in deciding whether to grant interlocutory review of class certification decisions.

Suzanne regularly advises governmental agencies on all aspects of employment law, including employee discipline, leave laws, Americans with Disabilities Act compliance, and investigating and responding to discrimination complaints. Her practice has included developing and presenting management training on such subjects as due process, reasonable accommodation, privacy, and prevention of discrimination.

Education

JD, University of California, Hastings College of Law
BA, New York University

Legal Expertise

Education Law
Employment Law
Investigations
Litigation Services
Public Safety

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Representative Matters

Appellate:

Washington v. Contra Costa County Housing Authority et al. (2013) - After LCW obtained summary judgment in Contra Costa County Superior Court in favor of the Housing Authority and an individual defendant, defeating a sexual harassment claim brought by a male maintenance worker against a female manager, the employee appealed. The First Appellate District affirmed the judgment on behalf of both defendants and awarded the Housing Authority and the individual defendants their costs on appeal.

Warner et al v. City of Citrus Heights, et al (2010) - Employment discrimination lawsuit in the California Court of Appeal. The plaintiffs claimed that the City rejected them from probation because of their sexual orientation, and claimed that the Police Department's internal investigation into their misconduct was harassment. The Court of Appeal agreed with our arguments that the Police Department's use of its internal investigation procedure and its resulting decision to reject the plaintiffs from probation was protected activity under the Anti-SLAPP statute (CCP section 425.16) and ordered the plaintiffs to pay the City's attorneys' fees in the Court of Appeal and Superior Court.

Litigation:

Lake v. City of Hercules (2013) - Obtained summary judgment in favor of the City in a case where Plaintiff, a female police officer, lied to her Police Chief in order to obtain approval to purchase an assault weapon. After the City terminated her employment for dishonesty, she sued the City, alleging that the termination was based on her gender, disability, and protected activity. She also alleged that she had been harassed based on her gender and disability.

Galos v. City of Sunnyvale (2013) - Obtained summary judgment in favor of City on Plaintiff's claims that he was denied a reasonable accommodation of his disability and harassed based on his disability. He also claimed that he was retaliated against for complaining to the City's Human Resources Department and the DFEH.

S. Cuevas v. City of Campbell et al. (2012) - Successfully defended a writ of mandate filed in Superior Court by a former police officer asking the court to order a city police department to reinstate the former officer. A city police officer was disciplined during his probationary period with a three day suspension for maintaining contacts with persons known to engage in criminal activities.

Balestrieri et al. v. Menlo Park Fire Protection District (2012) - Wage and Hour lawsuit in the United States District Court for the Northern District of California. Obtained summary judgment in District's favor of firefighters' claims that District should have compensated them for travel time, and should have paid overtime for cashouts the District made to firefighters for unused leave time.

Washington v. Contra Costa County Housing Authority et al. (2012) - Obtained summary judgment in Contra Costa County Superior Court in favor of Housing Authority and individual on sexual harassment claim brought by male maintenance worker against female manager.

Hancock v. Plumas County (2012) - Obtained summary judgment in Plumas County Superior Court in favor of County and three individual supervisors who the employee had claimed harassed and discriminated against her based on her disabilities, age and gender. The employee also claimed that her

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layoff was discriminatory.

Domingo v. City of Sunnyvale (2012) - Obtained summary judgment in favor of City on Plaintiff's claims that he was discriminated against and harassed based on his race and medical condition. He also claimed that he was retaliated against for complaining to the City's Human Resources Department and the DFEH.

Woodford v. City of Colfax et al. (2011) - Obtained summary judgment in Placer County Superior Court of an employee's claim that his layoff following the elimination of his position was discrimination for filing worker's compensation claims.

Tamara Warner et al. v. City of Citrus Heights et al. (2010) - Plaintiffs, two police sergeants and a police officer, alleged that they were harassed based on their sexual orientiation and released from probation because of their sexual orientation. They asserted claims against the City for harassment and discrimination and retaliation, and against the individual defendants (the chief, a commander and a lieutenant) for harassment and emotional distress. Defendants filed an anti-SLAPP motion arguing that the City's actions in investigating one plaintiff for dishonesty and releasing all of the plaintiffs from probation were official proceedings protected under the anti-SLAPP statute. The trial court denied the motion and Defendants appealed. The Court of Appeal found that the anti-SLAPP motion should have been granted as to the discrimination and retaliation claims because the City's conduct was protected under the anti-SLAPP statute and Plaintiffs had not established a probability of success on the merits.

Silva v. City of Los Altos (2009) - Obtained a summary judgment on behalf of the City of Los Altos in a case in which the Administrative Assistant to the Police Chief claimed that the Police Chief sexually harassed her.

Publications

Employment Testing: Avoiding the Pitfalls of Ricci v. DeStefano, *CPER Journal*, November 2009, with Cynthia O'Neill

New Amendments to the Americans With Disabilities Act, *HR News Magazine*, August 2009

Presentations

Difficult Conversations - NorCal ERC - San Ramon - October 24, 2013

Workplace Bullying: A Growing Concern - NorCal ERC - San Ramon - October 24, 2013

Performance Management: Evaluation, Documentation and Discipline - Mendocino County ERC - Ukiah - October 3, 2013

Workplace Bullying: A Growing Concern - Mendocino County ERC - Ukiah - October 3, 2013

Preventing Workplace Harassment, Discrimination and Retaliation, Workplace Bullying: A Growing Concern and Creating an Ethical Mindset - Midpeninsula Regional Open Space District - Los Altos - August 22, 2013

Preventing Workplace Harassment, Discrimination and Retaliation, Workplace Bullying: A Growing Concern and Creating an Ethical Mindset - Midpeninsula Regional Open Space District - Los Altos -

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July 31, 2013

Train the Trainer Refresher: Harassment Prevention - Liebert Cassidy Whitmore - Los Angeles - July 24, 2013

Legal Update Regarding Qualified Immunity for Law Enforcement Management - June 19, 2013

Legal Update Regarding Qualified Immunity for Fire Safety Management - June 18, 2013

Executive Level Briefing - Gold Country ERC - Elk Grove - May 9, 2013

Workplace Bullying: A Growing Concern - Gold Country ERC - Elk Grove - May 9, 2013

Public Service: Understanding the Roles and Responsibilities of Public Servants - Bay Area ERC - Fremont - May 8, 2013

Accommodating Bad Behavior: The Limits on Disciplining Disabled Employees - Bay Area ERC - Fremont - May 8, 2013

Investigations: The Cornerstone of Successful Litigation Defense - Liebert Cassidy Whitmore Annual Conference - Newport Beach - March 22, 2013

Public Safety Legal Update - Liebert Cassidy Whitmore Annual Conference - Newport Beach - March 21, 2013

Legislative and Case Law Update - County Counsels' Association of California Employment Law Spring 2013 Study Section Conference - Sacramento - March 7, 2013

Legal Update on Investigations, including the Faragher/Ellerth Defense and CA Specific Issues - Association of Workplace Investigators (AWI) Annual Conference - Oakland - November 2, 2012

Difficult Conversations - NorCal ERC - San Ramon - October 25, 2012

Prevention and Control of Absenteeism and Abuse of Leave - Napa/Solano/Yolo ERC - Vacaville - October 18, 2012

Workplace Bullying: A Growing Concern - Napa/Solano/Yolo ERC - Vacaville - October 18, 2012

Workplace Bullying: A Growing Concern - Bay Area ERC - Cupertino - October 11, 2012

Difficult Conversations - Bay Area ERC - Cupertino - October 11, 2012

Prevention and Control of Absenteeism and Abuse of Leave - San Joaquin Valley ERC - Stockton - October 4, 2012

Workplace Bullying: A Growing Concern - San Joaquin Valley ERC - Stockton - October 4, 2012

Preventing Workplace Harassment, Discrimination and Retaliation - City of Newark - Newark - July 27, 2012

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Preventing Workplace Harassment, Discrimination and Retaliation - City of Newark - Newark - July 25, 2012

Legal Updates and Q & A - California Special Districts Association General Manager Leadership Summit - Napa - July 17, 2012

Difficult Conversations - El Dorado Irrigation District - Placerville - June 26, 2012

Difficult Conversations - Bay Area Independent Schools Consortium - San Francisco - June 19, 2012

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