



Richard A. Paul

Partner

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Rich Paul has been a fixture among California management employment lawyers for over 30 years, with a special emphasis on representing research and institutions of higher education and technology, as well as community impact and other complex organizations, in transactions and litigation.

After graduating from Stanford Law School, Rich joined the Gray Cary firm, and became a partner and Chair of that firm's Employment Law Group. In 1998, Rich co-founded Paul, Plevin, Sullivan & Connaughton, LLP, to continue focusing on private and public sector employment law issues for California employers and matters affecting high tech, research, higher education, arts and other community organizations. He is an accomplished trial lawyer and a Master Barrister in the American Inns of Court.

Rich is a frequent lecturer on California and national employment law panels, having been an invited presenter in Chicago; Atlanta; New Orleans; Las Vegas; Scottsdale; Toronto; Washington, D.C.; and other venues. He has been an Adjunct Professor of Employment Law at USD Law School for 20 years, and has been a regular lecturer at UCSD and a visiting lecturer at other law schools. He has served on a variety of Boards, including the Editorial Review Board for the California Employment Law Letters; currently serves on the Board of Directors of the National Center for Conflict Resolution; and is past Chairman of the Board of The San Diego Blood Bank.

Rich has been named annually by his peers for inclusion in *The Best Lawyers in America*[®] since 1987. He has also been ranked among the "Best Lawyers in San Diego" (*San Diego Magazine*), "Best Employment Lawyers in San Diego" (*San Diego Daily Transcript*), "San Diego Super Lawyers" (*New York Times*), "Best Labor and Employment Counsel in California" (*Corporate Counsel Magazine*), "Southern California Super Lawyers" (*L.A. Times*) and similar publications. In 2010, he was invited to become a Fellow in the prestigious National College of Employment and Labor Lawyers.

Rich was selected as a 2014 "Lawyer of the Year" for Labor Law - Management in the San Diego area by *Best Lawyers*. Rich was previously named in 2011 as *Best Lawyers* "Lawyer of the Year" in Labor and Employment Law. Rich was ranked by Martindale-Hubbell as a Top Lawyer for 2016 and 2017 in the Labor & Employment Category as published in *San Diego Magazine*. He was just named a 2017 triple winner by *Best Lawyers*, being named by his peers as among the best in all three subspecialties in the same year (Employment Law, Labor Law and Employment Litigation).

Recent Representative Litigation Matters

- *Lachtman v. Regents*, Cal.Ct.App. 2007 (Academic right to dismiss)
- *Tran v. Superior Court*, U.S.D.C., S.D.Ca. 2007 (11th Amendment class action dismissal)
- *Hong v. Regents*, U.S.D.C., C.D.Ca. 2007 (Sec. 1983 Free speech in employment), aff'd 9th Cir., 2009
- *Washington v. CSU*, Cal.Ct.App. 2004 (Tenure denial upheld)
- Defense of Title IX and other sports-related claims

Education

- Stanford Law School, J.D., 1973
- Valparaiso University, B.A., with Honors, 1970
Distinguished alumni award, 2005

Professional Experience

- Paul, Plevin, Sullivan & Connaughton LLP,
Partner, August 1998 – Present
- Partner, Gray Cary Ware & Freidenrich, 1993 – 1998
- Partner, Gray Cary Ames & Frye, 1980 – 1993
- Associate, Gray Cary Ames & Frye, 1973 – 1980

Admissions

- All California state courts
- All United States District Courts in California
- United States Court of Appeals for the Ninth Circuit
- United States Supreme Court

Professional Activities

- Fellow, National College of Labor and Employment Lawyers
- Adjunct Professor of Law, University of San Diego School of Law, 1996-Present
- Faculty, National Employment Law Institute
- Master, William B. Enright Inn of Court
- Director, National Conflict Resolution Center
- Member, State Bar of California, Labor and Employment Law Section
- Member, San Diego County Bar Association, Labor and Employment Law Section

- Defense of City Attorney and Universities in political and free speech cases
- Defense jury verdicts for national company in discrimination case, for medical school in defamation case, for university in basketball coach termination case

Recent Speaking Engagements: Professional

- *The Crystal Ball*, PPSC Annual Employment Law Update, October 2017
- *Privacy and Information Security Issues for HR Managers*, PPSC Annual Employment Law Seminar, October 2016
- *Complex Retaliation and Whistleblower Issues*, NELI, San Francisco, 2016
- *A Deep Dive Into California's New Fair Pay Act – Key Issues, What to Expect, How to Prepare*, Association of Corporate Counsel, March 2016
- Panelist, San Diego Employers Association, Employment Law Update, 1984-2016
- National Association of Women Judges, 2014
- Featured Speaker, National Employment Law Institute, San Francisco, Vail, Washington, D.C., San Diego, 2013-2016
- National Association of College and University Attorneys, NACUA Annual Conferences, Toronto, San Francisco, Chicago, San Diego, Washington D.C., 2008-2013
- American Council on Education Panel & Policy Forums—*Prefer No Tenure ... Really*, 2012
- Featured Speaker, Labor and Employment Advanced Practices Symposium, San Diego, Scottsdale, Napa, Las Vegas, Chicago, Atlanta, New Orleans, 1997-2016
- *Web 2.0*, ABA, San Francisco, 2010; Los Angeles, 2008
- Presenter, California Department of Transportation statewide meeting, 2014
- Presenter, California Association of County Counsel, 2014

Speaking Engagements: Academic

- Faculty, National Employment Law Institute, 2013
- Adjunct Professor, Employment Law and Technology, USD Law School, 2009, 2012, 2015, 2016
- Adjunct Professor, Employment Law, USD Law School, 1996-present
- Adjunct Professor, Labor Law, USD Law School, 2015, 2016
- Guest Lecturer, First Amendment and Employment, USD Law School, passim
- Lecturer, Healthcare Fraud and Abuse, California Western School of Law, 2008-2015
- Panelist, Women and the Law, Ginzburg Lectures, Thomas Jefferson School of Law., 2006
- Lecturer, Nonprofit Management, USD Graduation School of Education, 2004-2006
- Lecturer, U.C. San Diego, various programs, 1993-present

Selected Publications: Articles

- *Navigating the Complexities of Whistleblowing and Retaliation*, Co-author, NELI, 2014-2016
- *New Developments in Speech, Protest and Privacy 2011*, NACUA, June 2011
- *Navigating Privacy in the Web 2.0 Universe*, LEAP, 2011
- *Academic Tenure Policies in a Changing Environment*, NACUA, 2011
- *Brave New Cyberworld Revisited*, 27 Comp. & Internet Lwyr. 1, 2010
- *City of Ontario v. Quon: New Insights into the Privacy Rights of Texting Employees*, Co-Author, 2010 Bender's Cal. Lab. & Empl. Law Bull. 209, 227, 2010
- *An Employer's Guide to the Web 2.0 Universe: Regulating Employee Social Network Behavior*, ABA, 2010
- *Keeping Pace with the Face: Regulating Employee Social Network Behavior*, NACUA, 2010
- *Beautiful Minds: A Look at Mental Disabilities*, LEAP, 2004; updated for CALPELRA, 2010
- *Updating Tenure Policies in a Changing Environment*, NACUA, 2009
- *Brave New Cyberworld: The Employer's Legal Guide to the Interactive Internet*, Co-author, 24 Lab. Law. 109, ABA, 2008
- *Blogs, IM and MySpace*, Co-author, Labor and Employment Advanced Practices Symposium, 2007
- *Author, Wait—That's Privileged: Or is It?*, Nat'l. Assn. of College and Univ. Attys., 2007
- *Author, Atmospheres and Environments: Can "Warmed Up" Workplaces Survive the Chill of Correctness?*, 29 T. Jefferson L. Rev. 77, 2006

Selected Publications: Coursebooks, Program Material and Presentations

- *Employment Law and Technology*, U.S.D. Law School, 2009, 2012, 2015
- *Negotiations, Persuasion and Communication*, UCSD Extension, 2005
- *Managing Academic Employment Issues*, October, 2000 and passim
- *Healthcare Human Resources Law*, UCSD, 2000-present
- *San Diego Employers Association, Employment Law Annual Update*, annually, 1983-present

Selected Publications: Other

- *126 Things I Never Got Around to Telling You*, 2007
- *Collected Poetry*, passim
- *Cradle to Grave: An Employment Drama in Six Acts*, 2004
- *The Art of Analysis in Practice, A Two Day Live Action HR Workshop*, QUALCOMM, 2000