



# Michael C. Sullivan

Partner

619-744-3655 | msullivan@paulplevin.com

Michael Sullivan has over 25 years of experience representing employers. He regularly advises his clients on wage and hour issues, leaves of absence, discipline and discharges, layoffs, conducting internal investigations, dealing with union activity, workplace safety issues, and regulatory compliance. His clients include Scripps Health; Qualcomm Incorporated; AT&T; University of San Diego; Brand Energy; Thomas Jefferson School of Law; Frontier Airlines; San Diego Blood Bank; San Diego Unified School District; California Western School of Law; Leidos, Inc.; and SAIC.

Mike also has extensive experience litigating employment cases. He has handled over 500 employment cases, including claims for wrongful termination, wage and hour violations, trade secrets violations, discrimination, whistleblowing, sexual harassment, and defamation. He has litigated class action lawsuits and claims brought by governmental agencies. He has tried over 25 employment cases before juries, judges, and arbitrators.

Mike also provides management training to clients on the full spectrum of employment issues. He has recently trained clients on conducting internal investigations, managing employees, sexual harassment, and proper classification of employees.

Mike served as an adjunct professor at the University of San Diego School of Law for 12 years, teaching Employment Law and Employment Discrimination. He is also a frequent lecturer on employment law issues for industry and human resources groups.

Mike has been selected annually by his peers since 2006 to be included in *The Best Lawyers in America*<sup>®</sup> and is the Editor-in-Chief of *Bender's California Labor & Employment Bulletin*. In 2005, *The Daily Transcript* named Mike as one of San Diego County's Top Attorneys in Labor and Employment. In April 2006, he was listed by *The Recorder* as one of the best employment lawyers in California not working at a "mega-firm." Most recently, Mike 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 also selected by *Best Lawyers* as the 2016 "Lawyer of the Year" for Labor Law – Management in the San Diego area. Mike was previously awarded "Lawyer of the Year" for Employment Law – Management in 2014. He has also been listed annually in *Southern California Super Lawyers* listing since 2007.

Mike is admitted to practice in all state and federal courts in California. He has received an "AV" rating from Martindale-Hubbell, which is the highest rating provided, based on the confidential opinions of members of the bar and judiciary.

## Recent Representative Matters

- Jury trial to defense verdict in first-of-its-kind jury trial on fraud claims against law school
- Achieved dismissal of wrongful termination lawsuit for public school
- Summary judgment for university in breach of contract and defamation lawsuit
- Achieved dismissal of Title VII lawsuit for public school
- Defeated class certification of multiple educational fraud cases
- Achieved dismissal of Title VII case for a university

## Education

- University of California, Berkeley, Boalt Hall School of Law, J.D., 1987
- University of California, Riverside, B.A., 1984, *magna cum laude*
- Judson Baptist College, A.S., 1981, *Highest Honors*

## Professional Experience

- Paul, Plevin, Sullivan & Connaughton LLP, Partner, August 1998 – Present
- Gray Cary Ware & Freidenrich, Partner, June 1997 – July 1998; September 1987 – February 1996
- Graham & James, Principal, February 1996 – June 1997

## Admissions

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

## Professional Activities

- Editor-in-Chief, *Bender's California Labor & Employment Bulletin*
- Member, San Diego County Bar Association, Labor and Employment Section
- Member, National Association of College and University Attorneys
- Member, California Society of Healthcare Attorneys
- Chair, San Diego County Bar Career Development Circle, 2015
- Career Development Mentor

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- Obtained anti-SLAPP judgment and fee award in defamation case
- Achieved dismissal of education fraud claims against educational institution
- Jury trial to defense verdict in national origin and race discrimination claims
- Jury trial to defense verdict of claims of sexual harassment, failure to prevent harassment, and intentional infliction of emotional distress
- Jury trial to defense verdict of Title VII discrimination claim based on national origin and/or gender relating to the termination of plaintiff's employment
- Judgment for defendant in \$12 million ERISA arbitration for defense contractor
- Summary judgment for employer on large class action age discrimination lawsuit in federal court
- Summary judgment for employer on high profile whistleblower lawsuit
- Jury trial to defense verdict of claims of disability and gender discrimination arising out of a layoff
- Summary judgment for employer on claims of fraud and breach of contract
- Summary judgment for employer on claims of breach of contract and age discrimination
- Jury trial to defense verdict of claims of national origin discrimination and defamation
- Bench trial to defense verdict of claims for wrongful termination in violation of public policy and retaliation
- Summary judgment for educational institution on claims of breach of contract and negligent misrepresentation
- Summary judgment for employer on stock option claim
- Successful union negotiations for client
- Obtained injunctions on workplace violence claim involving multiple employers
- Advised client to successful conclusion of audit regarding employee/independent contractor issues
- Advised client to successful completion of plant closing
- Successfully defended trade secret case and obtained attorneys' fees judgment for the client

## Recent Speaking Engagements

- *Discrimination and Harassment*, PPSC Annual Employment Law Seminar, October 2016
- Panel speaker *Love and Learning Collide: Faculty-Student Relationships Under Title VII and Title IX*, NACUA 2016 Annual Conference, June 2016
- *Employee Wellness Programs and the EEOC: What Changes Need to be Made to Your Wellness Program to Comply With the EEOC's New Rules?* 2016 Healthcare Provider Wellness Conference, HASC, June 2016
- UC San Diego Workshop Employment Law at Viasat, April 2016
- UC San Diego Workshop Employment Law at Viasat, October 2015
- *Employees on the Move: Dealing with Employee Mobility*, PPSC Summer Series Seminar, July 2015
- *New Developments*, PPSC Annual Employment Law Seminar, November 2014
- *Creative Recruitment & Retention in a Risky Environment*, PPSC Annual Employment Law Seminar, November 2014
- UC San Diego Workshop Employment Law at Viasat, October 2014
- *Employment Law Update*, San Diego Employer's Association, January 2014
- *The Interplay Between Peer Review and Employment Law*, California Society of Healthcare Attorneys' Fall Conference, November 2013
- *Dealing with Conduct Outside of Work*, PPSC Annual Employment Law Seminar, October 2013
- *New Developments*, PPSC Annual Employment Law Seminar, November 2012
- *Managing Employee Absences*, PPSC Annual Employment Law Seminar, November 2012
- Union avoidance training to clients in a variety of industries
- Provide sexual harassment training to clients in a variety of industries
- Provide employment law training and update to client's international human resources staff