



## George W Abele

Partner, Employment Law Department

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**George Abele** is a partner in the Employment Law practice of Paul Hastings and is based in the firm's Los Angeles office. He divides his practice among his employment advice and litigation, "disaster mitigation," and appellate practices. Mr. Abele's employment advice and litigation practice includes the representation of private and public employers in all aspects of employment law, including wage and hour class actions, wrongful discharge, discrimination, sexual harassment litigation, traditional labor arbitrations, and private arbitrations. He has particular experience in wage and hour class actions and PAGA representative actions. Mr. Abele also helps lead the firm's disaster mitigation practice, helping his clients undo or significantly reduce disastrous verdicts levied by California juries. His extensive appellate practice serves as a perfect complement to both practices. He is a frequent speaker on a variety of employment law topics.

### Recent Representations

- Obtained reversal on appeal of order granting summary judgment against wrongful death claimant. *A.G., a Minor, v. County of Los Angeles*, Case No. B282023 (October 1, 2018)
- Argued appeal obtaining affirmance of trial court order denying anti-SLAPP motion. *California Trucking Ass'n v. Labor and Workforce Development Agency*, Case No. G055185 (September 27, 2018)
- Successfully moved to dismiss wage and hour class action complaint as a matter of law prior to discovery.
- Successfully moved to dismiss PAGA representative action complaint as a matter of law prior to discovery.
- Obtained affirmance on appeal of summary judgment disposing of wrongful termination, defamation, and wage and hour claims.
- Successfully moved to compel arbitration of discrimination and wrongful termination claim.
- Obtained a complete defense judgment in a disability discrimination and failure

### Los Angeles

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### Practice Areas

Employment Law  
Employment Counseling and Preventive Advice  
Appellate Litigation  
Workplace Retaliation and Whistleblower Defense  
Employment Litigation  
Litigation

### Admissions

California Bar

### Education

UCLA School of Law, J.D.  
1990  
University of Virginia, B.A.  
1985

## George W Abele (Continued)

to accommodate trial on behalf of nationwide transportation company.

- Obtained writ of mandate staying, and ultimately reversing, trial court discovery order, thereby protecting client's attorney-client privileged material.
- Obtained appellate reversal of trial court ruling that had denied petition to compel arbitration.
- Defeated class certification on behalf of a major communications company whose retail store managers had claimed to be misclassified as exempt, asserting claims for overtime, missed meal and rest breaks, and other wage-and-hour violations.
- Obtained Ninth Circuit review and secured reversal of a remand order under the Class Action Fairness Act (CAFA) in a case involving a purported waiver by plaintiff of any recovery over the federal court jurisdictional threshold. *Rodriguez v. AT&T Mobility*, 728 F.3d 975 (9th Cir. 2013).
- Argued before California Supreme Court in *Kirby v. Immoos Fire Protection, Inc.*, 53 Cal.4th 1244 (2012).
- Sought to dismiss individual defendants from personal liability for penalties under the California Private Attorneys General Act. Cal. Labor Code section 2698 et. seq.
- Convinced a federal district court, just three weeks before trial, to decertify a class of over 1300 supervisors in a case plaintiff's counsel had valued at several hundred million dollars. *Marlo v. United Parcel Service, Inc.*, 251 F.R.D. 476 (C.D. Cal. 2008). Prepared the appellate court briefing in which the decertification was upheld. *Marlo v. United Parcel Service, Inc.*, 639 F.3d 942 (9th Cir. 2011).
- Took over a case for a nationwide financial institution against whom a California jury had awarded \$1.6 million in an age-harassment trial, and convinced the trial court to order a complete new trial. After plaintiffs appealed from directed verdicts entered earlier by the trial court, Mr. Abele persuaded the appellate court not only to uphold the directed verdicts, but (on a cross-appeal) to direct the trial court to order judgment notwithstanding the verdict, thereby avoiding the new trial altogether.
- Helped reverse an \$89.5 million verdict in favor of two individual plaintiffs who claimed to have been denied a promotion. Through briefing up to the California Supreme Court, Mr. Abele's team successfully obtained a new trial for the firm's client. *Lane v. Hughes Aircraft Company*, 22 Cal.4th 405 (2000).
- Argued numerous appeals in Ninth Circuit Court of Appeals and California Court of Appeal.
- Obtained numerous summary judgments in federal and state courts on individual plaintiff cases asserting various forms of discrimination and wrongful termination.

## George W Abele (Continued)

### Accolades and Recognitions

- Elected as a Fellow in The College of Labor and Employment Lawyers (June 2011).
- Selected of as a Top Labor & Employment Lawyer in California by the Daily Journal (July 2011).
- Selected for inclusion on the Best Lawyers in America and Super Lawyer listings each year since 2003.

### Publications

- Matthew Bender Practice Guide, California Wages and Hours (Abele & Wilcox, eds.) (Initial publication, October 2016; updated bi-annually)
- Matthew Bender, California Employment Law, Editorial Consultant (bi-annual updates)
- Matthew Bender, California Employment Law, Chapter 9: “Wage and Hour Class Actions” (author) (Wilcox, ed.)
- Rutter Group, California Practice Guide: Employment Litigation, Chapter 7: “Employment Discrimination – In General” (author) (Chin, Wiseman, Callahan & Exelrod, eds.)

### Recent Speaking Engagements

- National Employment Law Institute, Employment Law Briefing, “Developments In EEO Law” (March 24, 2019)
- National Employment Law Institute, Employment Law Conference, “Developments In EEO Law” (November 15, 2018)
- National Employment Law Institute, Employment Law Conference, “Developments In EEO Law” (November 1, 2018)
- National Employment Law Institute, Employment Law Update, “Developments In EEO Law” (July 12, 2018)
- National Employment Law Institute, Mid-Year Employment Conference, “Developments In EEO Law” (May 24, 2018)
- National Employment Law Institute, Mid-Year Employment Conference, “Developments In EEO Law” (May 10, 2018)
- Beverly Hills Bar Association, “The Latest Developments Regarding The California Labor Code Private Attorney General Act” (March 27, 2018)
- Client Presentation, “Responding to SOX and Dodd-Frank Whistleblower Claims” (October 31, 2017)
- National Employment Law Institute, Public Sector EEO & Employment Law Update, “Developments In EEO Law” (August 17, 2017)
- American Bar Association, “Class Action Waivers and Arbitration Agreements” (May 11, 2017)
- Beverly Hills Bar Association, “Twelve Years After – The California Labor Code

## George W Abele (Continued)

- Private Attorney General Act” (October 27, 2016)
- JAMS, “The Year In Review: Annual Employment Law Update” (October 6, 2016)
- Orange County Bar Association, “The Rising Tide of PAGA” (June 11, 2016)
- Beverly Hills Bar Association, “Eleven Years After – The California Labor Code Private Attorney General Act” (October 15, 2015)
- Santa Monica Bar Association, “California Labor Code Private Attorneys’ General Act” (November 14, 2014)
- Beverly Hills Bar Association, “Ten Years After: The California Labor Code Private Attorneys’ General Act” (April 30, 2014)
- Los Angeles County Bar Association, “Policing the Workplace: Advanced Seminar on PAGA Actions” (January 25, 2014)
- Client Teleconference, “We Did What? Bridging the HR – Legal Divide” (July 11, 2013)
- U.S. EEOC Training Seminar, “Top Five Steps To Avoid EEO Pitfalls” (November 8, 2012)
- BNA Webinar Series, “Appellate Lawyers In The Trial Court: Towards a Multiphase Litigation Strategy” (February 15, 2012)
- National Employment Law Institute, “Cutting Edge Wage-Hour Issues” (March 22, 2011)
- Client Roundtable, “Wage and Hour 360: From Compliance to Resolution” (February 10, 2011)
- American Conference Institute, National Forum on Wage & Hour Claims and Class Actions, “Collective and Class Action Certification Battles: Analysis of Recent Rulings, and Crafting a Strategy for Managing Large Scale Litigation” (January 31 - February 2, 2011)
- California State Bar, Labor & Employment Law Review, “Tip-Pooling Or Tip-Allocation? How the Law Applicable to Tip Policies Evolved in 2009.” (May 2010)
- Matthew Bender, California Labor & Employment Law Bulletin, “Stray Remarks May Not Be Deemed ‘Stray’: The California Supreme Court Clarifies the Role of Stray Remarks” (November 2010)

### Professional and Community Involvement

- President, California Supreme Court Historical Society
- Executive Committee, Council of Appellate Lawyers, ABA Judicial Division
- Treasurer, Appellate Courts Section, Los Angeles County Bar Association
- Member of the State Bar of California
- Member of the American and Los Angeles County Bar Associations

## George W Abele (Continued)

### Education

- University of Virginia, B.A. (with distinction), 1985
- UCLA School of Law, J.D., 1990

### News

#### June 05, 2013

Paul Hastings Extensive Practice Strength Highlighted in The Legal 500 United States 2013

#### August 16, 2010

Best Lawyers Names 91 Lawyers to 2011 Edition of Rankings

#### January 06, 2010

Paul Hastings Selected as The American Lawyers Labor & Employment Litigation Firm of the Year

#### June 17, 2008

Paul Hastings Attorneys Recognized as Super Lawyers and Rising Stars in Northern California, Southern California, Georgia, Illinois, New York and Washington, D.C.

#### November 10, 2006

Paul Hastings Elects Sixteen To Partnership

### Insights

#### May 10, 2019

Vazquez v. Jan-Pro Franchising Int'l, Inc.: More Than Just Retroactive

#### August 01, 2018

Prior Salary in Employment Decisions: California Changes and Attempts to Clarify Recent Salary History Ban and Fair Pay Act Legislation

#### November 06, 2017

A Tale of Two Governments: Ten New Laws Impacting Employers with Operations in California

#### May 12, 2017

## **George W Abele** (Continued)

California Supreme Court Answers Unsettled Questions Regarding California's  
"Day of Rest" Requirements

**July 02, 2015**

Department of Labor Proposes New Salary Thresholds for Overtime Exemptions  
and Seeks Comments on Duties Tests

**August 30, 2010**

California Supreme Court Clarifies the Role of Stray Remarks

**October 05, 2007**

New Guidance from the California Supreme Court on Incentive Compensation  
Plans and Authorized Deductions

**February 27, 2006**

Wage and Hour Law 2005 - The Year in Review

**June 01, 2001**

The California Department of Industrial Relations Issues Opinion Letter Limiting  
Employers' Right To Make Deductions From The Salaries of Exempt Employees

## **Rankings & Awards**

**January 02, 2013**

Law360 Awards - Top Practice Groups of the Year

**July 13, 2011**

Recognized by the Daily Journal as Top Labor & Employment Lawyers for 2011

**June 17, 2011**

The College of Labor and Employment Lawyers

**May 01, 2008**

Ranked 15 in the American Lawyer 2008 AmLaw 100 Survey