

THE 2020 D.C. LITIGATION DEPARTMENTS OF THE YEAR

Labor & Employment Winner

Gibson, Dunn & Crutcher

■ **DESCRIBE YOUR FIRM'S APPROACH TO LITIGATION AND YOUR STRATEGY FOR BUILDING SUCCESSFUL TEAMS FOR TRIALS OR OTHER MATTERS.**

We start with the basics: what is our client's objective, and how can we most efficiently and effectively achieve it? Our clients come to us for help with their most challenging, sensitive issues, and we work to solve them creatively and aggressively. We do that by putting the best team on the field for each situation, which is often a close partnership of appellate and trial litigators and other experts who work together across practice groups and offices with a single mission: serve our client. And we like our clients and each other and are passionate about our work.

■ **DISCUSS THE TWO BIGGEST LABOR AND EMPLOYMENT LITIGATION CASES YOUR FIRM WORKED ON IN 2019 AND HOW YOU REACHED SUCCESSFUL OUTCOMES.**

In April 2019, the [U.S. Court of Appeals for the] Second Circuit affirmed our summary judgment win for Credico in a leading independent contractor misclassification case. We pursued a novel strategy and successfully argued in the district court and on appeal that the outside sales exemption applied and that Credico could not be held liable under a joint employer theory. This built on our earlier [U.S. Court of Appeals for the] Third Circuit win for Enterprise Rent-A-Car in which the court adopted a new test for joint employer liability.

Our team also achieved a major victory on behalf of Ford Motor Co. in August 2019, in a highly publicized putative sexual harassment class action involving two Ford plants in Chicago. We convinced the court to deny the plaintiffs' second motion to certify a class of approximately 2,000 women. In its 70-page decision, the court adopted virtually all of the arguments we advanced.

■ **WHAT ARE THE MOST CHALLENGING AND SATISFYING ASPECTS OF YOUR WORK IN LITIGATION?**

Employment law involves people, and people are complicated. And the law of the workplace, particularly now, is constantly evolving. Helping our clients navigate this in a practical, common-sense way and working to shape the law on cutting edge issues are the most challenging and satisfying parts of what we do.



■ **WHAT IS THE MOST IMPORTANT PIECE OF ADVICE YOU'D SHARE WITH YOUNG LAWYERS?**

Find work you enjoy with people you like and can learn from. Be super responsive, practical and creative. Treat each client as your only one, and make their goals yours. And always focus on how you can help your teammates and clients.

Responses submitted by Jason Schwartz and Greta Williams, partners at Gibson, Dunn & Crutcher. Schwartz is co-chair of the firm's labor and employment practice and the firm's general counsel. Williams is a labor and employment partner and was recognized by the National Law Journal as a "Rising Star." Schwartz and Williams help lead a team who handle board and general counsel-level employment matters for many leading employers, they wrote.

firm facts

Number of Partners in Firm's Litigation Specialty Department in D.C.: 50
Number of Associates in Specialty Department in D.C.: 136
Number of Other Attorneys in Specialty Department in D.C.: 12
Number of Partners in Specialty Department Firmwide: 215
Number of Associates in Specialty Department Firmwide: 584
Number of Other Attorneys in Specialty Department Firmwide: 36
Percentage of Firm Represented by Specialty Department: 57.9%