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TOP 40 UNDER 40



MEGAN COONEY

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IRVINE

LABOR & EMPLOYMENT

In mid-2021, Megan Cooney stood up in a courtroom to try a case while her firm was considering her for partnership. The matter was *Ortiz v. Amazon*, where a former manager brought FLSA and California law claims alleging he and other managers were misclassified as exempt. Cooney's team defeated class certification and won summary judgment on the FLSA claims, leaving the PAGA claim for trial on a single question: whether the plaintiff had standing to pursue it, which turned on

his exempt classification. They won. "Litigating a case on paper is one thing; standing up in a courtroom and proving it is another," Cooney said.

Cooney has practiced labor and employment law for 13 years. "What drew me in — and what still keeps me here — is that these cases are about real workplace experience: how a policy actually plays out on the floor, shift to shift and person to person," she said. "You see it from both sides, what the company intended and how the employees lived it, and that gap is where the interesting legal questions live."

Her recent matters include *Williams v. Amazon.com Services LLC*, which tested whether exempt employees are entitled to meal periods such that a plaintiff can recover PAGA penalties absent any Labor Code damages. The plaintiff leaned on a California DLSE manual and claimed there was statutory "ambiguity." *Williams v. Amazon.com Services LLC*, 24STCV20692 (L.A. Super. Ct., filed Aug. 15, 2024).

"Given the standards to sustain a demurrer without leave to amend, we knew we had to argue black-letter law and legislative intent against a position that could have some surface appeal," Cooney said. Her team secured the first ruling among test cases dismissing the claims with prejudice, and other courts have since followed.

In the Lamps Plus matters, two related cases from the same former employee, Cooney's team moved to compel arbitration against a claim that a 20-year-old arbitration agreement was forged. With no eyewitness to the signing, they authenticated the agreement through circumstantial evidence and company testimony, and the courts granted both motions.

Cooney also argued *Piran v. Yamaha Motor Corp.*, U.S.A. before the Court of Appeal, which unanimously reversed a trial court's partial denial of a motion to compel arbitration, ordering the plaintiff's individual PAGA claim to arbitration under Viking River. *Piran v. Yamaha Motor Corp.*, G062198 (Cal. Ct. App. Feb. 8, 2024).

The court rejected the argument that the agreement contained a "wholesale" PAGA waiver.

Wage-and-hour and PAGA cases occupy much of Cooney's practice. "Getting into the weeds of what practices actually look like on the ground is critical," she said. "What we consistently find is that no two people have the same experience — let alone two shifts, departments, or facilities."

Cooney points to regular-rate litigation, misclassification questions, and PAGA strategy after Viking River and the 2024 reforms as ongoing trends, along with the role of AI in workplace decisions and the litigation it generates.