



## Kacey Riccomini

Partner

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### PRACTICES

- Business Litigation
- Labor & Employment Litigation
- Complex and Class Actions
- Real Estate Litigation
- Appellate
- Professional Liability
- Construction Defect
- Automotive
- Financial Services
- Information Technology
- Manufacturing

### EDUCATION

- Loyola Law School, Los Angeles, J.D., Cum Laude, Order of the Coif, 2013
- Loyola Marymount University, English & Political Science, Cum Laude, 2010

### EMPLOYMENT

- Thompson Coburn LLP Partner, 2022-Present Associate, 2017-2021
- Chapman, Glucksman, Dean, Roeb & Barger Associate, 2013-2017
- Judicial Intern to the Honorable Richard Fruin 2012

A dynamic litigator with a breadth of experience, Kacey creates and executes effective litigation strategies to address a variety of complex disputes. She advises a wide range of clients, from members of Fortune 500 and large privately-held companies to smaller businesses.

Aggressive, focused, and methodical in her approach, Kacey leads complex litigation that is practical and consistent with her clients' business goals and strategic objectives. She represents clients in state, federal and appellate courts as well as before various dispute resolution agencies. She has prevailed in state and federal courts at all stages of litigation, including trial, and has successfully arbitrated and mediated numerous cases before the AAA and other dispute resolution agencies.

Kacey is a talented writer who professionally publishes articles on various legal topics. She also serves on the editorial boards for two publications, Bender's Labor & Employment Bulletin and Bender's California Labor & Employment Bulletin.

Prior to joining Thompson Coburn, Kacey was an Associate at Chapman, Glucksman, Dean, Roeb & Barger, where her practice focused on professional liability for accountants and business managers, construction defect litigation for builders and developers, and insurance defense.

### Experience

#### • Business Litigation

Secured defense and award of over \$500,000 in terminating sanctions for real estate investment trust client facing millions of dollars in potential liability due to plaintiff's falsified business and accounting records.

Successfully defended and prosecuted claims on behalf of limited partner in dissolution action.

#### • Labor & Employment Litigation

Obtained a complete defense judgment at trial for a major telecommunications company against a former employee asserting wage an hour claims after the employee rested his case.

### COMMUNITY

- Bender's Labor & Employment Bulletin, Editorial Board, 2021-Present
- Bender's California Labor & Employment Bulletin, Editorial Board, 2021-Present

### RECOGNITIONS

- Super Lawyers, Rising Star
  - 2020-2023
- Law Fellow
  - University of California, Los Angeles, 2009

### ADMISSIONS

- California
- California USDC, Central District
- California USDC, Eastern District
- California USDC, Northern District
- California USDC, Southern District
- US Ct Appeals, 9th Circuit (AZ, CA, HI, ID, MT, NV, OR, WA, Guam, M. Isles)

### AFFILIATIONS

- American Bar Association
- Beverly Hills Bar Association
- Century City Chamber of Commerce, Women's Business Council
- Los Angeles County Bar Association
- Women's Law Association of Los Angeles

Achieved complete defense judgment for a major telecommunications provider in arbitration against a plaintiff seeking over \$10 million for disability discrimination claims.

Through targeted motions and cross-examinations, obtained early dismissal of individual wage and hour claims, and favorable settlement of additional class action claims.

As a result of favorable judgments in various matters and heavy-hitting strategies, obtained favorable or nuisance-value settlements of wage and hour, discrimination, and other employment claims for automotive, construction, real estate, landlord, fashion, restaurant, and other clients.

#### • **Complex & Class Actions**

Repelled aggressive opposing counsel and attained favorable settlement of class action and Private Attorneys General Act claims for construction, automotive, and other companies.

#### • **Real Estate Litigation**

Obtained favorable settlement for seller regarding enforcement of purchase agreement with respect to a large residential development.

Attained favorable judgments and settlements in prosecution and defense of commercial landlords and tenants.

#### • **Construction Defect**

Successfully defended construction defect claims on behalf of builders and developers and obtained indemnity from subcontractors, including in complex multi-party and class action suits.

Negotiated favorable pre- and post-lawsuit settlements of construction defect claims on behalf of commercial and residential builders and developers.

#### • **Appellate**

Obtained favorable appellate decision upholding court order denying motion to compel arbitration against client purchaser of large residential property.

#### • **Professional Liability**

Successfully defended accountants and attorneys in professional negligence actions.

Negotiated favorable and nuisance-value settlements of professional negligence claims for accountants and attorneys through aggressive litigation tactics.

### Publications

- Co-authored, "Employers Must Pay Arbitration Fees on Time or Risk Cancellation of the Arbitration," *Bender's California Labor & Employment Bulletin*, May 2024
- Co-authored, "2024 Employment Leave Laws in Illinois, New York, California, and Minnesota," *Bender's Labor & Employment Bulletin*, March 2024
- Authored, "NLRB Establishes New Standard for Determining Joint

Employer Status," *Bender's Labor & Employment Bulletin*, January 2024

- Authored, "What Companies Need to Know About California's Workplace Violence Prevention Law," *Today's General Counsel*, December 29, 2023
- Authored, "California Court of Appeal Clarifies That Employees' Pandemic-Era Work-From-Home Expenses Must Be Reimbursed by Employer," *Bender's California Labor & Employment Bulletin*, November 2023
- Authored, "NLRB Establishes New Standard For Evaluating Workplace Rules That Interfere With an Employees' Rights," *Bender's Labor & Employment Bulletin*, October 2023
- Authored, "Corporate fraud may leave investors holding the bag while their pockets are emptied," *Los Angeles Daily Journal*, September 25, 2023
- Quoted, "California Bill Targets Workplace Violence," *SHRM*, September 27, 2023
- Quoted, "California SB 553 impact on small businesses" *KNX News 97.1 FM*, August 2023
- "Smash and grabs and other crimes mean more work for employers", *Los Angeles Daily Journal*, August 2, 2023
- The California Court of Appeal Accepts the U.S. Supreme Court's Invitation to Clarify PAGA in *Galarsa v. Dolgen California, LLC* *Bender's California Labor & Employment Bulletin* May 2023
- Ninth Circuit Declares Amazon Security Checks Non-Compensable *Bender's Labor & Employment Bulletin* May 2023
- California's Consumer Privacy Act Now Applies to Employees' Personal Information *Bender's California Labor & Employment Bulletin* April 2023
- FTC Proposed Sweeping New Rule Banning Nearly All Non-Compete Agreements in Worker Contracts *Bender's Labor & Employment Bulletin* March 2023
- With AB 2188 California Moves to Protect Employees' Off-Duty Cannabis Use *Bender's California Labor & Employment Bulletin* January 2023
- Los Angeles Superior Court Rejects Boardroom Quotas for Underrepresented Communities in Summary Judgment Decision *Bender's California Labor & Employment Bulletin* October 2022
- Duplicative PAGA Cases May Be Stayed Pending the Outcome of the First-Filed Case *Bender's California Labor & Employment Bulletin* September 2022
- "U.S. Supreme Court gives employers a rare victory in arbitration of PAGA claims" *Los Angeles Daily Journal*, June 2022
- "Appellate Court Conflict: Can PAGA Plaintiffs Intervene and Oppose Settlement in Other Actions?" *Bender's California Labor & Employment*

*Bulletin, April 2022*

- “Employers Should be Mindful of Defined Benefit Plans’ Fees and Investment Options Under ERISA When Selecting Retirement Plans” *Bender’s Labor & Employment Bulletin*, March 2022
- The Fall of the Joint Employer Rule *Bender’s Labor & Employment Bulletin* December 2021 and January 2022
- California Becomes First State to Target Warehouse Distribution Centers for Productivity Quotas *Bender’s California Labor & Employment Bulletin* December 2021
- 9th circuit Finds “paramour preference” does not violate Title VII *Los Angeles Daily Journal* October 2021
- FEHA Quid Pro Quo Harassment Claims for Failure to Promote Accrue When the Aggrieved Employee Knew or Should Have Known of the Employer’s Decision Not to Promote Them *Bender’s California Labor & Employment Bulletin* October 2021
- Heightened Scrutiny Applies to Post-Certification Class Action Settlements In Addition to Pre-Certification Class Action Settlements *Bender’s Labor & Employment Bulletin* September 2021
- 9th Circuit Decision Highlights the “Don’ts” Of Drafting Employment Arbitration Agreements *Los Angeles Daily Journal* August 2021
- Conflict Among the Circuits: Are Websites Places of Public Accommodation Under the Americans With Disabilities Act *Bender’s Labor & Employment Bulletin* June 2021
- PAGA 2020 Developments *Bender’s California Labor & Employment Bulletin* April 2021
- Employees Must Receive Premium Pay For Meal Break Rounding Violations *Los Angeles Daily Journal* March 2021
- What Employers Need to Know About Mandatory COVID-19 Vaccines and Exceptions *Thompson Coburn LLP* February 2021
- California Employers Must Provide Notice to Employees Of COVID-19 Exposure and Benefits, Take Safety Measures to Prevent COVID-19’s Spread *Bender’s Labor & Employment Bulletin* December 2020
- AB 685 Requires Employers to Provide Notice of COVID-19 Exposure *Los Angeles Daily Journal* September 2020
- Return to Work Issues Amidst the COVID-19 Pandemic: A Comparison of California and Federal Law *Bender’s Labor & Employment Bulletin* June 2020
- 24 Tips for Drafting Employment Arbitration Agreements *Bender’s Labor & Employment Bulletin* May 2020
- 23 tips for drafting employment arbitration agreements *Thompson Coburn LLP* December 2019
- Drafting Employment Arbitration Agreements *Los Angeles Daily Journal*

November 2019

- High Stakes: Arizona Law Prohibiting Discrimination in Employment Against Medical Marijuana Cardholders May Trigger Review of Drug Testing Policies *Bender's Labor & Employment Bulletin* April 2019
- Reconciling California State and Federal Court Decisions: What Employers Need to Know About Production-Based Compensation Plans *Bender's Labor & Employment Bulletin* January 2019