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MARK A. ROMEO

PARTNER

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PRACTICES

- Labor & Employment
- Litigation & Trial
- Commercial Litigation
- Trade Secrets
- Construction

Mark Romeo is a partner with the firm and a member of the Labor & Employment Group, as well as the firm's Litigation Group.

Mr. Romeo is a trial lawyer, but spends a significant amount of time advising and counseling clients in a variety of industries such as semi-conductors, securities, radio, live entertainment, construction, communications, medical device, and transportation.

Mr. Romeo has extensive experience, including several trials, representing companies in class action litigation and litigation generally in the areas of:

- Trade secrets/Lanham Act/State unfair competition, including Electronically Stored Information and related discovery issues;
- Computer Fraud and Abuse Act;
- Breach of Fiduciary Duty;
- Wage/Hour
- Wrongful termination;
- Discrimination;
- Sexual harassment;
- Misclassification of employees/independent contractors;
- Reductions-in-force;
- Executive compensation; and
- RICO.

Mr. Romeo's representative clients have included:

- AT&T Mobility, LLC
- Clear Channel Communications (NYSE: CCO)
- SFX Entertainment, Inc.

- Skyworks Solutions, Inc. (NASDAQ: SKWKS)
- Fidelity National Financial, Inc.(NYSE: FNF)
- Men's Wearhouse, Inc. (NYSE: MW)
- Cingular Wireless, LLC
- LG Electronics MobileComm USA, Inc.

Mr. Romeo has successfully represented numerous other private and public companies and individuals, at trial and in various administrative settings, in a number of state and federal courts across the United States. This includes, but is not limited to, litigating against the Department of Labor (DOL), the California Labor Commissioner, the Equal Employment Opportunity Commission, and the Department of Fair Employment and Housing, as well as private plaintiffs.

Mr. Romeo also regularly advises and represents clients in connection with: DOL/state agency-based audits; Trade Secret/IP audits; best practices regarding Electronically Stored Information; drafting executive employment/compensation agreements; drafting employee handbooks, policies and codes of conduct; and conducting internal investigations. Mr. Romeo is considered to be a thought-leader on Alternative Fee Arrangements (AFAs).

Some of Mr. Romeo's recent successes are as follows:

Class Actions:

- Defeated collective action alleging violations of California wage and hour laws for government contracting client by raising the "federal enclave doctrine;" the determination that the property on which the alleged violations of California wage and hour law occurred was a fact-intensive inquiry, and was achieved through unconventional research from scratch; the doctrine was utilized not only as a basis on which to remove the action to federal court (from Los Angeles Superior Court), but also to dismiss the entire collective action. Client avoided millions of dollars in alleged back pay and other liability.
- Achieved full dismissal full dismissal of putative wage and hour class action case by convincing the opposing sets of lawyers that there were no meal and/or rest break allegations that could be pursued as a class action given the strength of existing company policies, and given existence of an internal taskforce that ensures meal and rest breaks are taken within the various retail stores. The dismissal was achieved within only a few weeks of the case being filed.
- Successfully moved to preclude Plaintiff from seeking class certification due to failure to abide by local rules regarding timing of class certification motions.
- Represented employer doing business in all states in wage and hour class action. Successfully moved to compel "trial plan" which ultimately proved to Court that case could not be tried as a class action. Case settled shortly thereafter on very favorable terms to employer.
- Achieved dismissal of nationwide putative discrimination class action after putting in place plan to curb discovery to plaintiff's particular worksite, which resulted in the named plaintiffs' inability to establsh a

nationwide policy of discrimination; case was voluntarily dismissed shortly thereafter for a mutual waiver of fees and costs.

Trade Secrets:

- Successfully won motion to dismiss for lack of personal jurisdiction in the Eastern District of Pennsylvania in trade secrets case after 5-day evidentiary hearing, with direct and cross-examination of key witnesses on both sides.
- Achieved summary judgment dismissing entire trade secrets case on statute of limitations grounds.
- Won motion for judgment on the pleadings on grounds of preemption by the Uniform Trade Secrets Act.
- Succesfully negotiated resolution of usurpation of corporate opportunity case involving former fiduciary of client who left to start up a competing business.
- Achieved "no hire" agreement for client in context of key competitors soliciting client's employees.
- Achieved seven figure settlement on behalf of plaintiff in a trade secret and breach of fiduciary case on the "courthouse" steps two days from trial in federal court in Orange County, California.

DOL/DLSE/Wage & Hour/Investigations:

- Extensive experience in representing clients before the DOL, before both DOL investigators and negotiations with Solicitors; recently, represented government contractor in case brought by DOL (and investigated in several regional offices), achieving a nominal settlement after extensive investigation by DOL. Exposure was in the low seven figures.
- Achieved a withdrawal of investigation of company-wide operations on exemption classifications before California Department of Labor Standards Enforcement, after working with client to lay out detailed basis for position to demonstrate compliance with state law.
- Achieved successful end to discrimination/harassment case after extensive investigation and written report in case brought against key executive of client.

Prior to joining Crowell & Moring, Mr. Romeo was a partner at Pillsbury, Winthrop, Shaw Pittman, LLC, and an attorney with Brobeck Phleger & Harrison LLP and Littler Mendelson, P.C.

Admissions/Affiliations

Admitted to practice: California

Education

- University of Southern California, B.S. finance (1988)
- University of San Francisco School of Law, J.D. (1994)

Speaking Engagements

- "Litigation Forecast: Developments in Trade Secrets Law and Strategies for Pursuing International Theft," Crowell & Moring Webinar (September 18, 2013). Presenters: Mark A. Klapow, Mark A. Romeo, Michael J. Songer, and Lucy Grace D. Noyola.
- "Third Thursday Briefing *Comcast v. Behrend* – How Big A Deal?" Webinar (April 18, 2013). Presenters: Thomas P. Gies, Mark A. Romeo, Shari Ross Lahlou, and April Nelson.
- "'Garden Leaves' and Other Strategies to Protect Trade Secrets When Losing Employees," Crowell & Moring Webinar (March 28, 2013). Presenters: Mark A. Romeo, Terence P. Ross, and Jessica Thompson.
- "Trade Secret Protection," Crowell & Moring's USPTO Seminar (January 2013). Presenters: Douglas W. Sullivan, Mark A. Romeo, Terence P. Ross, and Kathleen Balderrama.
- "Third Thursday: Crowell & Moring's May Wage Hour Update," Webinar (May 24, 2012). Presenters: Thomas P. Gies, Mark A. Romeo, S. Shane Sagheb, and Andrew W. Bagley.
- "Intellectual Property for Successful Exporters and International Businesses," Crowell & Moring's USPTO Seminar (January 2012). Presenters: Douglas W. Sullivan, Mark A. Romeo, Terence P. Ross, and Kathleen Balderrama.
- "Reducing Expenses In A Downturning Economy: The Implications of Salary Reductions, Furloughs, and Other Cost-Cutting Measures," Crowell & Moring's Labor Ounce of Prevention Seminar, Irvine, CA (April 8, 2009). Presenters: Mark A. Romeo and Christina K. Dallen.
- "Look Who's Watching: How to Protect Trade Secrets," South Coast Metro Alliance (June 2007). Presenter: Mark A. Romeo.
- "Look Who's Watching: How to Protect Trade Secrets," OCTANe (June 2006). Presenter: Mark A. Romeo.

Publications

- "Trade Secrets: Potential New Laws — And New Risks," *Law360* (February 25, 2014). Author: Mark A. Romeo.
- "Litigation Forecast 2014: What Corporate Counsel Need to Know for the Coming Year," *a Crowell & Moring LLP publication* (January 2014). Contributors.
- "Roundtable on Employment Law," *California Lawyer Magazine* (December 2009). Panelist: Mark Romeo.
- "Ban iPods at Work?" *Orange County Register* (February 13, 2007). Profiled and Quoted: Mark Romeo.
- "High-Level Ripoffs: How to Prevent Senior Managers from Stealing Your Trade Secrets," *Orange County Business Journal* (November 20, 2006). Co-Author: Mark A. Romeo.
- "Job Landscape: Accommodating Handicapped Employees – Detailed Process Lets Firms Fulfill Obligation to Workers," *Los Angeles Daily Journal* (July 19, 2002). Author: Mark A. Romeo.
- "Firm Perspectives: New Hiring Regulations – Proposed Bill Would Protect Most Information From Reference Checks," *Los Angeles Daily Journal* (June 21, 2002). Author: Mark A. Romeo.
- "Legal Hurdles – Be sure to Avoid Pesky Traps When Considering Switch," *Los Angeles Daily Journal* (May 17, 2002). Co-Author: Mark A. Romeo.

- "Emergency Response: Employers Confront New Issues Following Attacks," *Los Angeles Daily Journal*, [re-published upon request in *Bender's*] (October 11, 2001). Co-Author: Mark A. Romeo.
- "Alluring Trap: Companies that Recruit Far Away Employee and Then Fire Them Could Face Fraudulent-Inducement Claims," *Los Angeles Daily Journal* (April 13, 2001). Co-Author: Mark A. Romeo.
- "Direct Threat: Employers Cannot Refuse to Hire Based on Danger to Employees," *Los Angeles Daily Journal* (June 8, 2000). Co-Author: Mark A. Romeo.
- "Dodging Damages: Prudent Policies Can Help Avoid Punitive," *Los Angeles Daily Journal*, (October 11, 1999) and *House Counsel* (March/April 2000). (April 1, 2000). Co-Author: Mark A. Romeo.
- "PC Giveaway: Offering Home Computers to the Workforce," *Los Angeles Daily Journal* (March 23, 2000). Co-Author: Mark A. Romeo.
- "Moonlighting: New Labor Code Section 96 Chips Away at At-Will Employment," *Los Angeles Daily Journal* (January 27, 2000). Co-Author: Mark A. Romeo.
- "Stolen Playbook: Inevitable-Disclosure Rules Applies to California," *Los Angeles Daily Journal* (January 24, 2000). Co-Author: Mark A. Romeo.
- "Age-Discrimination Act Nullifies Marks Decision," *Los Angeles Daily Journal* (August 23, 1999). Co-Author: Mark A. Romeo.
- "Unnecessary Rudeness – Is it Harassment When The Boss is Mean to Everyone," *Los Angeles Daily Journal*. (January 1, 1999). Co-Author: Mark A. Romeo.
- "Eliminating Guesswork – Accommodation and Collective Bargaining Agreement Violations," (December 1, 1998). Author: Mark A. Romeo.
- Stress, Mental Disorder and Other Invisible Disabilities: What You Can't See Can Hurt You, (June 1, 1998). Author: Mark A. Romeo.
- Advanced FMLA: "Circumventing The Federal and California Traps that Trip Up Even The Most Savvy Employers," (September 1997). Co-Author: Mark A. Romeo.

Alerts & Newsletters

- "Obama Administration Moves to Increase the Reach of Federal Overtime Laws," *Labor & Employment Law Alert - US* (March 17, 2014). Contacts: Thomas P. Gies, Andrew W. Bagley, Christopher Calsyn, Ira M. Saxe, Jeffrey W. Pagano, Mark A. Romeo, Wendy A. Sugg.
- "Fifth Circuit Overturns NLRB's *D.R. Horton* Decision," *Labor & Employment Law Alert - US* (December 6, 2013). Contacts: Thomas P. Gies, Andrew W. Bagley, Jeffrey W. Pagano, Mark A. Romeo.
- "OFCCP Final Rules Significantly Expand VEVRAA and Section 503 Obligations," *Labor & Employment Law Alert - US* (August 29, 2013). Contacts: Kris D. Meade, Rebecca L. Springer, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.
- "Eleventh Circuit Reaffirms Necessity of Judicial Approval of FLSA Settlements," *Labor & Employment Law Alert - US* (August 5, 2013). Contacts: Thomas P. Gies, Christopher Calsyn, Jeffrey W. Pagano, Mark A. Romeo.
- "Another Step Forward For Class-Action Waivers," *Labor & Employment Law Alert - US* (June 21, 2013). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.

- "Supreme Court OK's Arbitrator's Decision Ordering Class Arbitration," *Labor & Employment Law Alert - US* (June 12, 2013). Contacts: Thomas P. Gies, Andrew W. Bagley, Jeffrey W. Pagano, Mark A. Romeo.
- "New Form I-9, Employment Eligibility Verification Form Required as of May 7, 2013," *Labor & Employment Law Alert - US* (May 6, 2013). Contacts: Kris D. Meade, Thomas P. Gies, Jeffrey W. Pagano, Honor Costello, Mark A. Romeo, Wendy A. Sugg.
- "Supreme Court Holds that FLSA Collective Action Must be Dismissed Because Named Plaintiff's Claims Became Moot After Her Rejection of Offer of Judgment," *Labor & Employment Law Alert - US* (April 26, 2013). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Andrew W. Bagley, Christopher Calsyn, Mark A. Romeo, Wendy A. Sugg.
- "Third Circuit Upholds Reduced Pleading Requirements for SOX Whistleblowers," *Labor & Employment Law Alert - US* (March 26, 2013). Contacts: Rebecca L. Springer, Christopher Calsyn, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.
- "California Employees' Entitlement to Leave for Pregnancy Disability not Limited to Four Months," *Labor & Employment Law Alert - US* (March 5, 2013). Contacts: Thomas P. Gies, James E. Kellett, Mark A. Romeo, Wendy A. Sugg.
- "No Feasible Trial Plan – No Class Action," *Labor & Employment Law Alert - US* (February 14, 2013). Contacts: Thomas P. Gies, Mark A. Romeo, James E. Kellett.
- "California Supreme Court Approves Partial Mixed Motive Defense Under FEHA," *Labor & Employment Law Alert - US* (February 12, 2013). Contacts: Mark A. Romeo, Wendy A. Sugg, James E. Kellett, Kris D. Meade, Glenn D. Grant.
- "California Employee Accused of Discrimination Barred from Proceeding With Own Discrimination and Defamation Claims," *Labor & Employment Law Alert - US* (February 6, 2013). Contacts: Mark A. Romeo, Wendy A. Sugg, James E. Kellett, Kris D. Meade.
- "California Court Recognizes Narrowly Drawn CFAA Claim Against Traffickers of Access Credentials," *Trade Secrets Alert* (January 30, 2013). Contacts: Ellen Moran Dwyer, Mark A. Romeo, Lucy Grace D. Noyola.
- "California Employment Law Developments for 2013," *Labor & Employment Law Alert - US* (January 28, 2013). Contacts: Thomas P. Gies, Kris D. Meade, Jeffrey W. Pagano, Mark A. Romeo, Wendy A. Sugg.
- "*Brinker* Warrants Certification of Meal and Rest Break Class Claims in Two Recent California Decisions," *Labor & Employment Law Alert - US* (December 28, 2012). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo, Wendy A. Sugg.
- "NLRB Overturns 50-Year Precedent on Dues-Checkoff," *Labor & Employment Law Alert - US* (December 21, 2012). Contacts: Thomas P. Gies, Glenn D. Grant, Jeffrey W. Pagano, Mark A. Romeo.
- "Lead Plaintiff's Failure to Report Alleged Unpaid Work Time Under The Employer's Reporting Policies Dooms FLSA Collective Action," *Labor & Employment Law Alert - US* (November 20, 2012). Contacts: Kris D. Meade, Thomas P. Gies, Andrew W. Bagley, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.
- "Participants in TRICARE Program Celebrate the Administrative Review Board's Florida Hospital Decision – Should Other Companies Care?," *Labor & Employment Law Alert - US* (November 12, 2012). Contacts: Kris D. Meade, Rebecca L. Springer, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.

- "California Appellate Court Approves (Finally) of Neutral Time Rounding," *Labor & Employment Law Alert - US* (November 7, 2012). Contacts: Mark A. Romeo, Thomas P. Gies, Andrew W. Bagley, Jeffrey W. Pagano, Ira M. Saxe.
- "NLRB Says "Yes," You Can Be Fired for Something You Post Online," *Labor & Employment Law Alert - US* (October 15, 2012). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Rachel L. Talbot, Mark A. Romeo.
- "NLRB Issues its First Social Media Policy Decision," *Labor & Employment Law Alert - US* (September 24, 2012). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Christine B. Hawes, Mark A. Romeo.
- "California Enacts Legislation that Substantially Broadens Employers' Obligations to Provide Religious Accommodations," *Labor & Employment Law Alert - US* (September 21, 2012). Contacts: Mark A. Romeo, Jeffrey W. Pagano, Kris D. Meade, Christine B. Hawes.
- "NLRB Rules Against Routine Requests for Confidentiality in Ongoing Employer Investigations," *Labor & Employment Law Alert - US* (August 14, 2012). Contacts: Thomas P. Gies, Kris D. Meade, Jeffrey W. Pagano, Mark A. Romeo, Glenn D. Grant, Rachel L. Talbot.
- "DOL Issues WARN Act Guidance to Federal Contractors in Light of Sequestration," *Labor & Employment Law Alert - US* (August 1, 2012). Contacts: Kris D. Meade, Andrew W. Bagley, Jeffrey W. Pagano, Mark A. Romeo.
- "The NLRB's Acting General Counsel Asserts an Unprecedented Challenge to Employee Handbook Receipt Provisions," *Labor & Employment Law Alert - US* (May 8, 2012). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Mark A. Romeo.
- "Seventh Circuit Authorizes An "Issue Class Action" in Response to *Dukes*," *Labor & Employment Law Alert - US* (May 3, 2012). Contacts: Thomas P. Gies, Kris D. Meade, Jeffrey W. Pagano, Mark A. Romeo.
- "California High Court Rejects Fee Request For Rest Break Claims," *Labor & Employment Law Alert - US* (May 2, 2012). Contacts: Mark A. Romeo, Kris D. Meade, Thomas P. Gies, Andrew W. Bagley, Jeffrey W. Pagano, Ira M. Saxe.
- "NLRB Notice Posting Rule Delayed," *Labor & Employment Law Alert - US* (April 18, 2012). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "*Brinker* – Was It Worth The Wait For Employers?," *Labor & Employment Law Alert - US* (April 17, 2012). Contacts: Thomas P. Gies, Andrew W. Bagley, Jeffrey W. Pagano, Mark A. Romeo, Wendy A. Sugg.
- "Preparing For May Day, And Beyond, At The NLRB," *Labor & Employment Law Alert - US* (April 16, 2012). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "Maryland Takes the Lead on Social Media Access Legislation," *Labor & Employment Law Alert - US* (April 13, 2012). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "Transgender Employees Protected By Federal Law Against Discrimination," *Labor & Employment Law Alert - US* (March 23, 2012). Contacts: Kris D. Meade, Jeffrey W. Pagano, Mark A. Romeo, Wendy A. Sugg.
- "Federal Court Imposes Broad Preservation Obligation Regarding Potential Class Members in FLSA Action," *Labor & Employment Law Alert - US* (February 23, 2012). Contacts: Jeane A. Thomas, Christopher Calsyn, Jeffrey W. Pagano, Thomas P. Gies, Mark A. Romeo.

- "California and the USDOL Stake Out Common Ground in Focusing on Alleged Misclassification of Employees as Independent Contractors," *Labor & Employment Law Alert - US* (February 16, 2012). Contacts: Mark A. Romeo, Jeffrey W. Pagano, Kris D. Meade.
- "Department of Labor Proposes FMLA Rule on Leave for Caregivers to Servicemembers and Airline Flight Crew Employees," *Labor & Employment Law Alert - US* (February 14, 2012). Contacts: James E. Kellett, Ira M. Saxe, Jared Levine, Thomas P. Gies, Mark A. Romeo.
- "NLRB Clarifies Its Position Regarding Employees' Social Media Usage ," *Labor & Employment Law Alert - US* (February 2, 2012). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Christopher Calsyn, Mark A. Romeo.
- "“Collyer Lite” -- NLRB Announces Limitation on Collyer Deferral," *Labor & Employment Law Alert - US* (January 26, 2012). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "FMLA Protections from Interference and Retaliation Extended to Pre-Eligible Employees," *Labor & Employment Law Alert - US* (January 25, 2012). Contacts: Kris D. Meade, Christopher Calsyn, Jeffrey W. Pagano, James E. Kellett, Ira M. Saxe, Mark A. Romeo.
- "NLRB and FINRA Signal Federal Push To Create A Right for Employees To Pursue Collective Litigation Regardless of Arbitration Agreements," *Labor & Employment Law Alert - US* (January 12, 2012). Contacts: Jeffrey W. Pagano, Jared Levine, Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "New DOT Regulations Require Commercial Truckers to Hit the "Breaks"," *Labor & Employment Law Alert - US* (January 5, 2012). Contacts: Trina Fairley Barlow, Rebecca L. Springer, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.
- "NLRB Issues Final Rule On "Quickie" Elections," *Labor & Employment Law Alert - US* (December 22, 2011). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- ""Sea Change" in OFCCP Disability Regulations Would Mean Increased Turbulence for Contractors," *Labor & Employment Law Alert - US* (December 14, 2011). Contacts: Kris D. Meade, Ira M. Saxe, Rebecca L. Springer, Mark A. Romeo.
- "NLRB Scales Back -- But Not By Much -- The New "Quickie" Election Rules it Proposed on June 22, 2011," *Labor & Employment Law Alert - US* (December 6, 2011). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "Federal Court Upholds OFCCP Demand For Data," *Labor & Employment Law Alert - US* (November 21, 2011). Contacts: Kris D. Meade, Rebecca L. Springer, Ira M. Saxe, Mark A. Romeo.
- "OSHA Revises Its Sarbanes-Oxley Whistleblower Rules Impacting Public Companies and Their Affiliates and Subsidiaries," *Environment, Energy & Resources: Occupational Safety & Health Alerts* (November 9, 2011). Contacts: Mark A. Romeo, Kris D. Meade, Thomas P. Gies, Christopher Calsyn, Jeffrey W. Pagano, Ira M. Saxe.
- "California Seating Lawsuits Meeting Resistance, But Employers Shouldn't Sit Idly By," *Labor & Employment Law Alert - US* (October 21, 2011). Contacts: Mark A. Romeo, Jeffrey W. Pagano, James E. Kellett, Kris D. Meade, Thomas P. Gies.
- "California Enacts Legislation Limiting Employers' Use of Consumer Credit Reports for Employment Purposes," *Labor & Employment Law Alert - US* (October 12, 2011). Contacts: Jeffrey W. Pagano, Kris D. Meade, Rachel L. Talbot, Mark A. Romeo, Wendy A. Sugg.

- "NLRB Postpones Implementation of Its New Employee Rights Posting Requirement," *Labor & Employment Law Alert - US* (October 7, 2011). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "Seattle Enacts Ordinance Requiring Paid Sick Leave and Paid Safe Time," *Labor & Employment Law Alert - US* (September 29, 2011). Contacts: Jeffrey W. Pagano, Kris D. Meade, Rebecca L. Springer, Rachel L. Talbot, Mark A. Romeo.
- "District Court Carves Out "Trade Secret Exception" to California Ban on Enforcement of Non-Compete Agreements," *Trade Secrets Alert* (September 20, 2011). Contacts: Mark A. Klapow, Mark A. Romeo.
- "NLRB Makes Employee Rights Poster Available on its Website Shortly After Commencement of a Lawsuit Challenging its Posting Rule," *Labor & Employment Law Alert - US* (September 15, 2011). Contacts: Jeffrey W. Pagano, Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "National Labor Relations Board Alters Landscape for Determining the Scope of Petitioned-For Bargaining Units," *Labor & Employment Law Alert - US* (September 9, 2011). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "The NLRB Overrules Prior Decisions to Reinstate "Recognition Bar" Protection for Unions Voluntarily Recognized and "Successor Bar" Protection for Incumbent Unions," *Labor & Employment Law Alert - US* (September 8, 2011). Contacts: Jeffrey W. Pagano, Ira M. Saxe, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "NLRB Imposes New Employee Rights Posting Requirement on Covered Employers," *Labor & Employment Law Alert - US* (September 6, 2011). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "OFCCP Seeks Input on Development of New Compensation Reporting Tool," *Labor & Employment Law Alert - US* (August 16, 2011). Contacts: Kris D. Meade, Ira M. Saxe, Rebecca L. Springer, Mark A. Romeo.
- "OFCCP Drumbeat Continues: Agency Announces New FAAP Procedures," *Labor & Employment Law Alert - US* (July 1, 2011). Contacts: Rebecca L. Springer, Kris D. Meade, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo, Wendy A. Sugg.
- "The NLRB and USDOL Issue Controversial Proposed Regulations To Aid Union Organizing," *Labor & Employment Law Alert - US* (June 30, 2011). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Glenn D. Grant, Mark A. Romeo.
- "Supreme Court Changes The Class Action Landscape In *Dukes v. Wal-Mart*," *Labor & Employment Law Alert - US* (June 28, 2011). Contacts: James E. Kellett, Jeffrey W. Pagano, Thomas P. Gies, Trina Fairley Barlow, Mark A. Romeo, Wendy A. Sugg.
- "Trade Secret Misappropriation and Non-Competes Across (California) State Lines: What Law Governs?," *Trade Secrets Alert* (June 13, 2011). Contacts: Mark A. Romeo, Mark A. Klapow.
- "Connecticut to Become First State to Mandate Guaranteed Paid Sick-Leave Time for Employees," *Labor & Employment Law Alert - US* (June 9, 2011). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Trina Fairley Barlow, Mark A. Romeo.
- "EEOC Proposes to Extend Title VII and ADA Recordkeeping Requirements to Include Entities Covered by GINA," *Labor & Employment Law Alert - US* (June 8, 2011). Contacts: Jeffrey W. Pagano, Thomas P. Gies, Trina Fairley Barlow, Mark A. Romeo.
- "Fifth Circuit Applies Recent Supreme Court Decision to Revive Son's Title VII Retaliation Claim Based on Father's Protected Activity," *Labor & Employment Law Alert - US* (May 31, 2011). Contacts: Thomas P. Gies, Glenn D. Grant, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.

- "Think That California Lawsuits Over Seating Concern Only Retail Cashiers? Think Again," *Labor & Employment Law Alert - US* (May 26, 2011). Contacts: Mark A. Romeo, Wendy A. Sugg, Kris D. Meade, Thomas P. Gies, Jeffrey W. Pagano.
- "Circuit Court Rules No Cause of Action for Discrimination Against Debtors," *Labor & Employment Law Alert - US* (May 24, 2011). Contacts: Thomas P. Gies, Glenn D. Grant, Jeffrey W. Pagano, James E. Kellett, Mark A. Romeo.
- "NLRB Sues Arizona in Federal Court over Constitutional Amendment Requiring Secret Ballot Elections for Union Representation," *Labor & Employment Law Alert - US* (May 18, 2011). Contacts: Kris D. Meade, Thomas P. Gies, Glenn D. Grant, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.
- "You Wanna Sue Your Employer for Overtime? The Labor Department Has an App for That!," *Labor & Employment Law Alert - US* (May 17, 2011). Contacts: Thomas P. Gies, Ira M. Saxe, Mark A. Romeo.
- "Philadelphia Is Latest Jurisdiction to "Ban the Box" in Hiring Processes," *Labor & Employment Law Alert - US* (May 16, 2011). Contacts: Kris D. Meade, Glenn D. Grant, Jeffrey W. Pagano, Ira M. Saxe, Mark A. Romeo.
- "New York State Department of Labor Issues Guidance and Sample Templates in Connection With the New York Wage Theft Prevention Act," *Labor & Employment Law Alert - US* (April 12, 2011). Contacts: Jeffrey W. Pagano, Ira M. Saxe, Kris D. Meade, Thomas P. Gies, Mark A. Romeo.
- "EEOC Issues Final Regulations on ADA Amendments Act of 2008," *Labor & Employment Law Alert - US* (April 7, 2011). Contacts: Jeffrey W. Pagano, James E. Kellett, Ira M. Saxe, Kris D. Meade, Thomas P. Gies, Mark A. Romeo.
- "New York Wage Theft Prevention Act Takes Effect on April 9, 2011," *Labor & Employment Law Alert - US* (April 4, 2011). Contacts: Jeffrey W. Pagano, Ira M. Saxe, Thomas P. Gies, Kris D. Meade, Mark A. Romeo.
- "Oral Complaints are Sufficient to Support an FLSA Retaliation Claim," *Labor & Employment Law Alert - US* (March 28, 2011). Contacts: Jeffrey W. Pagano, Ira M. Saxe, Thomas P. Gies, Kris D. Meade, Mark A. Romeo.
- "NLRB Flexes Its Muscles by Opposing State Constitutional Amendments Requiring the Use of Secret Ballot Elections for Union Representation Purposes and Limiting Deferral to Arbitration," *Labor & Employment Law Alert - US* (January 26, 2011). Contacts: Jeffrey W. Pagano, Ira M. Saxe, Thomas P. Gies, Kris D. Meade, Mark A. Romeo.
- "Marijuana Legalization Under California's Proposition 19: The Impact on Employers," *Labor & Employment Law Alert - US* (October 27, 2010). Contacts: Mark A. Romeo, Kris D. Meade, Joel D. Wood, Jeffrey W. Pagano.
- "*New Process Steel* – The Supreme Court Sends The NLRB Back To The Drawing Board," *Labor & Employment Law Alert - US* (June 17, 2010). Contacts: Thomas P. Gies, Glenn D. Grant, Jeffrey W. Pagano, Mark A. Romeo.
- "Becker Means Change At The Labor Board," *Labor & Employment Law Alert - US* (April 1, 2010). Contacts: Thomas P. Gies, Kris D. Meade, Jeffrey W. Pagano, Mark A. Romeo.
- "Sweeping Prohibition on Arbitration of Employment Disputes in 2010 Defense Appropriations," *Government Contracts Bullet Points* (December 28, 2009). Contacts: Kris D. Meade, Angela B. Styles, Mark A. Romeo, Jeffrey W. Pagano.
- "Congress Limits Arbitration of Employment Disputes by Defense Contractors and Subcontractors," *Labor & Employment Law Alert - US* (December 23, 2009). Contacts: Kris D. Meade, Angela B. Styles, Mark A. Romeo, Jeffrey W. Pagano.

- "Full Speed Ahead for San Francisco's Health Care Security Ordinance," *Labor & Employment Law Alert - US* (April 6, 2009). Contacts: Mark A. Romeo, Jeffrey W. Pagano.
- "California Delivers More Flexibility With Alternative Workweek Schedules," *Labor & Employment Law Alert - US* (March 30, 2009). Contacts: Mark A. Romeo, James E. Kellett.
- "Card Check Legislation Introduced In Congress," *Labor & Employment Law Alert - US* (March 11, 2009). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "Ninth Circuit Withdraws *Sullivan v. Oracle* Decision Applying California Labor Laws To Non-California Residents," *Labor & Employment Law Alert - US* (February 20, 2009). Contacts: Mark A. Romeo, Kris D. Meade.
- "Obama Administration Issues Pro-Union Executive Orders," *Labor & Employment Law Alert - US* (February 2, 2009). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "Good News For California Employers - PAGA Does Not Provide A Second Bite At The Apple," *Labor & Employment Law Alert - US* (January 29, 2009). Contact: Mark A. Romeo.
- "Is "Card Check" In Your Future?," *Labor & Employment Law Alert - US* (November 6, 2008). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "California Supreme Court Leaves Intact Broad Prohibitions On Enforceability Of Non-compete Agreements," *Trade Secrets Alert* (August 11, 2008). Contacts: Mark A. Romeo, James E. Kellett, Ira M. Saxe.
- "Anxiously-Awaited *Brinker* Decision Holds That Employers Need Not Police Whether Employees Take Meal Periods," *Labor & Employment Law Alert - US* (July 23, 2008). Contacts: Mark A. Romeo, James E. Kellett, Thomas P. Gies.
- "New Law Prohibiting Genetic Discrimination Raises New Risks For Employers," *Labor & Employment Law Alert - US* (May 27, 2008). Contacts: Thomas P. Gies, Jeffrey W. Pagano, James E. Kellett, Mark A. Romeo, Rebecca L. Springer.
- "New Jersey and Washington D.C. Paid Leave Laws Gain Momentum," *Labor & Employment Law Alert - US* (May 1, 2008). Contacts: Thomas P. Gies, Jeffrey W. Pagano, Mark A. Romeo.
- "California Supreme Court Limits Liability of Individuals for Retaliation Under FEHA," *Labor & Employment Law Alert - US* (March 11, 2008). Contacts: Mark A. Romeo, Ira M. Saxe.
- "Avoiding a Maternal Profiling Claim ," *Labor & Employment Law Alert - US* (February 26, 2008). Contact: Mark A. Romeo.
- "New Tax Notice Requirement for California Employers," *Labor & Employment Law Alert - US* (December 27, 2007). Contacts: Mark A. Romeo, Thomas P. Gies.

Press Releases

- Crowell & Moring's Irvine Office Adds Labor and Employment Partner Mark A. Romeo (Sep.26.2007)