

# Daily Journal

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## Top Labor & Employment Lawyers 2022

### Jesse A. Cripps

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LOS ANGELES



Jesse A. Cripps has spent much of his time in court the last several years pushing lawsuits against his clients out of court and into arbitration. Enforcing arbitration agreements with aggrieved employees “continues to be a hotbed of litigation,” he said, but one where he has been doing quite well.

“I’ve had a number of those victories over the past year, and they continue to be something that our clients are really focused on and that can really change the trajectory of a case from the outset.”

One of those victories was in some ways typical and another unusual. A worker at a Los Angeles manufacturing plant brought class and PAGA actions against the company for a variety of wage and hour claims. Cripps argued the woman had been mailed the arbitration agreement and had attended a meeting where the agreement was described. But the plaintiff flatly denied ever receiving it.

So the judge held a two-hour evidentiary hearing with testimony from four witnesses. On the stand, the plaintiff admitted to attending the meeting. *Brooks v. Atlas Assembly Inc.*, 20STCV45658 (L.A. Super. Ct., filed Dec. 1, 2020).

“It was a first in my career to have a judge ask for live testimony on an issue of arbitration enforcement, but I think he recognized the importance of this issue to the case and wanted to make sure he got it right,” Cripps said.

In May, he won an arbitration order in a case involving an alleged wrongful termination that occurred shortly after the tragic death of the plaintiff’s child. Cripps said the case shows why arbitrators should decide cases because they “can focus on the legal issues... and not be distracted by the emotionally charged issues.” *Bright v. American Home Shield Corp.*, 2:20-cv-02079 (E.D. Cal., filed Oct. 16, 2020).

And last December, he blocked putative class and PAGA claims against Northrop Grumman brought by a former human resources director for the company. “For a human resources employee to claim that they were somehow surprised... by the existence of an arbitration agreement was an interesting tactic, but luckily the judge saw through that and sent it to arbitration where it belongs,” Cripps said. *Burger v. Northrop Grumman Systems Corp.*, 2:21-cv-06761 (C.D. Cal., filed Aug 20, 2021).

— Don DeBenedictis