



**V. James "Jim" DeSimone**

Schonbrun DeSimone Seplow Harris & Hoffman  
Los Angeles

## California's Top 10 Plaintiff Labor and Employment Lawyers of 2010

### “SETTING AN AGGRESSIVE AGENDA FOR CALIFORNIA EMPLOYMENT LAW”

**Year in review:** In the past year, V. James "Jim" DeSimone has litigated wage-and-hour class actions that have settled for approximately \$30 million on behalf of information technology and defense contractor employees. He argued the appeal in *Benham v. S&J Security*, B207420 (2nd Dist., 2010), in which the 2nd District Court of Appeal, in an unpublished opinion, upheld the trial court's \$2.1 million jury verdict and an attorney fee award of \$456,000, in a civil rights case on behalf of a Walgreen's customer. The case involved whether the store's security guard's alleged harassment and violent conduct was in the course and scope of his employment. He also argued the appeal in another civil rights case, this one to reverse dismissal on behalf of two female Chinese asylum applicants, who alleged they were harassed and extorted by an asylum officer. *Xue Lu v. United States of America*, 56421 (9th Cir., filed 2010). The primary issue in this case is whether the asylum officer was acting in the course and scope of his employment. The case is pending before the 9th U.S. Circuit Court of Appeals.

**Next challenge:** DeSimone is litigating several wage-and-hour class actions, including cases involving a diverse group of employees in the financial services and entertainment industry and others on behalf of plumbers and security guards. He also is prosecuting individual cases involving false arrest, civil rights violations and defamation on behalf of a Home Depot employee and a disability discrimination and wrongful termination case on behalf of an AIG claims adjuster.