

Castle, Petersen & Krause, LLP

Trial Attorneys

Castle Petersen & Krause, LLP Files over Five Hundred Motions for Summary Judgment in Police Overtime Lawsuit against the City of San Diego

NEWPORT BEACH, Calif. March 22, 2007 – Castle, Petersen & Krause, LLP, announced today that the firm filed motions for summary judgment on behalf of 504 of the approximately 1,300 named plaintiffs, all current or former San Diego Police Officers, in the case *Abbe, et al. v. City of San Diego* (“*Abbe*”), before the U.S. District Court, Southern District of California. The filing asks the court to review and come to an affirmative decision as to the plaintiffs’ claims regarding the City’s willful and deliberate failure and refusal to properly compensate them for all hours worked. The court has set a date of May 18, 2007 for a hearing on these motions and a decision would typically follow shortly thereafter.

Christopher Nissen, Senior Associate Attorney for Castle, Petersen & Krause, LLP, commented: “The firm filed with the court what amounts to a major milestone in the *Abbe* case – a summary judgment motion that is in excess of two thousand pages in length and addresses compensable hours and overtime. This filing incorporated much of the information contained in the declarations made by more than one thousand San Diego Police Officers.” Nissen added, “The plaintiffs’ claims are strongly supported by the facts and we are looking forward to a ruling from the court. It is expected that other motions for summary judgment will be brought soon to bring the approximately 500 remaining plaintiffs’ declarations before the court.”

The *Abbe* lawsuit asserts that the San Diego Police Department required the Officers to work before and after their regular shifts and through “Code 7’s” meal periods for the benefit of the City of San Diego without compensation in violation of the Fair Labor Standards Act (“FLSA”). The required activities include performing pre- and post- shift responsibilities; preparing for court appearances; completing arrest and investigation reports; donning and doffing of protective gear; and performing various other required tasks. The claims seek reimbursement retroactive to four years prior to the date of filing of the lawsuit (August 16, 2005).

The *Abbe* case is one of three cases that Castle, Petersen & Krause, LLP is litigating on behalf of San Diego Police Officers and the San Diego Police Officers Association. *Aaron, et al. v. Aguirre, City of San Diego, et al.* and *SDPOA v. Michael Aguirre, City of San Diego, et al.* address the City’s underfunding of the San Diego City Employee Retirement System, the mishandling by the City of the police officers’ pension contributions and other issues, including claims of breach of fiduciary duty, conversion, fraud, breach of contract, retaliation and conspiracy to commit civil rights violations.

About Castle, Petersen & Krause, LLP

The law firm of Castle, Petersen & Krause, LLP specializes in litigating labor and employment law and business law matters. The firm’s areas of focus within labor and employment include civil rights, labor relations, contract negotiations, disciplinary actions, FLSA, California labor law, discrimination, retaliation, wage and hour issues, and wrongful termination. Castle, Petersen & Krause, LLP has a near 30-year history of representing public and private industry employees and their associations in contract negotiations, disciplinary actions, civil rights claims, and class action lawsuits related to wage and hours matters. The firm also has a history of success in recovering overtime wages from public and private employers through FLSA class action litigation, including recent cases against the City of Los Angeles, numerous other public entities and companies in the hospitality and fitness industries. Additionally, Castle, Petersen & Krause, LLP provides its clients counsel in the areas of construction defect, intellectual

property, product liability and first and third party insurance litigation, as well as personal injury claims. Castle, Petersen & Krause, LLP is headquartered in Newport Beach, California. More information on Castle, Petersen & Krause, LLP can be found at www.cpk-law.com.

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