

Jackson DeMarco Tidus Petersen Peckenpaugh Files Overtime FLSA Lawsuit on Behalf of Superior Court Employees and Against San Diego County Superior Court and County of San Diego.

- Petitions Court to Certify the Lawsuit as a Collective Action, With Up to 1,000 Court Employees Eligible to Join

IRVINE, Calif. August 29, 2007 – Jackson DeMarco Tidus Petersen Peckenpaugh (“JDTPP”) announced today that it has filed a lawsuit in United States District Court, Southern District of California on behalf of employees of the San Diego County Superior Court and the San Diego County Court Employees Association (“SDCCEA”). The lawsuit, *Tran, et al. v. San Diego County Superior Court, County of San Diego, et al.* (“Tran”), asserts that the court employees were required to work overtime without compensation in violation of the Fair Labor Standards Act (“FLSA”). The lawsuit also asserts on behalf of the court employees and the SDCCEA a breach of contract claim as to the parties’ written Memorandum of Agreement that governs the employment relationship between the court employees and the San Diego County Superior Court.

JDTPP has petitioned the court to certify the lawsuit as a collective action, with approximately 1,000 similarly situated Superior Court employees potentially eligible to join the lawsuit as members. As a result of its initial research, JDTPP believes that court employees holding the position of Children’s Waiting Room Assistant, Collection Officer, Court Administrative Clerk, Court Interpreter, Court Operations Clerk, Courtroom Clerk, Exhibits Custodian, Independent Calendar Clerk, Material Specialist Paralegal, SARMS Coordinator, Senior Court Administrative Clerk, Senior Data Entry Operator, Senior Exhibits Custodian, Senior Material Specialist, Superior Court Worker, Probate Examiner, Probate Investigator, Court Operations Supervisor, Material Supervisor and Senior Court Operations Clerk were subject to similar work environments.

The *Tran* lawsuit asserts that the San Diego County Superior Court required the court employees to work before and after their scheduled work hours and through meal and rest periods without compensation in violation of federal labor laws. The required activities include performing pre- and post-shift responsibilities; attending legal seminars on court operations, policies and procedures related to their work; obtaining, reviewing and completing paperwork related to their cases; calling counsel to discuss hearing schedule matters; and performing various other required tasks. The lawsuit asserts that the court employees regularly worked overtime without compensation and that the department’s managers were aware of such practices, which is in violation of the FLSA and in breach of the contract between the SDCCEA and the court.

More information about the *Tran, et al. v. San Diego County Superior Court, County of San Diego, et al.* FLSA Overtime lawsuit can be found at:
<http://www.jdtpplaw.com/CM/CurrentandRepresentativeCases/Tran.asp>.

JDTPP represents thousands of public employees including court employees, Police Officers and Sheriffs’ Deputies in a number of FLSA class action lawsuits alleging overtime violations for pre- and post-shift activities and missed meal and rest periods. Similar cases include: *Abbe, et al. v. City of San Diego*; *Alaniz, et al. v. City of Los Angeles*; *Edwards v. City of Long Beach*, *Lockhart, et al. v. County of Los Angeles*; *Nolan, et al. v. City of Los Angeles* and *Reed v. County of Orange*. Additionally, JDTPP has

served as Plaintiffs' or Defendants' counsel in a number of FLSA overtime cases involving claims against private entities for misclassifying employees with management sounding titles as exempt and other labor law violations. Representative FLSA overtime class action lawsuits or potential class actions include: *Boyce v. 24 Hour Fitness*; *Coldiron v. Pizza Hut*; *Dibel v. Jenny Craig, Inc.*; *Hoke v. Construction Protective Services*; and *Rosello v. Domino's Pizza*. More information on the active lawsuits represented by the attorneys at Jackson DeMarco Tidus Petersen Peckenpaugh can be found at: <http://www.jdtplaw.com/CM/Custom/TOCCurrentandRepresentativeCases.asp>.

About Jackson DeMarco Tidus Petersen Peckenpaugh

Jackson DeMarco Tidus Petersen Peckenpaugh ("JDTPP"), has more than 80 lawyers and is headquartered in Irvine, California, with a second office in Westlake Village. JDTPP provides practical legal advice and representation in a wide range of legal practice areas, encompassing business and corporate law, employment law, litigation, immigration, intellectual property, real estate, common interest subdivision, land use and environmental regulation, and construction law. JDTPP is recognized as a preeminent California full service law firm, providing counsel and representation in all forms of civil litigation, including judicial, arbitration and administrative proceedings. JDTPP represents business and corporate clients in key California industries, including software and technology; life sciences; oil and energy; manufacturing; transportation and distribution; finance; real estate development; agriculture; fitness; and hospitality industries; as well as governmental entities. Learn more at www.jdtplaw.com.

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