



Melvin Felton, Partner
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Melvin L. Felton II represents businesses and individuals in a broad range of employment and business litigation matters. He has extensive experience advising in all stages of litigation, mediation, and arbitration. Melvin assists clients through disputes, including pre-litigation, pleadings, discovery, law and motion, trial, and appeal, providing zealous advocacy.

REPRESENTATIVE MATTERS

TRIAL:

- Second chair retaliation trial in Federal court resulting in defense-favorable verdict (examined witnesses and wrote and argued multiple trial motions including nonsuit which led to dismissal of three claims);
- Second chair high profile, four-week whistleblower retaliation trial in Los Angeles Superior Court resulting in 12-0 defense verdict (examined witnesses and wrote and argued multiple motions including nonsuit);
- First chair labor commissioner hearing with multiple witnesses and submissions;
- Conduct voir dire of Long Cause whistleblower retaliation trial in Los Angeles Superior Court resulting in \$7 Million+ for clients;
- Second chair three-day labor trial, representing major television studio in New Mexico against IATSE member in unfair labor practices allegation; and
- Achieve dismissal with prejudice on first day of trial as first chair in California Fair Employment and Housing Act Harassment matter.

ADVICE AND COUNSEL: Advising clients about various subjects including employee best practices, Federal WARN Act, employee handbooks, employee contracts, entity formation, employee discipline, investigations, wage and hour compliance, EEO compliance, pre-litigation demand letters, and unique and novel employment issues.

DUE DILIGENCE: Conduct investigation, request, and review all relevant documents, identify and interview all key witnesses, prepare risk analyses, and manage discovery to budget.

LITIGATION MANAGEMENT: Prepare litigation plan and budget and manage case from inception. Specifically, draft and respond to pleadings, written discovery and related motions, removals, motions to compel arbitration, motions for summary judgment, and mediation briefs. Independently drafted and argued various motions, including two Anti-SLAPP motions and various discovery motions. Prepare witnesses for deposition, defend witness depositions, manage communication with clients and opposing counsel.

MANAGE ADMINISTRATIVE MATTERS: First-chaired hearings for and independently negotiated settlement of Labor Code 132a matters. Also, prepared position statements in response to EEOC and DFEH Administrative Charges of Discrimination.

MEDIATION: First-chaired full-day mediation to positive resolution for National client. Participated in scores of other successful full-day mediations.

SETTLEMENT NEGOTIATION: Independently managed requests for settlement authority and negotiated settlement of various matters.

WAGE AND HOUR CLASS ACTION: Prepared successful motion to strike class action allegations (before any plaintiff certification motion) in state-wide meal and rest break class action for international hotel chain. Independently managed four-attorney team, including myself, who conducted more than 100 employee interviews and prepared declarations in both English and Spanish languages throughout California.

BAR ADMISSIONS:

California Supreme Court
United States District Court for the Northern District of California
United States District Court for the Central District of California
United States Court of Appeal for the Ninth Circuit

EDUCATION

B.A., Print Journalism, University of Southern California
J.D., Columbia Law School

EXPERIENCE

Employment and Labor Defense Attorney, Mitchell Silberberg & Knupp LLP
Employment Defense Attorney, Littler Mendelson PC
Employment Defense Attorney, Payne & Fears LLP
Plaintiff's Employment Law, Abrolat Law PC

HONORS AND AWARDS

Outstanding Board Member, National Bar Association, Young Lawyers Division
Presidential Award, National Bar Association
BESLA Achiever, Black Entertainment and Sports Lawyers Association
Council of Legal Education Opportunity 40th Anniversary Scholarship Award

PRO BONO ACTIVITIES/BAR ASSOCIATIONS

John M. Langston Bar Association, Scholarship Committee
National Bar Association, Former Board Member of Young Lawyers Division and Co-Chair of Youth Day
National Employment Law Council, Former NELC Academy Fellow
Past Polemarch of Irvine-Anaheim Alumni Chapter, Kappa Alpha Psi Fraternity Inc (Back to Back Western Province Chapter of the Year)

PUBLICATIONS/SPEAKING ENGAGEMENTS

CLE Presenter: From Intersectionality to #MeToo: Picking a Jury in Criminal and Civil Trials. April 2019. California Association of Black Lawyers Annual Conference.

NYC Updates "Ban the Box" Law. Aug 7, 2017. NYC Updates "Ban the Box" Law to Detail Per Se Violations and Procedures Employers Must Follow to Conduct Employment-Related Criminal Background Checks. Mitchell Silberberg & Knupp LLP.

The Regs They Are a-Changin': Are You Ready? Oct 11, 2016. FLSA: Employees Must Earn More to Qualify For Overtime Exemption. Mitchell Silberberg & Knupp LLP.

CLE Presenter: Los Angeles and Santa Monica Sick Leave Ordinances: New Headaches for Employers. Jul 14, 2016. Mitchell Silberberg & Knupp LLP.

New Santa Monica Ordinance Provides For Paid Sick Leave and Increased Minimum Wages. May 25, 2016. Santa Monica will become the first city in Southern California and the fourth in the state to enact a municipal paid sick leave law. Mitchell Silberberg & Knupp LLP.

Are You Sitting Down for This? The California Supreme Court Offers Guidance to Employers For Meeting Their Seating Obligations. Apr 14, 2016. Most employers rarely think about their obligation to provide seats for their employees. The California Supreme Court's recent decision in Kilby v. CVS Pharmacy should have employers standing up and taking notice. Mitchell Silberberg & Knupp LLP.

Panel Moderator: Business Development for Young Lawyers. July 2015. National Bar Association, Young Lawyers Division