

LAW OFFICES OF PHIL HOROWITZ

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# Curriculum v i t a e

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Phil Horowitz has represented employees for over 30 years. Mr. Horowitz has litigated hundreds of cases since 1983, including wrongful termination cases, sexual harassment cases, and cases for unpaid wages, overtime, commissions and stock options. He also serves as a mediator. Mr. Horowitz has also appeared before the appellate courts, including in the landmark California Supreme Court case Reno v. Baird and the leading California Court of Appeal summary judgment case Nazir v. United Airlines.

Mr. Horowitz served as Chair of the Labor and Employment Law Section of the State Bar of California from 2007 to 2008, and continues as an Advisor. He served from 2003 to 2005 as Chair of the California Employment Lawyers Association, the statewide association of lawyers who represent employees, and served on its Board through 2016. Mr. Horowitz also volunteer teaches trial advocacy at Stanford University and University of San Francisco Law Schools.

Mr. Horowitz chaired the advisory committee to the California Judicial Council which drafted the form employment interrogatories adopted effective July 2002. He also chaired the advisory committee to the Judicial Council on employment jury instructions, which were adopted effective July 1, 2003. Mr. Horowitz serves on the Board of Representatives of the California Lawyers Association. Mr. Horowitz also frequently speaks and writes about employment law.

## General:

- Admitted to State Bar of California, December 12, 1983

## Practice Areas:

- Employment Litigation (representing employees)
- Employment Mediation

## Education:

- Occidental College (B.A. 1979)
- Boalt Hall School of Law, University of California (J.D. 1983)  
Articles Development Editor, Industrial Relations Law Journal (1981-1982)
- Straus Institute of Dispute Resolution, Pepperdine University (Candidate, LL.M. in Dispute Resolution)

## Teaching at Law Schools:

- Advocacy Skills Workshop, Stanford University (1994 – present)
- Intensive Advocacy Program, University of San Francisco (1994 – present)
- Lecturer, U.C. Berkeley School of Law (First Year Negotiations, Spring 2010)

## Organizational Leadership:

- Chair, California State Bar Labor and Employment Law Section (Chair 2007-2008, Vice Chair 2006-2007, Secretary 2005 – 2006, Executive Committee, 2002 – 2005, Advisor 2008 – )
- Chair, California Employment Lawyers Association (2003 – 2005)
- Board of Directors, California Employment Lawyers Association (Member 1998 – 2016, Executive Committee 2005 – 2016)
- Board of Representatives, California Lawyers Association (2018– )
- Chair, Employment Form Interrogatories Advisory Committee to the California Judicial Council (1999 – 2002)
- Chair, California State Bar Labor and Employment Law Section's Advisory Committee to the California Judicial Council on Employment Jury Instructions (Chair 2003, Member 2001 – 2003)

## Author:

- Bender's California Labor & Employment Bulletin, "Settling Employment Cases Without the Mediation Dance" (2006)
- Bender's California Labor & Employment Bulletin, "Causes of Action Employee Lawyers Forget" (2005)
- Bender's California Labor & Employment Bulletin, "The History of Sexual Harassment Lawsuits: The Top Ten Mistakes Defendants Make" (2004)
- "Why Do So Many Disability Cases Fail?," Supplement to The Recorder, April/May 1999
- "The California Supreme Court's New Wrongful Discharge Decisions-- The Tide Turns," CTLA Forum, March 1991

## Editorial Boards:

- Bender's California Labor & Employment Bulletin (monthly, 2004 - present)
- Representing California Sexual Harassment Plaintiffs, James Publishing (book published 2004)
- Guerrilla Discovery, James Publishing (book published 2003)

## Lecturer:

- State Bar of California, Labor and Employment Law Section, "The Aging Population of Lawyers: Competency, Impairments, Accommodations and Transitions" (2017)
- State Bar of California, Labor and Employment Law Section, "Using Expert Witnesses to Win Employment Cases" (2017)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Pleadings" (2016)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Discovery" (2016)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Summary Judgment and Settlement" (2016)
- State Bar of California, Labor and Employment Law Section, "How to Win and Defeat Motions for Summary Judgment in Employment Cases: An Advanced Course" (2015)
- State Bar of California, Labor and Employment Law Section, "Litigating a Disability Discrimination Case: Trial Demonstration Seminar" (2014)
- California Employment Lawyers Association, Deposition Skills Workshop, Trainer and Planning Committee (2014)
- California Employment Lawyers Association, First Annual Trial College, Trainer and Planning Committee (2014)
- State Bar of California, Labor and Employment Law Section, "Ethics in Employment Litigation" (2014)
- State Bar of California, Labor and Employment Law Section, "Litigating Harassment Cases: Complaining, Investigating and Documenting" (2012)
- State Bar of California, Labor and Employment Law Section, "Litigating Harassment Cases: Pleadings" (2012)

## Lecturer (continued):

- State Bar of California, Labor and Employment Law Section, "Litigating Harassment Cases: Discovery" (2012)
- State Bar of California, Labor and Employment Law Section, "Litigating Harassment Cases: Summary Judgment and Settlement" (2012)
- State Bar of California, Labor and Employment Law Section, "Managing Leaves: A Practical Guide for Employers and Employees" (2011)
- State Bar of California, Labor and Employment Law Section, "Litigating Disability Discrimination Cases: Pleadings and Discovery" (2011)
- State Bar of California, Labor and Employment Law Section, Annual Meeting, "Mock Trial of a Disability Discrimination Case" (2010)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Settlement" (2010)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Summary Judgment" (2010)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Discovery" (2010)
- State Bar of California, Labor and Employment Law Section, "Litigating Wrongful Discharge Cases: Pleadings" (2010)
- Orange County Bar Association, Labor and Employment Law Section, "Summary Judgment Motions After Nazir" (2010)
- State Bar of California, Section Cyber Institute, "Layoffs: Rights, Rules and Restrictions" (2010)
- California Employment Lawyers Association, "Hot Topics and Recent Victories in the California Employment Law Plaintiff's Bar" (2009)
- California Employment Lawyers Association, "The Impact of the Nazir v. United Airlines Opinion" (2009)
- National Employment Lawyers Association, "The Latest Dirty Tricks by California Defense Attorneys: Defense School Deconstructed" (2009)
- State Bar of California, Labor and Employment Law Section, "Sexual Harassment: Prevention, Investigation and Litigation" (2009)
- Center for Collaborative Solutions, "Internet Use in the Workplace: Online Speech and Privacy Issues" (2009)
- State Bar of California, Labor and Employment Law Section, "Sprint and Jones: New Blockbuster Employment Discrimination Cases" (2008)
- State Bar of California, Labor and Employment Law Section, "Brinker: the End of California Meal and Rest Break Litigation or Only the Beginning?" (2008)
- Continuing Education of the Bar ("CEB"), "Employment Litigation Practice Issues" (2007)
- Plaintiff's Employment Lawyers Association ("PELA"), "360 Degrees of Privacy" (2007)
- State Bar of California, Annual Meeting, "Update on Wrongful Termination and Discrimination Law" (2006)
- State Bar of California, Labor & Employment Law Section, "Winning Opening Statements and Closing Arguments" (2006)
- California Employment Lawyers Association, "Drafting Jury Instructions" (2006)
- State Bar of California, Labor & Employment Law Section, "Harassment Training: Dramatization and Discussion" (2005)
- California Employment Lawyers Association, "Employment Law 101: Law Office Management" (2005)
- State Bar of California, Labor & Employment Law Section, "The Avoidable Consequences Doctrine After McGinnis" (2005)
- Bar Association of San Francisco, "New Face of Sexual Harassment" (2004)
- Association of Defense Counsel of Northern California & Nevada, "Regarding McGinnis and Beyond" (2004)
- Lorman, Discovery Skills for Legal Staff in California (2004)
- Bar Association of San Francisco, Labor and Employment Law Section "The New Employment Form Interrogatories and Jury Instructions" (2002)
- California Employment Lawyers Association, "Discovery of Electronic Data and Other Prickly Discovery Issues" (2001)

## Lecturer (continued):

- California Employment Lawyers Association, "Ethical and Strategic Use of Internet and Other Electronic Technology in Discovery and Trial" (2000)
- California Employment Lawyers Association, "Interaction Between FMLA, ADA, and Workers Compensation Claims" (1999)
- American Board of Vocational Experts, "Use of Vocational Experts in Wrongful Termination Cases" (1999)
- California Rehabilitation Association – North, East Bay, San Francisco District, "Expert Witness Testimony: The Nuts and Bolts for Rehab Counselors" (1999)
- California Employment Lawyers Association, "Developing and Managing the Plaintiff's Employment Practice" (1998)
- State Bar of California, Labor and Employment Law Section, "Multiple Forums for the Injured/Disabled Worker" (1993)
- California Employment Lawyers Association, "Practice Tips: Torts with Potential" (1993)
- San Francisco Chamber of Commerce, "Hiring and Firing Within the Law" (1993)
- California Trial Lawyers Association, "Requests for Admission" (1992)
- Bay Area Legal Recruitment Association, "Sexual Harassment in Law Firms" (1992)
- California Federation of Teachers, Council of Classified Employees, "Public Employees and Wrongful Discharge" (1987)