



Kate LaQuay

Partner Employment & Labor

Los Angeles

klaquay@munckwilson.com
310.601.1135



At a Glance

Leader in Employment Law

Kate was listed as a Leader of Influence: Labor and Employment Attorney by the Los Angeles Business Journal.

Employers' Advocate

Kate is highly successful at resolving disputes for employers facing claims of discrimination, harassment, wage/hour disputes, whistleblower claims, and other related matters.

Prolific Writer

Kate is an accomplished legal writer – she's been published in several legal journals and served as an editor of the U.C. Davis Law Review during law school.

Kate LaQuay is a partner in the employment and labor and employment litigation groups. Kate represents clients in defense of wrongful termination, discrimination, harassment, wage/hour disputes, whistleblower claims, and various other employment law-related matters, bringing broad experience in business litigation and regulatory matters and resolving employment disputes on behalf of employers. Her practice also encompasses a wide variety of other representations, including breach of contract claims, corporate director/officer liability issues, and unfair competition disputes.

Kate received a B.A. in Political Science from Stanford University and received her J.D., Order of the Coif, from the University of California, Davis School of Law. During law school, she served as an editor of the U.C. Davis Law Review and a member of the Trial Practice Honors Board and earned American Jurisprudence Awards in three subjects. She also completed a judicial externship for the Honorable Garland E. Burrell, Jr., U.S. District Court Judge for the Eastern District of California.

Experience

Representative Employment/Labor Law Experience:

- Successful resolution of numerous claims asserting discrimination, retaliation, and harassment based on sex, sexual orientation, race, national origin, age, pregnancy, and disability, as well as alleged failure to make reasonable accommodation, to engage in the interactive process, and interference with, or retaliation based on, right to family or medical leave, pursuant to written dispute resolution program requiring mediation/arbitration of claims
- Resolved investigations on behalf of multiple clients, without litigation, following charges of discrimination filed with California Department of Fair Employment and Housing
- Defeated breach of contract, constructive termination and California Labor Code Section 970 claims asserted against Fortune 500 company by motion to dismiss
- Represented employer and individual defendant accused of same-sex sexual harassment, assault and false imprisonment, achieving favorable settlement after filing of motion for summary judgment/summary adjudication
- Defeated all claims asserted by former employee against Fortune 500 company by successful motion to dismiss based on plaintiff's discovery abuses and failure to prosecute
- Represented employer, as well as individually named defendants, in defense of sexual orientation discrimination/harassment claims asserted by a former manager. Defendants contended the manager had been terminated for misuse of corporate credit card and falsification of expense reports. Following deposition of plaintiff and mediation, all claims were resolved on terms favorable to defendants
- Successful resolution of former supervisor's claims asserting national origin/religious discrimination, on behalf of Fortune 500 company. The company contended the supervisor had been terminated following its investigation into claims that the supervisor had sexually harassed and retaliated against a subordinate. All claims were resolved on terms favorable to the company through mediation
- Successful defense of claims brought by former manager who claimed company violated California Labor Code based on alleged misclassification of the manager as an exempt employee
- Defeated claims asserted against human resources employee for alleged violation of California Family Rights Act by successful motion to dismiss. Court agreed no claims could be stated against the human resources employee based on the allegedly wrongful termination of plaintiff's employment
- Represented Fortune 500 company in connection with whistleblower claims (California Labor Code Sections 98.6 & 1102.5) asserted by former employee who allegedly had reported that others were working "off the clock" and complained of a "hostile work environment"
- Defended client in class action based on purported failure to pay employees vested vacation pay at termination and to provide accurate wage statements. Court approved settlement of all claims after mediation
- Successful defense of claims brought under California's Private Attorneys General Act ("PAGA") based on alleged failures to provide compliant rest breaks, reimburse employees' expenses, pay overtime at required rates and provide accurate wage statements. Claims were resolved through mediation, resulting in court approval of settlement
- Defended client accused of violating Fair Credit Report Act and failure to: pay overtime wages, provide meal and rest breaks, reimburse expenses, pay wages when due, and provide compliant wage statements. Favorable settlement was approved by court following mediation
- Represented employer in arbitration proceeding to resolve former manager's claims of discrimination/retaliation and violations of California Labor Code (allegedly unpaid overtime, compensation for missed meal and rest breaks, failure to reimburse for expenses, etc.). Employer asserted counterclaims based on former employee's fraud, misappropriation of assets and breach of duties of care and loyalty. All claims were resolved prior to arbitration hearing

- Represented alleged joint employers in defense of claims asserted as a class/collective action under the Fair Labor and Standards Act (“FLSA”), the California Labor Code, California Wage Orders, and California’s Business & Professions Code based on purported failures to pay overtime, to pay wages when due and to provide accurate wage statements. Defendants filed counterclaim against named plaintiff, asserting claims for breach of contract and fraud. All claims were resolved following direct negotiation between the parties, and the parties’ settlement agreement was approved by the court
- Advised clients with respect to issues including mandatory agreements to arbitrate employment disputes, investigation of complaints made by employees, equal pay issues, reductions in force / WARN notices, legally-required family or medical leave, no-rehire provisions, confidentiality provisions in settlement agreements

Commercial Litigation/Other Experience:

- Represented plaintiff in breach of contract action seeking recovery of more than \$1 million for services rendered
- Defense of claims for damages based on breaches of commercial leases
- Represented physician and professional medical corporation seeking damages based on violation of expense-sharing agreement. Arbitration award in favor of the physician and his corporation was confirmed by Superior Court. Defeated appeal seeking to overturn award
- Defended company in class action asserting violations of Telephone Consumer Protection Act (“TCPA”)
- Defended consumer lender in action asserting claims for negligence and conversion based upon alleged seizure of property
- Represented computer manufacturer in coordinated lawsuits brought by employees who asserted they suffered various injuries as a result of “systemic chemical poisoning” which they allegedly suffered while working in clean room environments. Drafted multiple motions in limine, including successful motion to preclude references to study of “estimated risk of cancer” among employees
- Successful challenges to publication of information/images, pursuant to Digital Millennium Copyright Act. Achieved client’s objective of prompt removal of proprietary images from multiple digital platforms
- Advised company on website accessibility/ADA compliance issues
- Represented defendant in lawsuit asserting claims made pursuant to Rosenthal Fair Debt Collection Practices Act

Focus Areas

Arbitration

Employment Litigation

Employment Counseling & Preventive Services

Internal Investigations

Employment Policies & Handbooks

Speeches / Publications

- “California Moves to Recognize Intersectionality in Discrimination Claims,” Daily Journal April 2024.
<https://www.dailyjournal.com/articles/377936>
- “As the Heat Index Rises, Standards for Keeping Employees Cool May Change,” Daily Journal September 2023.
<https://www.dailyjournal.com/articles/374787-as-the-heat-index-rises-standards-for-keeping-employees-cool-may-also-change>

- “Not What the Doctor Ordered: The Limited Utility of Doctor’s Notes During the Interactive Process,” California Lawyers Association, California Labor & Employment Law Review, September 2021.
- “Signed, Sealed and Electronically Accepted,” Los Angeles Lawyer September 2020. <https://lalawyer.advanced-pub.com/?shareKey=7MJzzq>

Education

University of California Davis School of Law, JD, 1995
Trial Practice Honors Board, 1994-1995
Editor of U.C. Davis Law Review

Stanford University, AB, 1992
Political Science

Associations & Memberships

- ChIPs (Advancing Women in Tech, Law & Policy) member
- Cardinal Counsel, founder
- California Bar Association
- California Lawyers Association
- Los Angeles County Bar Association

Honors & Awards

- Women of Influence: Attorneys
Los Angeles Business Journal, 2023
- Leaders of Influence: Labor & Employment Attorneys
Los Angeles Business Journal, 2022-2023

Bar Admissions

California, 1995

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Southern District of California

U.S. District Court for the Northern District of California

U.S. Court of Appeals for the Ninth Circuit