Buchalter

Michelle M. Brookfield

San Diego, California
Attorney

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Areas of Practice & Industry Specialties
Labor & Employment; Litigation; e-Discovery; Franchise Law

Michelle Brookfield is an Attorney in the Firm's San Diego office and a member of the Labor & Employment practice group. She focuses on defending employers against discrimination, harassment, retaliation, failure to accommodate, and whistleblower claims. In addition, Ms. Brookfield advises employers regarding issues related to Human Resources and employee discipline. Michelle also has experience conducting internal investigations in response to Equal Employment Opportunity complaints.

Ms. Brookfield has represented many private and public entity clients, including both big and small companies, K-12 public school districts, community college districts, and California universities. She has ample experience filing Motions for Summary Judgment in employment-related matters, which often cause cases to be dismissed in their entirety. She also assists clients by conducting internal workplace investigations into complaints of discrimination and harassment.

Awards and Honors

- Included in The Best Lawyers: Ones to Watch™ in America for Litigation – Labor and Employment (2024)

Professional Involvement

- Member, Lawyers Club of San Diego
- Member, Filipino American Lawyers of San Diego
- Member, San Diego County Bar Association

Representative Matters

- Represented a Fortune 500 big box company in an age discrimination and FEHA retaliation case. Successfully moved for summary adjudication on the former employee's punitive damages claim. On the eve of trial, the former employee sought to settle the matter and the parties settled for an amount favorable to the company.
- Represented a Fortune 500 healthcare company in a disability discrimination, failure to engage/accommodate, CFRA interference/retaliation, and whistleblower retaliation case (Labor Code §1102.5). Successfully moved for summary judgment based on showing the former employee could not establish the employer had notice of her disability and she was terminated from her employment due to a company acquisition and changing business needs. Former employee unsuccessfully moved for a new trial, in part, based on the then-recently decided *Lawson v. PPG Architectural Finishes, Inc.* The Court was ultimately convinced the *Lawson* case did not change its summary judgment decision.
- Represented one of the largest California universities in a disability discrimination and whistleblower retaliation case (Labor Code §1102.5). Successfully moved for summary adjudication on the former employee's whistleblower retaliation claim and settled the matter prior to trial.

- Represented a regulated public utility company in a defamation and wrongful termination case. After moving for summary judgment, the former employee quickly sought to settle the matter and the parties settled for an amount favorable to the public utility company.
- Represented a California unified school district in two separate race and discrimination and FEHA retaliation cases. Successfully moved for summary judgment on both cases, resulting in complete dismissals of both cases.
- Represented a California unified school district in a whistleblower retaliation case (Labor Code §1102.5). Successfully moved for summary judgment based on showing the former employee failed to show the alleged wrongdoers had notice of her alleged protected activity.
- Second chaired a due process hearing before a panel of three administrative law judges in defense of a California unified school district's decision to terminate a school phycologist. After a 5-day hearing, the panel voted in favor of the termination.

Publications

- FMLA and USERRA Chapter of the 2023 PLI Employment Law Yearbook, *Practicing Law Institute* , April 19, 2023

Presentations

- "Buchalter Labor & Employment 2023 Seminar," Smart Center , October 25, 2023

Education
Ms. Brookfield earned her J.D., cum laude, from California Western School of Law. During her academic journey, she was a recipient of the Faculty Scholarship and was a member of the Public Service Honors Society. She also holds a B.A. in Political Science with a minor in Business Administration from San Diego State University.

Bar Admissions

- California

Court Admissions

- United States District Court, Southern District of California
- United States District Court, Central District of California