



# Hirschfeld Kraemer

*We work for employers*



## Felicia R. Reid

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### Contact Information

Hirschfeld Kraemer LLP

456 Montgomery Street, Suite 2200, San Francisco, CA 94104

freid@HKemploymentlaw.com

Direct (415) 835-9000

www.hkemploymentlaw.com

### Practices

- Appellate Practice
- Class Actions & PAGA Claims
- Employee Relations & Wage/Hour Counseling
- OSHA/Workplace Health & Safety
- Trade Secrets/Unfair Competition Litigation
- Wage & Hour Litigation

*“What I love most about practicing law is the opportunity for creativity and learning that my work presents every day. And employment law, with its ever-changing legal landscape and unique workplace situations, provides these opportunities in abundance. Because the best result for our clients is not getting sued in the first place, I focus my creativity on compliance and risk management strategies. Defending clients in the event of legal action also calls for creativity in mapping out and pursuing a strategy for achieving the client’s goals in the most effective and efficient way possible.”*



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Felicia Reid is a partner in Hirschfeld Kraemer LLP's San Francisco office. Her litigation practice focuses primarily on wage and hour class action defense. "Wage and hour class actions are complex, high-risk, bet-the-farm cases, and we are committed to mounting the most effective defense available." As in all litigation, defining a client's goal is critical to an effective strategy. In cases where the goal is a definitive win, Felicia pursues the case through trial, noting that Hirschfeld Kraemer is one of the few California law firms to have actually gone to trial on a wage and hour class action and that the experience she gained in that process was invaluable. On the other hand, where the goal is to resolve the case, "we set up the case with the strongest defense possible to leverage the lowest settlement achievable." Felicia has been successful in using this approach to obtain extremely favorable class action settlements.

Day-to-day employment advice and counsel is another important focus of Felicia's practice. She devises client-tailored strategies to ensure compliance with federal and California laws and creative solutions to address legal risks. "Most employment decisions involve some degree of legal risk. At Hirschfeld Kraemer we avoid simply telling our clients 'no' when there is risk. Instead, we understand the client's business goals and devise strategies for achieving those goals that minimize the risks."

Felicia also has a thriving appellate law practice, and takes great pride in her written advocacy skills. "I am passionate about appellate work for the intellectual and creative challenges it presents in written and oral advocacy. I especially enjoy the appellate briefing process, which allows the time and space to dig deeply into the facts and the public policies animating the issues." She has frequently appeared as an amicus or "friend of the court" on behalf of clients in high impact litigation where her mission is to educate the court about the real-world context of the case and the scope of its impact. And she has participated in a number of cases in the U.S. Supreme Court.

Felicia's clients come from a broad range of industries, including hospitality, financial services, professional services, high-tech, as well as the agricultural and transportation industries. Each industry presents unique challenges. She cites as an example, wage and hour issues in the high-tech industry. "I've become fluent in the language of high-tech as a result of numerous exempt/non-exempt classification audits in the technology sector." She has found that advocating for high-tech clients in audits and legal proceedings often involves educating the court or agency about what their workers are actually doing beyond simple labels. "I've gone to bat for clients before the U.S. Department of Labor, where DOL has insisted that IT employees operating a high level were non-exempt and entitled to overtime, due to a lack of sophistication in the meaning of job function terminology. We've been successful in educating the agency and convincing them to back off."

Felicia hails from San Diego, but quickly found her home in Northern California after college. "After growing up in Southern California, I appreciate that we actually have seasons in Northern California. Northern California also has such a variety of landscapes and recreation accessible within a small radius – beaches, rivers, forests, mountains." Felicia has what is possibly one of the best commutes in the world, riding on the back deck of a ferry boat as it plies the waters of San Francisco Bay between Alameda and the San Francisco Ferry Building. When she is not working, Felicia practices yoga, hikes, and does standup paddle boarding in the Bay. But her main passion is downhill skiing: "Skiing is both thrilling and therapeutic. I love the views from the top, row upon row of 'purple mountains' majesties' off into the distance. And there is nothing to focus the mind like a challenging run down the slopes. You must be fully present if you want to get down gracefully and in one piece. It is my winter meditation."



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## Education

J.D., University of California, Davis, 1991; Order of the Coif; Law School Medal (First in Class); Senior Articles Editor, U.C. Davis Law Review; Hopkins Writing Prize

B.A., University of California, San Diego, 1987

## Admissions

California

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeal, 10th Circuit

U.S. District Court, Northern, Eastern, Central and Southern Districts of California

Supreme Court of the United States

## Associations

California State Bar, Labor & Employment Law Section

Fair Labor Standards Legislation Committee, Labor & Employment Law Section of the American Bar Association

## Matters

U.S. Supreme Court:

Fisher v. University of Texas, 133 S.Ct. 2411 (2013) and 136 S.Ct. 2198 (2016) (affirmative action)

Encino Motorcars, LLC v. Navarro, 136 S.Ct. 2117 (2016) and 138 S.Ct. 134 (2018) (FLSA §13(b)(10) overtime exemption)

Other significant appellate cases:

Gonzalez v. Downtown LA Motors, 215 Cal. App. 4th 36 (Cal. Ct. App. 2013) (minimum wage compliance for piece rate employees)

Harvey v. Sybase, Cal. Supreme Ct. #08-118, rev. granted (2008) (punitive damages)

Allen v. Sybase, Inc., 468 F.3d 642 (10th Cir. 2006) (WARN Act) Gieg v. DRR, 407 F.3d 1038 (9th Cir. 2005) (FLSA commissioned sales exemption)

Mukhtar v. California State University, 319 F.3d 1073 (9th Cir. 2003) (admissibility of expert racism opinion)

Smith v. Rae-Venter Law Group, 29 Cal. 4th 345 (2002) (attorney fees in appeals of Labor Commissioner awards)