



→ Brooke S. Purcell

Partner

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Brooke Purcell is a partner in the Labor and Employment Practice Group in the firm's San Francisco office.

Areas of Practice

Brooke takes a pragmatic approach to litigation that balances the need for a strong defense with business realities. Her practice focuses on defending employers in federal and state courts and before administrative agencies against claims of wage and hour violations, discrimination, harassment, retaliation, and wrongful termination. She also represents employers in wage and hour class actions and PAGA claims. Her clients range from small businesses to publicly traded companies, with a focus on technology, retail and hospitality industries. In addition to her litigation practice, Brooke frequently provides guidance and training to companies to maintain compliance with federal, state, and municipal laws and regulations.

Prior to law school, Brooke worked as a Legislative Assistant in the United States Senate and as a Professional Staff member on the United States Senate Commerce Committee.

Honors

Client Service All-Star, *BTI Consulting*, 2023-2024

Southern California Rising Star, *Super Lawyers*, 2023

Northern California Rising Star, *Super Lawyers*, 2013-2018

Experience

- Deposed plaintiffs in various matters.
- Managed investigations by the United States Department of Labor Wage and Hour Division and municipal entities.
- Prevailed in a wage and hour action brought to hearing at the California Division of Labor Standards Enforcement (DLSE) against an international technology company.
- Negotiated favorable settlement and full release of numerous cases, including wage and hour cases at the DLSE and various discrimination, harassment, retaliation and wrongful termination matters.
- Briefed successful Motion to Dismiss in a state-wide meal and rest break case in the Eastern District of California against national food processing company, which postured the case for favorable settlement.

- Developed strategy for and managed the collection of declarations of putative class members in state-wide meal and rest break case venued in the Eastern District of California.
- Obtained multiple insufficient evidence findings from the California Department of Fair Employment and Housing (DFEH).
- Successfully defeated motion to strike counterclaim in trade secret and breach of contract matter.
- Prepared successful motion to transfer venue in discrimination and harassment matter for national grocery store chain.
- Deposed numerous medical experts in various discrimination cases.
- Defended person most knowledgeable depositions for retail, technology and manufacturing companies.

Articles

Labor and Employment Law Blog Posts

- "California Municipalities Move Closer to Requiring Hazard Pay for Grocery and Pharmacy Workers," January 8, 2021
- "San Francisco Surpasses Other Jurisdictions and Enacts Expansive COVID-19 Related Paid Sick Leave," April 20, 2020
- "Additional Paid Leave for Some San Jose Employees Under the COVID-19 Paid Sick Leave Ordinance," April 16, 2020
- "Complicating Simplicity: Ninth Circuit Requires Separate Stand-Alone Documents for Employment Background Checks," February 6, 2019
- "Department of Labor Offers Employers Clarity By Resuming Its Practice of Issuing Opinion Letters," April 25, 2018

Speaking Engagements

Speaker, "Private Attorneys General Act (PAGA): What Employers Need to Know," California Association of Health Facilities 2023 Annual Convention, Palm Springs, November 2023

Speaker, "Labor and Employment Law Update," California Association of Health Facilities 2023 NorCal Collective Meeting, August 2023

Speaker, "2023 Labor and Employment Update," California Association of Health Facilities Spring Advocacy, Sacramento, March 2023

Speaker, "Breakfast with your Labor Lawyer- San Francisco," Sheppard Mullin Spring 2018 Seminar Series, April 2018

Panelist, "Navigating the Security Litigation Storm," Retail Risk and Claims Managers Round Table Meeting, Oak Brook, July 2013

Panelist, "How to Lose 25 lbs. and Learn a Foreign Language by Using Structured Settlements," USLAW Client Conference, Tucson, April 2013

Events

California Labor & Employment Law Update and Happy Hour
San Francisco, San Diego, Los Angeles & Orange County
October 01/08/09/16, 2024

California Labor & Employment Law Update
04.18.2024

Charting the Course: Key Updates in Labor & Employment Law for 2024
04.09.2024

Labor & Employment Law Update and Happy Hour - San Francisco
Fall 2023
Sheppard Mullin San Francisco, 10.24.2023

Labor & Employment Law Update and Happy Hour - San Francisco
Fall 2022
Sheppard Mullin San Francisco, 10.20.2022

WHLC Dobbs Series Part 3
Issues Employers Must Face – the Far-Reaching Effects of Dobbs
Webinar, 08.09.2022

California Labor & Employment Law Update
Webinar, 04.21.2021

Labor & Employment Update – What Retailers Need to Know
Webinar, 01.28.2021

Webinar With Your Labor Lawyer - San Francisco
Spring 2020 Seminar Series
Webinar, 04.21.2020

Third Thursday Emerging Company Webinar Series
COVID-19 Related Employment Law Developments and An Overview of Recent Changes in California
Employment Law
Webinar, 04.16.2020

Labor and Employment Law Update
Sheppard Mullin Chicago, 11.28.2018

Memberships

Board of Directors, Bar Association of San Francisco Justice and Diversity Center
Bar Association of San Francisco
Marin Bar Association

Podcasts & Webinars

WHLC Dobbs Series, Part 3: Issues Employers Must Face – the Far-Reaching Effects of Dobbs.
08.09.2022

Labor & Employment Update – What Retailers Need to Know
01.28.2021

Practices

Labor and Employment

Labor and Employment Counseling

Employee Hiring/Discipline/Termination

Employment Agreements

Handbooks and Personnel Policies

Harassment Investigation and Training

Labor and Employment Litigation

Discrimination, Harassment, and Retaliation

Industries

Food and Beverage

Hospitality

Retail, Fashion & Beauty

Education

J.D., University of San Francisco Law School, 2008

B.A., Tufts University, 1999

Admissions

California