

DAVID L. CHENG

Partner / Los Angeles

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David focuses his practice on complex business disputes and wage and hour class and collective action cases brought under both federal and state law. David has successfully handled all aspects of litigation, from initial investigation to trial in both individual and class action matters. He is experienced litigating in both state and federal court, as well as private arbitration.

David also handles a broad range of employment litigation matters, and regularly counsels employers on hiring practices, background checks, terminations, workplace investigations, reductions in work force issues, and litigation avoidance practices. David also provides guidance to employers regarding negotiation of separation agreements, drafting employment handbooks, policies, and procedures, and various issues related to wage and hour compliance. David focuses his practice on proactive assistance to clients, in order to avoid actionable conduct relating to employment issues in the future and in line with his clients' business needs and goals.

Prior to joining FordHarrison, David was an attorney at a plaintiff-side law firm that represented individuals both in labor and employment law and consumer-related disputes, which provides him with great insight into the potential challenges that companies often face in litigation.

Representative Experience

- » Successfully defeated California wage and hour class action against large international restaurant chain.
- » Defeated California wage and hour class action against leading provider of health care services alleging meal period violations, reporting time claims, and unpaid overtime by simultaneously arguing that some claims could not properly proceed as a class action and the remaining claims were subject to summary judgment.
- » Obtained dismissal of nationwide Fair Credit Reporting Act class action against major provider of commercial and

EDUCATION

- » Boston College Law School (J.D., 2005)
- » University of Chicago (B.A., 2001)

BAR ADMISSIONS

- » California

COURT ADMISSIONS

- » U.S. Court of Appeals for the Ninth Circuit
- » U.S. District Court for the Northern District of California
- » 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

residential mortgage services.

- » Obtained dismissal of wage and hour class action against a national airline on RLA preemption grounds.
- » Successfully defended and obtained favorable individual settlement of putative class and PAGA representative wage and hour class action against a franchise owner with multiple locations.
- » Obtained favorable individual settlement on behalf of a retirement facility in wage and hour class action.
- » Obtained dismissal of retaliation claim brought by former employee against major national security guard company.
- » Obtained dismissal of misclassification claim brought by former employee against non-profit agency.
- » Obtained summary judgment on behalf of a retail store owner in an action for alleged disability accessibility violations. Court later awarded attorneys' fees to client in defending action.

Honors & Awards

- » Listed in "Southern California Rising Stars" (2012, 2013, 2014 and 2015), in *Law & Politics* magazine's annual "Super Lawyers" publication
- » Leadership Council on Legal Diversity (LCLD), 2021 Class of Fellows

News & Insights

- » SourceBook - Editor, FordHarrison's Labor & Employment Law Sourcebook, Class and Collective Actions
- » October 23, 2023 - California Serves Up Another Headache for the Restaurant Industry
- » October 16, 2023 - New California Employment Developments for 2024
- » October 06, 2023 - California Amends its Existing Paid Sick Leave Law to Provide More Paid Sick Leave
- » May 24, 2023 - "An Overview Of Calif. Berman Hearings For Wage Disputes," Law360

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