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Stephen M. Benardo, Esq.

Arbitrator & Mediator

Mr. Benardo has nearly three decades of experience in employment law. He has represented both employers (of all sizes) and employees in dozens of mediations, ranging from single plaintiff cases, to multi-plaintiff cases, to wage and hour class actions with potential damages in eight or nine figures. He is a member of numerous mediation panels and has served as a mediator, both in person and virtually, in a wide range of disputes.

As a litigator, Mr. Benardo has represented clients before state and federal appellate courts, trial courts, and administrative agencies. As a defense attorney, he has worked for multi-billion dollar companies, single individuals, and all kinds of clients in between. As a plaintiffs' attorney, he has handled cases ranging from class actions with potential damages of over \$100 million to individual cases with as little as \$10,000 at stake. Since he has concurrently represented both employees and employers in a broad range of cases, he knows what both rooms are thinking.

Conflict Resolution Experience

Specializes in employment law with a focus on wage and hour class actions; has significant expertise in harassment, discrimination, wrongful termination, retaliation, whistleblower, disability, unfair competition, trade secrets and employee mobility disputes. Also handles business litigation, landlord/tenant and personal injury cases.

Practice Areas

- **Employment Law/Civil Rights:** Mr. Benardo is regarded as an expert on employment law and civil rights issues, including almost every area of the law governing employers and employees. He has given MCLE presentations over the years on employment law issues.
- **Class Actions/PAGA/Wage and Hour/FLSA:** Mr. Benardo has an in-depth understanding of wage and hour class actions and PAGA actions, including the class certification process, statistics and surveys, PAGA, and the special claims and defenses on which these cases rise and fall. He has both prosecuted and defended wage and hour class actions and PAGA cases, and has been class counsel in a number of class actions that have settled in the millions of dollars. He has litigated more than 100 individual wage and hour cases—e.g., FLSA, California Labor Code, overtime exemption misclassification, independent contractor

versus employee—on behalf of both plaintiffs and defendants in civil court and before the California Division of Labor Standards Enforcement.

- **Unfair Competition/Trade Secrets/Employee Mobility:** Mr. Benardo has in-depth experience in unfair competition and trade secret cases, having represented clients on all three points of the triangle: 1) employers who have lost employees to a competitor, 2) employers who have hired employees from a competitor, and 3) employees who have changed jobs from one competitor to another or who have started a business that competes with a former employer.

Organizations & Achievements

- Member, Los Angeles County Bar Association, Labor and Employment Law Section (1994-present)
- Member, Beverly Hills Bar Association (2021-present)
- Member, ProVisors (2004-present)

Education & Training

- Mediation training: ADR Program, US District Court; Straus Institute, Pepperdine University School of Law
- J.D. (1991), UCLA School of Law
- B.A. (1985), University of Minnesota

Mr. Benardo is available throughout California.