



Alyson S. Cabrera

PARTNER

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RELATED SERVICES

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OVERVIEW

Alyson Cabrera is a Partner in GRSM's Employment practice group. Alyson joined the firm in 2003 after completing a one-year post-graduate federal clerkship in the Northern District of California. She represents both private and public entities primarily in employment related matters including employment discrimination, wrongful termination, retaliation, failure to accommodate claims and whistleblower actions. Alyson has represented a wide range of clients ranging from start-ups to Fortune 500 companies, while focusing a large portion of her employment litigation and labor practice on schools (K-12, Community Colleges, Universities, Professional Schools) and hospitals (adult, children, community-based and skilled nursing). She has also defended schools and hospitals against claims brought by students and patients under state and federal anti-discrimination laws as well as the state and federal Constitutions. Alyson regularly provides advice and counseling to client's with a litigator's eye, including advising clients about the risks associated with discipline and terminations, and in educating clients

about the duty to engage in the interactive process and provision of reasonable disability-related accommodations.

Alyson has an extensive track record of success in law and motion having prevailed on numerous summary judgment motions in both state and federal court (including Santa Clara County, Alameda County, Contra Costa County, San Francisco County and the Northern District of California). She also enjoys trial work, and routinely arbitrates labor grievances with an emphasis on discipline and terminations. Alyson has also successfully argued before the Ninth Circuit Court of Appeals.

REPRESENTATIVE EXPERIENCE

Representative Experience

- Defense verdict in jury trial where former substance use disorder counselor alleged disability discrimination, failure to accommodate and retaliation, *Lewis v. United Indian Health Services, Inc.*, Humboldt County Superior Court
- Defense verdict in jury trial where former tenured professor alleged conversion and retaliation, *Nambiar v. UC Regents*, Yolo County Superior Court.
- Defense verdict in jury trial where former nurse manager alleged whistleblower retaliation in neonatal intensive care unit, *Faulkner v. Lucile Salter Packard Children's Hospital*, Northern District of California.
- Motion for summary judgment granted in favor of employer-hospital where former disabled employee claimed constructive discharge following a medical leave of absence.
- Motion for summary judgment granted in favor of major public University where employee-plaintiff claimed she “blew the whistle” regarding the alleged use of dirty neural probes at a hospital; (identified as a *Daily Journal* Top Defense Case).
- Motion for summary judgment granted in favor of local community college district where employee-plaintiff alleged race discrimination and retaliation.
- Motion for summary judgment granted in favor of K-12 school district where employee-plaintiff alleged race discrimination and retaliation.
- Prevailed in 15+ labor arbitrations demonstrating that school and hospital employers had “just cause” for termination decisions; (SEIU, CRONA).
- Defense verdict in sexual harassment jury trial, *Ward v. Future US*, San Mateo County Superior Court.
- Motion for summary judgment granted in a civil rights suit brought by high school students who were asked to remove clothing bearing images of the American flag after school officials learned of threats of race related violence during a school-sanctioned celebration of Cinco de Mayo. Affirmed by Ninth Circuit Court of Appeals following oral argument. United States Supreme Court denied petition for certiorari.

- Successfully opposed petition for writ of mandate for Bay Area community college district where academic administrator claimed retreat rights under the Education Code.
- Successfully defended employer-hospital in arbitration, where claimant, a pediatric nurse, alleged that the hospital terminated his employment on the basis of his disability and failed to reasonably accommodate his disability.
- Motion for summary judgment granted in favor of employer-law firm in federal employment case where attorney-plaintiff alleged race and national origin discrimination and violation of Equal Pay Act. Affirmed by Ninth Circuit Court of Appeals following oral argument.
- Motion for summary judgment granted in favor of employer-hospital in federal employment case where social worker-plaintiff alleged disability discrimination and retaliation.
- Motion for summary judgment granted in favor of employer-hospital in state court case where nurse-plaintiff alleged invasion of constitutional right to privacy and defamation. Affirmed by California Court of Appeal following oral argument.
- Motion for summary judgment granted in favor of employer-community college district in federal employment case where student-employee alleged race discrimination and various torts.
- Motion for summary judgment granted in favor of employer-hospital in federal employment case where compensation analyst-plaintiff alleged race discrimination and retaliation.

PRESENTATIONS

Alyson has provided CLE presentations and corporate trainings on various employment topics including sexual harassment prevention and family and medical leave issues.

- Best Practices for Disciplining Employees in the Current Litigation-Forward Environment, GRSM Legal Education Conference, San Francisco, CA, September 2024
- Navigating Complex Employment Law: Best Practices for Hiring and Firing in the Current Litigation-Forward Environment, GRSM Legal Education Conference, San Francisco, CA, September 2023
- #METOO: The Next Phase, GRSM Legal Education Conference, San Francisco, October 2019
- HR Presents New Labor Laws for 2019, Stanford Health Care
- The Zen of MSJ's in Employment Cases, GRSM
- Employment -#metoo – Navigating Sexual Harassment Claims in the Aftermath of Weinstein, GRSM Legal Education Conference, San Francisco, October 2018
- Micro-Mentoring, A Big Firm Perspective, Northern California Attorney Retreat
- Roundtable- Summary Judgment Toolbox, San Francisco Trial Lawyers Association
- Employment Practices Liability Insurance Update: The Law...The Risks...The Solutions, Chartis
- Family and Medical Leave Act in California, Lorman Education Services
- Newly Enacted and New Employment Laws Affecting Your Clients and Your Practice, GRSM

CREDENTIALS

Admissions

- California
- U.S. District Court, Northern and Eastern Districts of California
- U.S. Court of Appeals, Ninth Circuit
- U.S. Supreme Court

Community Involvement

- Prior to attending law school, Alyson worked for one year in Ghana, West Africa, where she volunteered with the International Federation of Women Lawyers to provide free legal aid for the benefit of indigent women and children.
- Alyson has been the standing coach of the University of California, Hastings College of the Law's National Appellate Advocacy Competition team since 2002.
- In 2019, Alyson became the Co-Chair of the "UC Hasting's Challenge" for GRSM.

Education

- J.D., University of California, Hastings College of the Law, 2002
 - Witkin Award in Mediation
 - CALI Award for Excellence in Mediation and Gender Discrimination
- B.A., Sociology, University of California, Berkeley, 1997

Clerkships

- Honorable Maria-Elena James, United States Magistrate Judge for the Northern District of California

Honors

- *Best Lawyers in America*® distinction in Employment Law – Management (2023-2025)
- *Super Lawyers*® distinction in Employment Litigation: Defense (2020-2023)
- *UC Hastings Board of Trustees* (2019 elect – three-year term)
- *Daily Journal* Top Defense Cases 2017: *Clark v. UC Regents*. Summary Judgment Granted Where Employee Alleged Retaliation for Reporting Unsafe Patient Care and Conditions
- *Rising Stars*® distinction in Employment Litigation Defense, Civil Rights/First Amendment, and Employment & Labor (*Law & Politics*, 2009-2015)
- *The Recorder*, Top Employment Defense Practices in Northern California (2012)