

# Susman Godfrey Wins Defense Verdict for Rawlings in Wage and Hour Class Action

By Dana Olsen  
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Despite the boom in wage-and-hour litigation, employment class actions rarely go to trial. In one of the few to be tested before a jury, lawyers at Susman Godfrey convinced jurors in a Kentucky state court on Friday to side with client The Rawlings Company and deny the class's claims for \$12 million in overtime pay and penalties. This verdict comes two months after a Detroit jury in March concluded that Quicken Loans was not obliged to pay its mortgage loan officers overtime.

The Rawlings class consisted of current and former medical claims auditors, who filed this complaint in 2008 alleging that their employer misclassified hundreds of employees as exempt from overtime laws. After three weeks in the courtroom, the jury found that the employees were rightly classified as exempt and denied the class's request for seven years of back pay and penalties.

Rawlings initially hired a Kentucky firm, but soon switched to Susman Godfrey, which had represented Rawlings in unrelated litigation for years. Neal Manne of Susman Godfrey told us that Rawlings's owner and founder, George Rawlings, was poised for trial from the moment the judge certified the class. "There were no attempts at settlement," Manne said. "George Rawlings felt strongly that his company's position was correct. . . . The reason he hired us was to bring the case all the way to trial." Susman Godfrey partners Shawn Rabin and Kalpana Srinivasan also worked on the defense.

The plaintiffs were represented by New York's Blau, Brown & Leonard and by Louisville, Ky.'s Tachau Meek. David Tachau of Tachau Meek told us he's planning an appeal. "We are very proud to represent the workers who brought this case and we are optimistic for an appeal," he said.