

## Alison L. Tsao

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## About Alison

Effective, creative, and equally adept at defending employers ranging from mom-and-pop sole proprietors to public entity employers and Fortune 100 companies, Alison L. Tsao resolves disputes involving all forms of discrimination and harassment, wrongful termination, unfair competition and employment-related tort claims.

She also has two decades of experience successfully defending management in wage and hour class actions and PAGA representative actions, and remains in the forefront of this evolving area by advancing new legal theories. Tsao is one of a few California attorneys who has taken this type of complex case all the way to trial and through various levels of appeals. She was also a key member of the trial and appellate team that secured the seminal California Supreme Court decision in Duran v. U.S. Bank, 59 Cal.4th 1 (2014), which helped shape class certification and trial management principles in exemption cases, particularly in the areas of statistical sampling and representative testimony. Tsao cemented that victory when she again defeated class certification after the case was remanded to the trial court, which was affirmed on appeal in a decision that discussed the weaknesses and unreliability of survey methodology in these types of exemption cases, Duran v. U.S. Bank, 19 Cal.App.5th 630 (2018).

Tsao successfully represents employers before administrative agencies, California state and federal courts, at both the trial and appellate levels, and in arbitrations. She aggressively pursues early resolution on favorable terms whenever possible, whether through ADR or by dispositive motions, and is known for her tough negotiation skills.

In addition, Tsao regularly provides training and advice to clients in the areas of risk management and litigation avoidance, keeping them informed of changing laws and best practices in the challenging California legal climate.

## Publications

" Calif. Whistleblower Decision Signals Change For Employers" Author, *Law360 Expert Analysis*, July 2023

" Women Mentors and Sponsors: The XX Factor to Breaking the Glass Ceiling in

## Education

University of California,  
Hastings College of the Law,  
J.D., magna cum laude, 1998

- Order of the Coif, Thurston Society, 1998
- *Hastings Constitutional Law Quarterly*, Associate Editor, 1997

University of California,  
Berkeley, B.A., Political  
Science, with honors, 1995

## Written Opinions

*Alila-Katita v. U.S. Bank*, 2016  
WL 4992464 (N.D. Cal. 2016)

*Duran v. U.S. Bank Nat. Ass'n*,  
59 Cal. 4th 1 (2014)

*Duran v. U.S. Bank Nat. Ass'n*  
("Duran II"), 19 Cal.App.5th 630  
(2018)

*Trahan v. U.S. Bank Nat'l Ass'n*,  
2015 WL 75139 (N.D. Cal. Jan.  
6, 2015)

*Wells v. Board of Trustees*,  
2006 U.S. Dist. Lexis Unpub.  
68260 (N.D. Cal. Sept. 7, 2006)

Law," Author, *Daily Journal*, May 2022

"Trends In PAGA Claims & What It Means For California Employers" *Inside Counsel*, Contributing Author, March 2015

## Presentations

"Navigating the Legal Landscape: Analyzing the *Harvard/UNC* Decision and Its Impact on DEI in the Workplace," Co-Presenter, CDF Webinar Series, August 2023

"New California Employment Laws and Developments for 2023," Co-Presenter, CDF Webinar Series, November 2022

"California's Patchwork of Local Employment Ordinances – a Minefield For the Unwary," Panelist, CDF Webinar Series, February 2021

"Walk the Walk: Initiatives to Diversify the Legal Profession," Moderator, Asian American Bar Association of the Greater Bay Area, October 2020

"Sponsors, Influencers, and Career Engineering for Legal Counsel," Panelist, Women, Diversity & Change Summit, June 2019

"Leaders Create More Leaders - Leading and Developing Diverse Leaders In-House and in Law Firms," Panelist, California Minority Counsel Program (CMCP), August 2018

"Employment Law Basics for the Immigration Practitioner," American Immigration Lawyers Association's 2018 Annual Conference, June 2018

"Employment Trials – Examining Witnesses," Alameda County Bar Association's Labor and Employment Symposium, November 2017

"Mind the Gap: Complying with California's Fair Pay Act and Wage Equality Act," California Minority Counsel Program, May 2017

"What is 'Fair'? - Complying with California's Fair Pay Act," CDF Webinar Series, April 2016

"Full-Time Employee vs. Contractor," Hire Smart Seminar hosted by Intuit Inc. and LinkedIn, April 2013

"Wage & Hour Class Actions: What Companies Doing Business in California Need to Know," CDF Webinar Series, September 2012

"Digital Dilemmas: The Price & Perils of e-Discovery," California Minority Counsel Program, Annual Conference, 2010

"Taking Your Legal Vitamins: Best Practices for California Employers," Asian American Bar Association of Greater Bay Area, 2008

*Wells v. Board of Trustees of California State University*, 393 F.Supp.2d 990 (N.D. Cal. 2005)

- Public employer's immunity and right to terminate employee based on contract for specified term

## Professional Affiliations/Leadership/Awards



Received CLAY Award for being recognized as one of the Attorneys of the Year, Class Actions, *California Lawyer*, 2015

Listed, *Northern California Super Lawyers®*, 2020 - 2023

Listed, *Thomson Reuters®* Stand-Out Lawyer, 2024

California Minority Counsel Program, 2008 - present

- 2010 Annual Conference Committee Member

Asian American Bar Association, Greater Bay Area, 2005 - present

- Solo & Small Firms Committee, Co-Chair
- Women's Committee Member, 2015 - 2016

San Francisco Bar Association

- Bay Area Minority Summer Clerkship Program Participant, 2010

California Women Lawyers, 2015 - 2016

CDF Labor Law LLP

- San Francisco Office Managing Partner since, 2007 - Present
- Chair, Diversity, Equity & Inclusion Committee, 2020 - Present
  - Co-Chair, 2018 - 2020
- California Labor & Employment Law Blog, Editorial Board, 2021 - Present