



DAVE CAROTHERS, ESQ.

Available Statewide with No Travel Fees



Dedicated to the Resolution of Labor and Employment Matters.

With an impeccable track record spanning 36 years, Dave Carothers, Esq. is a trusted and experienced trial lawyer who has successfully litigated cases throughout California. He has expertly litigated claims related to wrongful termination, sexual harassment, breach of contract, ADA, wage and hour claims, and discrimination, in addition to negotiating settlements in many of these cases on behalf of employers and employees alike - deftly avoiding the heavy costs associated with jury trials. Additionally, Mr. Carothers has served as lead trial counsel in large complex actions involving representative actions, class actions and coordinated actions involving hundreds of claimants across various sectors and industries. He is a former Board President and current member of the San Diego Chapter of the American Board of Trial Advocates (ABOTA).

In 2008, Governor Schwarzenegger tapped Mr. Carothers to join the California Fair Employment and Housing Commission - a prestigious position that enabled him to be instrumental in reworking the State's pregnancy discrimination statutes over his three-year tenure. During this time, Mr. Carothers also used his expertise as a mediator to resolve adjudicated claims submitted by the Department of Fair Employment and Housing (DFEH).

With an impressive background of nearly 100 jury trials, Mr. Carothers is a sought-after advisor to senior management teams on proactively executing preventive strategies and cultivating positive workplace environments. His expertise has spanned industries from educational institutions, national retail chains and hospitality firms to banking technology companies as well as religious organizations. In addition, Mr. Carothers is frequently invited to speak to various groups on issues related to employment, including diversity in the workplace - all underpinned by his expansive knowledge of labor and employment law.

Mr. Carothers has a long history of giving back to the community through his involvement with Mercy Hospital's Finance Committee, the African-American Managing Partners Network, the San Diego Foundation, San Diego Inner City Games, and the San Diego Citizens Review Board on Police Practices, as well as serving as a board member for organizations such as Neighborhood House Association, CSU Dominguez Hills Philanthropic Board, and United Way of San Diego.

EMPLOYMENT EXPERTISE

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| • Retaliation Claims | • Unfair Competition, Non-Compete |
| • Private Attorney General Act (PAGA) | • Misclassification Claims |
| • Wage & Hour Class Actions | • ADA / Disability Discrimination |
| • Age, Sex, Gender, Race Discrimination | • Malicious Prosecution |
| • Church Law | • Leaves of Absence |
| • Whistleblower Claims | • FMLA and CFRA |
| • Wrongful Termination | • Breach of Contract |
| • Unruh Act Claims | • Workers' Compensation Retaliation |

PROFESSIONAL EXPERIENCE

Partner and Senior Trial Counsel, Carothers, Disante & Freudenberger LLP, 2000-2020

- Managing Partner of San Diego Office, 2000-2015
- Member of Executive Committee, 2001-2018
- Co-Chair of Diversity and Inclusion Committee

Commissioner, Fair Employment and Housing Commission, 2008-2011

- Appointed by Governor Arnold Schwarzenegger

Partner, Chapin Shea Fleming & Winet, 1997-2000

- Chair of the Employment Practices Group
- Served as General Counsel

Associate and Partner, McInnis Fitzgerald Rees Sharkey & McIntyre, 1985-1997

- Member of the Recruiting Committee
- Member of the Employment Practices Group

Law Clerk to the Director, National Labor Relations Board, Region 31, 1984

PROFESSIONAL AFFILIATIONS AND AWARDS

- Martindale-Hubbell AV® Preeminent Rated
- Listed, Best Lawyers®, Litigation - Labor and Employment, San Diego, 2013-2022
- Listed, Best Lawyers®, Employment Law - Management, San Diego, 2020
- Listed, Best Lawyers®, Class Action - Defense, San Diego, 2015-2020
- Listed, San Diego Super Lawyers, 2012-2019
- Selected as one of San Diego's Top Attorneys by The Daily Transcript, 2013-2016
- American Board of Trial Advocates (ABOTA), 2005-Present
- Federation of Defense and Corporate Counsel, 1999-Present
- San Diego County Bar Association, Diversity Fellowship Program
- Continuing Education of the Bar's CEB Annual Employment Law Update
- Former Board Member, San Diego Harbor Police Philanthropic Board

EDUCATION

- Juris Doctor, University of Southern California, Gould School of Law, 1985
- Bachelor of Arts, California State University, Dominguez Hills, 1982

MILITARY SERVICE

- United States Navy, 1975-1981
- Awarded the Navy/Marine Corps Expeditionary Medal for services related to Iran

PUBLICATIONS

- "6 Calif. Employment Bills Employers Should Track", Law360, May 2017
- "A Legal Roadmap for Wellness Programs," Today's General Counsel, August/September 2016
- "Avoiding Legal Traps Involving Employment References," San Diego Commerce, 1997