

Philip A. Toomey



PARTNER
PTOOMEY@LEECHTISHMAN.COM



Best Lawyers
Super Lawyers

424.218.3903
2041 ROSECRANS AVENUE, SUITE 300
EL SEGUNDO, CA 90245

Philip A. Toomey is a Partner at Leech Tishman and a member of the Employment, Corporate, Litigation and Real Estate Practice Groups. Phil is based in Leech Tishman's El Segundo, CA office and serves as the firm's West Coast Business & Employment Client Relations Partner, where he manages California business, labor and employment matters.

Phil serves as the trusted outside general counsel for international, privately held, and small to mid-market companies in the aerospace, transportation, manufacturing, food production, office and retail services industries, among others.

Phil has more than 37 years of successful business and courtroom experience in helping business owners and organizations sustain and build their enterprises. Clients rely on his rare combination of business experience and legal expertise to meet their needs. Phil regularly advises clients on issues involving commercial & civil litigation, employment law, insurance and risk management, ethics and business

compliance, real estate, intellectual property, internal/external investigations, strategic transactions, corporate structure issues and other business law matters.

Phil is in demand as a frequent panelist, moderator, and expert speaker at industry events and seminars, and has authored professional articles offering business and legal advice in numerous publications, including *Accounting Today*, *PEO Insider*, *Progressive Grocer*, *Nation's Restaurant News*, and *The Deal Magazine*.

Employment & Litigation

Phil is a well-respected litigator in employment and business law matters, and has a successful track record of litigating claims for both public and private employers involving:

- Affirmative Action and OFCCP compliance
- Arbitration
- Collective bargaining agreements/grievance administration
- Defense of class action wage and hour claims
- Disability accommodation & ADA compliance
- Disciplinary action and termination
- Discrimination claims involving disability, race, age and ethnicity
- Diversion of corporate opportunities
- Drugs/alcohol in the workplace
- Employment agreements, hiring and contracts
- Employee benefits consulting
- Employee handbooks/policies & procedures
- Family/medical leaves of absence
- Human Resource Practices Audits
- Misuse of confidential information
- Payment practices
- Performance appraisals
- Planning and defending reduction in force initiatives, corporate campaigns and union organization activity
- Pre-employment testing and background checks
- Public policy/whistleblower claims
- Restrictive covenants and confidentiality agreements
- Severance agreements, waivers and releases
- Sexual harassment
- Strikes, picketing & boycott advice
- Theft
- Trade secret/unfair competition
- Unemployment compensation claims
- Unfair labor practice complaints

- Unionized employee arbitrations
- Use of temporary/leased/contract employees and independent contractors
- Violation of civil rights
- Workplace investigations
- Workplace violence/safety
- Workplace privacy
- Wrongful termination/employment at-will
- Wrongful inducement

Phil regularly advocates on behalf of public and private employers before federal and state agencies, including the U.S. Equal Employment Opportunity Commission, the National Labor Relations Board, the U.S. Department of Labor, the Public Employee Retirement Board, the California Department of Fair Employment and Housing, and the California Employment Development Department.

Phil is also a Los Angeles Superior Court trained mediator. In addition, he has investigated and resolved numerous sensitive in-house matters, involving corporate ethics, senior level management and key employees. Phil has successfully closed several senior level separations, and advised management and boards on successor employer liability, Sarbanes-Oxley, and fiduciary obligations.

Corporate

On the corporate side, Phil has set up, dissolved, kept compliant, merged and acquired hundreds of privately held businesses. He has negotiated and documented exit strategies, including leveraged management buy-outs. Phil has also successfully negotiated with a host of Fortune 1000 companies.

Insurance & Risk Management

From the perspective of risk management, Phil has reviewed hundreds of insurance policies and negotiated coverage disputes.

Phil regularly handles Employment Practices Liability Insurance (EPLI) covered claims as pre-approved counsel. He has also managed outside or assigned attorneys, driving discussions of risk, strategy, planning, cost and impact.

Academics

J.D., *cum laude*, Loyola Law School
 Los Angeles Superior Court Mediator Training, Straus Institute for Dispute Resolution, Pepperdine University
 Certificate, Advanced Studies- State and Local Taxation, University of California, Davis
 Certificate, Advanced Studies- Corporate Taxation, University of Southern California Gould School of Law
 Certificate, Advanced Studies- Criminal Law, University of Southern California Gould School of Law
 B.A. in Sociology, *cum laude*, Loyola Marymount University

Admissions

California

Experience

Carico Johnson Toomey LLP
 City of Redondo Beach (Designated Outside Employment Attorney)
 Artiano, Guzman & Toomey LLP

Professional Memberships

Alpha Sigma Nu Merit Society
 American Bar Association (Member, Section on Labor and Employment)
 American Inns of Court (Master)
 National Public Employer Labor Relations Association (Faculty Member)
 Professionals in Human Resources Association
 Society for Human Resource Management
 State Bar of California (Member, Employment Law Section)
 St. Thomas Moore Merit Society

Professional Accolades

Nation's Top One Percent, *National Association of Distinguished Counsel*

Martindale-Hubbell

Martindale-Hubbell Rating, AV® Preeminent

Best Lawyers

Best Lawyer, *Best Lawyers Magazine*

Super Lawyers

Super Lawyer, Labor and Employment Law, *Southern California Super Lawyers Magazine*, (2005-2019)

Speeches & Presentations

Los Angeles Trade Tech College
 National Public Employer Labor Relations Association
 Public Employer Labor Relations Association of California

Publications

Accounting Today
 Nation's Restaurant News
 PEO Insider
 Progressive Grocer
 The Deal Magazine

Community Involvement

City of Redondo Beach (Designated Outside Employment Attorney; Fmr Commissioner; Fmr Chair of Planning, Harbor, Budget and Finance, Tax and Budget Commissions; Former Member, Charter Review Committee)
 Center for Women in the Law (Former Faculty Member)
 Child Hope International
 Invisible Children
 Liberty in Korea
 Livestrong Foundation
 White House Conference on Small Business (California Delegate)

© Leech Tishman, 2019. Leech Tishman Fuscaldo & Lampl is a full-service law firm dedicated to assisting individuals, businesses, and institutions. Leech Tishman offers legal services in alternative dispute resolution, aviation & aerospace, bankruptcy & creditors' rights, construction, corporate, embezzlement & employee theft, employee benefits, employment, energy, environmental, estates & trusts, family law, government relations, immigration, insurance coverage & corporate risk mitigation, intellectual property, international legal matters, litigation, real estate, and taxation. Headquartered in Pittsburgh, PA, Leech Tishman also has offices in Chicago, Los Angeles, New York, Sarasota, and Wilmington, DE. For more information call 424.738.4400 or visit us at www.leechtishman.com.