



And The Defense Wins

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DRI member [Michael Lucey](#), an employment partner in the San Francisco office of **Gordon & Rees**, and a colleague prevailed on a Motion for Summary Judgment on behalf of a cargo terminal operator in a disability discrimination and retaliation case on the first day of trial. The plaintiff, a longshoreman, alleged that the terminal operator discriminated against her based on her disability (diabetes) by failing to provide her with a restroom in close proximity to her work location and by failing to provide meal and rest breaks in violation of California's Labor Code. The plaintiff also alleged the employer requested her to work less frequently, in retaliation for her complaining about the purported discrimination.

During the plaintiff's deposition, Gordon & Rees obtained a number of admissions that ultimately resulted in the state court granting Gordon & Rees's motion for summary judgment, dismissing the case and entering judgment in favor of the firm's client.

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