

Howard M. Knee | Partner

Labor & Employment

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Howard Knee represents high-profile companies in complex and high-stakes cases, including defending discrimination and sexual harassment cases as well as wage and hour class actions and Private Attorneys General Act (“PAGA”) representative actions. He is respected by his peers for the professional and intelligent way he approaches his cases and the innovative strategies he uses to defend his clients. In his 50-year career, Howard has handled nearly 100 trials. He has appeared before the United States Supreme Court, the California Supreme Court, the Ninth Circuit Court of Appeals, and various state courts of appeal. He has also handled jury and bench trials in both federal and state courts, arbitrations, labor arbitrations, and various administrative proceedings.

Howard also has significant experience handling matters before the National Labor Relations Board. His experience includes representing management in union organizing campaigns, negotiating collective bargaining agreements, responding to and litigating unfair labor practice charges, and handling grievances and arbitrations.

As a student at UCLA Law School, Howard was an intern at the Equal Employment Opportunity Commission and a Ford Foundation Fellow at the Center for Law and Social Policy in Washington, D.C., the country’s first public interest law firm. After law school, he returned to Washington, D.C., where he worked first in the Ralph Nader organization and then served as a legislative assistant in the United States Congress to the Hon. James Corman (Van Nuys).

Relocating to Los Angeles, Howard joined a union-side labor firm and represented a class of women in a landmark sex discrimination case in the United States Supreme Court, *Manhart v. City of Los Angeles, Dept. of Water & Power*, 435 U.S. 702

(1978). The *Manhart* case was recently featured in a book titled *Because of Sex: One Law, Ten Cases, and Fifty Years That Changed American Women's Lives at Work* as one of the ten cases decided by the United States Supreme Court that most affected women's lives in the workplace.

Howard formed his own boutique employer and management-side law firm in 1980, where he practiced until joining Blank Rome in 2010.

Howard was elected a Fellow of the College of Labor and Employment Lawyers in 2015. For 2023, he is listed in *Best Lawyers in America*® for "Litigation – Labor and Employment in Los Angeles." He was recognized by the *Daily Journal* as one of California's top 75 labor and employment lawyers for 2014, has been listed in *Southern California Super Lawyers* for "Employment Litigation" every year since 2006, and is rated AV-Preeminent by Martindale-Hubbell. Howard is also listed in 2019 *Chambers USA* as a "Recognized Practitioner in Labor & Employment Law" and in 2019–2022 in *Benchmark Litigation* as a "Labor & Employment Star – California."

Select Engagements

- Successfully represented a security guard company in a wage and hour class action jury trial in federal court; obtained terminating sanctions against class members for plaintiff's failure to comply with federal rules in a published Ninth Circuit opinion.
- Settled two sexual harassment cases for a publicly traded healthcare company for a fraction of the initial seven-figure settlement demand after strategic depositions of the two plaintiffs effectively eviscerated their cases.
- Settled two sexual harassment cases for a well-known Malibu restaurant; after extensive discovery and depositions, the matters settled favorably in the low six figures—less than half of what was demanded in pre-litigation mediation.
- Defended a mortgage lending company in a whistleblower and retaliation jury trial in Los Angeles Superior Court; following a trial that lasted eight days from jury selection to verdict, and after nearly three years of litigation, the court awarded the plaintiff only \$14,000 of their \$250,000 last demand.
- Represents oil spill response company in a bet-the-company wage and hour class action filed in state court alleging, among other claims, the failure to pay compensation for on-call time following regular shifts; because the plaintiffs are members of a union and covered by a collective bargaining agreement, Howard removed the case to federal court and successfully argued in a motion to dismiss that the collective bargaining agreement exempted the company from state overtime laws.
- Successfully represented dozens of employers in settling wage and hour class actions and PAGA representative actions in state and federal courts for claimed minimum wage, overtime, meal period, and rest break violations, and related penalties.
- Prevailed in collective bargaining agreement arbitration of a grievance filed on behalf of approximately 110 employees against a publicly traded real

- estate company claiming they were not properly paid bonuses.
- Advised the ACLU of Southern California in its collective bargaining negotiations with an in-house labor union on a pro bono basis.

Admissions

- Supreme Court of the United States
- United States Court of Appeals for the Ninth Circuit
- California
- U.S. District Court - Central District of California
- U.S. District Court - Eastern District of California
- U.S. District Court - Northern District of California
- U.S. District Court - Southern District of California

Memberships

- American Bar Association
- Los Angeles County Bar Association
- The College of Labor and Employment Lawyers

Education

- University of California, Los Angeles, BA, Political Science Departmental Honors
- UCLA School of Law, JD

Recognitions

- 2023, Litigation – Labor and Employment in Los Angeles, CA, listed in *Best Lawyers in America*®
- 2019–2023, “Labor & Employment Star - California,” listed in *Benchmark Litigation*
- 2022, “Leader of Influence: Labor & Employment Attorneys,” listed by *Los Angeles Business Journal*
- 2006–2023, “Southern California Super Lawyer” in Employment Litigation, listed in *Super Lawyers*
- 2019, Labor & Employment Law, listed in *Chambers USA*
- 2014, California’s Top 75 Labor and Employment Lawyers, listed by *Daily Journal*
- AV Preeminent®, Judicial, listed by Martindale-Hubbell®
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