



Principal, Orange County

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James P. Carter is a principal in the Orange County, California, office of Jackson Lewis P.C.

He counsels and defends employers, before and through trials and arbitration hearings, in all aspects of employment law, including discrimination, harassment, wrongful termination, retaliation, wage and hour claims, non-compete and trade-secret issues and claims, class action cases, breach of contract claims, disability accommodation, leave of absence, and workers' compensation issues. James represents clients in many industries including financial, bio-tech, fitness, restaurant and food, aerospace, high-tech, property management, and insurance.

## Practices

- Advice and Counsel
- California Class and PAGA Action
- Class Actions and Complex Litigation
- Distribution and Warehousing
- Disability, Leave and Health Management
- Financial Services
- Life Sciences
- Litigation
- Restaurants
- Restrictive Covenants, Trade Secrets and Unfair Competition
- Trials and Appeals
- Wage and Hour
- Workplace Training
- Fitness

## Education

- Brigham Young University J. Reuben Clark Law School, J.D. 1990
- Brigham Young University, B.A. 1987

## Admitted to Practice

- 9th Circuit Court of Appeals 1994
- California - C.D. Cal. 1991
- California - E.D. Cal. 2022
- California - N.D. Cal. 2022
- California - S.D. Cal. 1991
- California 1990

## Litigation Experience

- Successfully litigating individual plaintiff cases to jury verdict and judgment, grant of summary judgment, defense awards in arbitration, and through mediation
- Settled numerous wage and hour class actions alleging a wide variety of violations including unpaid wages and overtime due to invalid alternative work schedule, misclassification, inaccurate regular rates, unpaid bonuses, unreimbursed expenses, missed meal and rest periods, inaccurate wage statements, and penalties in the Logistics industry, Industrial Construction, Solutions and Supplies industry, Medical Device industry, Mining industry
- Defeated a class certification of a wage and hour class action alleging unpaid overtime due to misclassification, missed meal and rest breaks, inaccurate wage statements, and related penalties for an Insurance company
- Defeated a class certification in various wage and hour class actions alleging missed meal and rest breaks, off-the-clock work, inaccurate wage statements, and related penalties for a Financial company

## Honors and Recognitions

- *The Best Lawyers in America*®, "Employment Law - Management" and "Litigation - Labor and Employment" (2011-present)
- *The Best Lawyers in America*®, "Lawyer of the Year: Employment Law - Management" (2015)
- *The Best Lawyers in America*®, "Lawyer of the Year: Litigation - Labor and Employment" (2021, 2024)
- *Southern California Super Lawyers*®, "Super Lawyers" (2017-2018, 2024)

## Pro Bono and Community Involvement

- Alzheimer's Association of Orange County, Advisory Board Member
- Trabuco Hills High School Educational Endowment, Former Secretary and Board Member

## Published Works

- “You Win Some and You Lose Some, but Rarely at the Same Time -*Iskanian* and the California Supreme Court’s Conflicting Treatment of Group-Wide Lawsuits,” *Orange County Business Journal* (August 18, 2014) [Co-Author]
- “California Employment Arbitration Agreement: What’s the Use?” *Orange County Business Journal* (March 21, 2011) [Author]
- *Family and Medical Leave Act and Leave Law*, Thomson/West Desk Book, [Contributing Author]
- *ABA Annual Review*- Employment Law Chapter, [Contributing Author]