



## DRAKE A. MIRSCH

### ASSOCIATE

Orange County, CA

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Drake Mirsch is a litigation associate whose practice focuses on all aspects of employment law. Drake regularly represents employers in all phases of litigation, including pre-litigation negotiations, dispositive motions and appeals. He also advises clients in multiple industries on a broad range of employment issues, employment practices and policies, and responding to administrative charges.

He is experienced at defending clients against discrimination, harassment, retaliation and whistleblower claims under both state and federal law. Drake also has experience defending employers in highly contested class and representative/Private Attorneys General Act (PAGA) actions involving alleged violations of California's Labor Code, including claims for unpaid and timely wages, meal periods and rest breaks, unreimbursed expenses, etc. He brings creativity and problem-solving skills to the issues presented to defend employers against the myriad of potential class and representative claims. He also prosecutes claims for trade secret misappropriation, breach of fiduciary duty and unfair competition.

Drake represents employers in state and federal courts and before state and federal administrative agencies, including the California Civil Rights Department (CRD), the U.S. Equal Employment Opportunity Commission (EEOC) and the Division of Labor Standards Enforcement (DLSE).

### BACKGROUND

Prior to joining Armstrong Teasdale, Drake served as an associate at an international employment law firm. He also externed for The Hon. Theodor C. Albert at the U.S. Bankruptcy Court for the Central District of California.

### EDUCATION

- Chapman University (J.D., *cum laude*, 2019)
  - Emphases in Business Law and Dispute Resolution
  - Chapman Law Review (Articles Editor)
  - Alternative Dispute Resolution Board
  - Marjorie W. Day Scholarship
- University of Arizona (B.A., 2014)
  - Philosophy, Politics, Economics, and Law (PPEL)

### SERVICES AND INDUSTRIES

Alternative Dispute Resolution  
Class Action Litigation  
Employment and Labor Litigation  
Noncompete and Trade Secrets  
Agribusiness and Food  
Health Care and Life Sciences  
Manufacturing and Innovation  
Real Estate, Development, Construction

### ADMISSIONS

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  
U.S. Court of Appeals, Ninth Circuit

## THOUGHT LEADERSHIP

May 4, 2023

**AI in the Workplace: Is Your Enterprise Intelligent About Artificial Intelligence?**

April 27, 2023

**Continued Economic Headwinds Force Mass Layoffs, Bring State and Federal WARN Laws into Focus**

April 24, 2023

**California Pay Transparency and Pay Data Reporting Law: Compliance Deadlines Fast Approaching**

April 17, 2023

**California Court of Appeals Decision Reminds Employers to Have Clear, Enunciated IT Systems Use Policy**

## EXPERIENCE

### **Dismissal of Discrimination Lawsuit Against Food Manufacturer**

Obtained summary judgment in action brought by former vice president, alleging age and disability discrimination, breach of contract, and whistleblower retaliation.

### **Dismissal of Disability Discrimination Lawsuit on Behalf of Facility Services Management Company**

Secured dismissal of former sales executive's lawsuit involving claims for disability discrimination, harassment, retaliation and defamation.