

Daniel F. Pyne III

Shareholder

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Phone: 408.299.1392



- **Industries**

- Banking & Financial Services
- Food & Beverage
- Industrial & Manufacturing
- Retail
- Technology

- **Services**

- Employment & Labor Law
- Litigation
- Discrimination, Harassment, and Abusive Conduct

Overview

Dan Pyne is Co-chair of Hopkins & Carley's Employment & Labor Law Practice and has served as the firm's Deputy Managing Shareholder for ten years.

Dan's clients include businesses and executives in the technology, manufacturing, professional services, hospitality and agriculture industries, as well as non-profit organizations. He has served as lead counsel for his clients in both state and federal courts at both the trial and appellate levels.

Dan advises and represents employers in a wide variety of matters, including:

- Wrongful discharge
- Discrimination
- Harassment

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- Wage and hour matters
- Leaves of absence
- Unfair competition and employee mobility (covenants not to compete and not to solicit)
- Development and implementation of employment policies and procedures
- Avoidance of litigation

Experience

- **Age discrimination/retaliation** – Prevailed at trial on behalf of a financial services company in an age discrimination and retaliation suit filed by an employee who was terminated just one day after complaining to the Chief Executive Officer about age discrimination.
- **Unfair competition/employee mobility** – Successfully defended two technology companies and three of their engineers in a case involving claims for more than \$100 million based on alleged unfair competition and breach of non-solicitation covenants, negotiating a settlement that did not involve any payment by our clients.
- **Age discrimination and retaliation** – Won summary judgment for a technology company in a lawsuit with 11 causes of action filed by a former manager who alleged age discrimination and retaliation.
- **Wage and hour class action** – Defeated a motion to certify a class action lawsuit for violation of overtime laws filed by a group of truck drivers against a multi-state employer.
- **Unfair competition/employee mobility/covenant not to compete** – Successfully opposed a motion for injunctive relief against our client, a Fortune 50 company, alleging misappropriation of trade secrets and violations of non-compete covenants for hiring two executives from a competitor, leading to a favorable resolution that enabled the executives to work in the roles for which they were hired.
- **Disability discrimination/reasonable accommodation** – Successfully defended a national market research company against claims for discrimination and failure to provide reasonable accommodation, winning dismissal of both claims through a motion for summary judgment.
- **Breach of contract/retaliation** – Represented an executive who was terminated following complaints about non-payment of incentive compensation, settling his claims on favorable terms on the eve of binding arbitration.
- **Unfair competition/trade secrets** – Obtained temporary restraining orders and preliminary injunctions in two separate jurisdictions on behalf of a leading financial services company after a regional sales representative shared proprietary and confidential data with competitors.
- **WARN Act/reduction in force** – Successfully led a national manufacturer of semiconductor components manufacturer through a large workforce reduction without triggering the WARN Act or generating any claims from affected employees.
- **Wage and hour class action** – Represented a West Coast petroleum distributor in a class action suit regarding misclassified employees. The case settled on terms that were favorable for our client.

Professional Activities

Hopkins & Carley
70 South First Street
San Jose, CA 95113 | 408.286.9800

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555 Twin Dolphin Drive, Ste 200
Redwood City, CA 94065 | 650.804.7600

www.hopkinscarley.com

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- Silicon Valley FACES, Board Member
- Senior Adults Legal Assistance, former Board Member
- Local schools, Volunteer
- Santa Clara County Bar Association

Bar Admissions

- State Bar of California (1987)

Court Admissions

- U.S. District Court for the Northern District of California
- U.S. District Court for the Central District of California

Education

- J.D., University of California, Hastings College of the Law

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- B.S., Economics Santa Clara University

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