

Twila S. White

Some time ago, White made a decision to take more cases to trial. That meant picking those that resonated with her and seeing them through.

It was a path that led to the first published opinion from a court of appeal saying #MeToo evidence — witness statements from additional accusers alleging sexual misconduct — was admissible as a matter of law to prove discriminator animus. *Johnson v. United Cerebral Palsy* (2009) 173 Cal.App.4th 740.

Through patience and diligence, White earned the trust of women who had been harassed by her client's employer and got them to tell their stories in a pre-#MeToo environment.

"If we're willing to take on a case, we have to be willing to see that case through to the very end," White said. "That's what we signed up to do." Her clientele is mainly individual plaintiffs litigating against their bosses.

"We all have a story and most stories we hear are universal," she said. "Most people know what it's like to feel betrayed, and, even in employment litigation, most stories are about betrayal. There's a breakdown where there are policies and procedures and they breach those policies and procedures and they don't comply with them."

White has also been devoted to shedding light on the dangers she sees in one alternative to trial: arbitration.

Last year, White represented a single mother who alleged she had been subjected to racial discrimination, harassment and wrongful termination by her employer, JP Morgan Chase Bank N.A. The arbitrator, Candace Cooper, entered an award against the woman, but Cooper failed to disclose previous work she had done with JP Morgan and its law firm, Seyfarth Shaw LLP.

White took the case to the 2nd District Court of Appeal and earned a favorable ruling in a highly technical, published opinion vacating the award. *Honeycutt v. JPMorgan Chase Bank N.A.*, (2018) 25 Cal.App.5th 909.

"The right to trial by jury, the Seventh Amendment, is so crucial given circumstances like this one where people are compelled to arbitration with so-called 'neutrals,'" White said. "I have been hoping that legislation gets passed in the very near future that will eliminate righteous employment cases from being compelled to arbitration."



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