

# Proskauer Scores Two Summary Judgments for Client Cedars-Sinai Medical Center Within 48 Hours

**California Employment Law Update** on July 17, 2019

We're delighted to report that we secured two summary judgments in two separate alleged discrimination cases on behalf of our client Cedars-Sinai Medical Center in matters that were pending in the Los Angeles Superior Court.

In one case, decided on July 12, 2019, the Court agreed with our client that the former employee had failed to establish a prima facie case of discrimination and, as a result, all of her discrimination and retaliation claims were dismissed; the court ruled that the employee had been terminated for legitimate, nondiscriminatory reasons – she had worked “off the clock” and violated various policies and procedures of Cedars-Sinai.

Cedars-Sinai moved for summary judgment on all claims; the employee argued that Cedars-Sinai's reason for termination was “pre-textual” and was instead motivated by her purported disability, age, and her report of a “lunch break violation.” Judge Dennis J. Landin determined that there was no triable issue of material fact because the employee failed to make a prima facie showing and then granted Cedars-Sinai's motion for summary judgment in its entirety.

And just two days before that, we defended Cedars-Sinai Medical Center in another lawsuit filed by a former employee who alleged claims of disability discrimination, retaliation, failure to provide reasonable accommodations, failure to engage in the interactive process, failure to maintain a discrimination free environment, retaliation, wrongful termination in violation of public policy, and violation of California Labor Code § 1102.5 (whistleblower).

In that case, decided on July 10, 2019, Cedars-Sinai argued that the employee failed to establish a prima facie case of discrimination, that the hospital had reasonably accommodated her, and that it had terminated her for a legitimate nondiscriminatory reason – she consistently committed serious errors.

Cedars-Sinai moved for summary judgment on all claims; the employee opposed and argued that Cedars-Sinai's reason for termination was "pre-textual" and was instead motivated by her purported disability and extended medical leave. Judge Richard J. Burdge, having found no evidence of pretext and no disputed issues of material fact, granted Cedars-Sinai's motion for summary judgment in its entirety.

The team on these two cases included partner Anthony Oncidi, and associates Pietro Deserio, Tulio Chirinos and Cole Lewis (Employment Litigation).

[View Original](#)

#### [Related Professionals](#)

---

- **Anthony J. Oncidi**

Partner