



**Scott J. Witlin is a partner and the administrator of the Labor & Employment Department in the firm's Los Angeles office. He is Co-Chair of the firm's Wage and Hour Practice Group and a member of the firm's Entertainment, Media and Sports Practice Group.**

Scott assists companies in dealing with the challenges of employing workers in California and throughout the U.S. Scott's practice includes both traditional labor and employment law matters, including wage and hour class actions, arbitrations, collective bargaining negotiations, compliance with various guild and union agreements, and union organizing campaigns. He represents clients in the entertainment, broadcasting, video game, hospitality, manufacturing, retail, consumer and industrial products, and transportation industries.

Scott has been selected for inclusion in *Chambers USA: A Guide to America's Leading Lawyers* in the area of Labor & Employment; the *Best Lawyers in America* for the area of Employment Law ' Management; and *Southern California Super Lawyers* in the areas of Employment and Labor and Entertainment and Sports. He has been named a 'Top Labor and Employment Lawyer' in California by *The Daily Journal* (Los Angeles) three times.

Scott's diverse work includes:

- Serving as lead counsel in the landmark case *Doe v. Deasy* that required the Los Angeles Unified School District to reform its teacher evaluation system to include measures of student progress
- Defeating, through Rule 12 motions, a federal court claim that a motion picture producer did not own the theatrical rights to a classic television series then successfully defending that judgment on appeal to the U.S. Court of Appeals for the Ninth Circuit
- Representing of a major television network in connection with a

## Scott J. Witlin

### Partner

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### EDUCATION

Cornell University, (B.S.), 1985  
Stanford Law School, (J.D.), 1988

### BAR ADMISSIONS

California

### COURT ADMISSIONS

U.S. Court of Appeals for the District of Columbia Circuit  
U.S. Court of Appeals for the Ninth Circuit  
U.S. District Court for the Central District of California  
U.S. District Court for the Eastern District of California  
U.S. District Court for the Northern District of California  
U.S. District Court for the Southern District of California

### LANGUAGES

English

### PRACTICES

Advertising and Marketing  
Appeals and Critical Motions  
Arbitration and Grievances  
Class and Collective Actions  
Collective Bargaining  
Discipline and Termination

defensive lockout of its technical employees following a 'quickie strike,' including defense of unfair labor practice charges and prosecution of state court injunction litigation

- Serving as lead negotiator on behalf of four acute care hospitals in their joint negotiation with the SEIU-UHW
- Serving as chief negotiator on behalf of a group of leading videogame companies in their negotiations over the Interactive Media Agreement with the SAG-AFTRA
- Obtaining a reversal by the D.C. Circuit Court of Appeals of a National Labor Relations Board decision holding that the discharge of a striker violated the National Labor Relations Act
- Obtaining partial summary judgment which lead to a favorable settlement of a worker misclassification class action
- Defending numerous other wage and hour class actions involving issues of worker misclassification, overtime, missed meal and rest periods
- Defending a major entertainment company in a high profile sexual harassment case brought against one of its star performers
- Obtaining withdrawal of a grievance challenging the dismissal of a 20-year employee following cross-examination of the claimant
- Defeating a union organizing campaign for a broadcaster involving a unit of 100 employees (including formulation of campaign strategy and tactics and litigation of an NLRB representation hearing)
- Defeating a union organizing campaign for an animation company including a determination from the NLRB that all of the freelance workers were independent contractors and lacked a community of interest with the staff employees
- Assisting a client obtain an arbitration award reversing the writing credit established through a WGA credit arbitration for the pilot episode of a television series
- Establishing through arbitration the right of a producer to take away 'final cut' previously granted a director
- Representing of producers in connection with attempted writer reacquisition of literary material
- Serving as lead negotiator in first contract collective bargaining for a high-end retail establishment

Discrimination Defense

Employment

Employment Litigation

Labor and Employment

Labor Relations

National Labor Relations Board (NLRB)

Non-Compete and Trade Secrets

Union Avoidance

Wage and Hour

Workplace Counseling

Workplace Culture 2.0

## INDUSTRIES

Digital Media

Entertainment

Entertainment Labor Law

Film and Television

Interactive Entertainment

Scott earned his J.D. from Stanford Law School in 1988 and his B.S. from

the Cornell University School of Industrial and Labor Relations in 1985, where he served on its Board of Trustees. Scott is frequently quoted in the media on issues involving labor and employment law and is admitted to practice in state courts of California, before the U.S. District Courts for the Central, Eastern, Northern and Southern Districts of California, and before the U.S. Courts of Appeals for the Ninth and D.C. Circuits.

## **Honors**

The Best Lawyers in America, 2024

Chambers USA, 2023-2024

Variety Magazine Legal Impact Report, 2018-2021, 2023