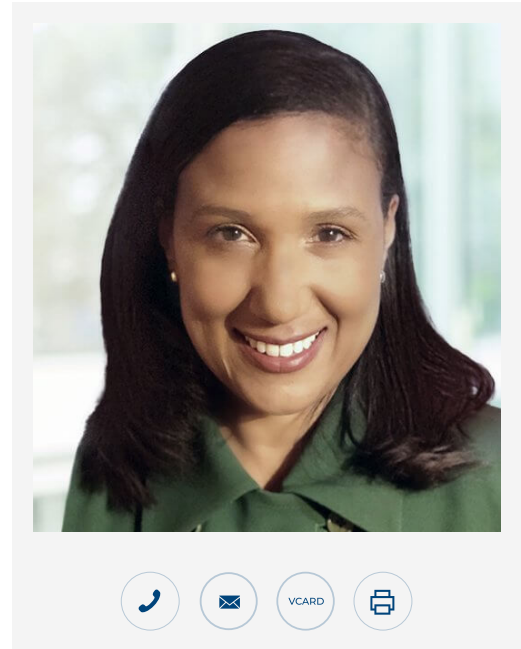


Danielle Ochs

Shareholder || [San Francisco](#)

Danielle Ochs is an equity shareholder in the San Francisco office of Ogletree Deakins, P.C. She serves as co-chair of the firm's Technology Practice Group and focuses on matters arising in the TECHPLACE™. She has 25 years of experience representing employers in matters involving employment issues and employment-based technology, trade secrets, and unfair competition in federal and state trial and appellate courts, arbitration, and administrative agencies. Danielle's experience includes successfully defending employers in both jury and bench trials and in arbitration proceedings. She currently dedicates a significant portion of her practice to trial court litigation, arbitration, and strategic conflict management. She works closely with her clients to develop effective strategies for litigating and resolving legal actions, approaching each case zealously and strategically with a steadfast commitment to client service. Danielle also has active advice and counsel, training, and investigations practices, working closely with employers on a variety of employment and employment-based technology, trade secret, and unfair competition compliance issues with the goal of avoiding litigation. She represents an array of "tech" employers, as well as employers in a broad array of other local, national, and international industries. Danielle regularly speaks across the country on a range of employment, and employment-based technology, trade secret and unfair competition issues.

Danielle received her bachelor's degree in Sociology from the University of California, Santa Cruz, where she was a Regents Scholar. She received her law degree from the University of California, Hastings College of the Law. From 2005 through 2014, Danielle taught at Hastings as an Adjunct Professor of Law in the areas of Pretrial Practice and Employment Discrimination. She is actively involved in the legal community and is a past Executive Committee member of the Labor and Employment Law Section of the Bar Association of San Francisco, a past Chairperson of the Labor and Employment Law Section of the National Bar Association (NBA), a past President of Black Women Lawyers of Northern California, and is a past Director of NBA Region IX. In 2018, Danielle was named a "Most Influential Black Lawyer" by *Savoy Magazine*; in 2019 she was inducted into the College of Labor and Employment Lawyers; and more recently she was recognized by *Best Lawyers in America* (2021-2023); and *Super Lawyers of Northern California* (2022).



Practice Groups



[Employment Law, Litigation, Higher Education, Unfair Competition and Trade Secrets, Technology](#)

Industry Groups



[Hospitality, Sports and Entertainment, Financial Services](#)

Experience

- ▶ (2019) 9th Circuit Court of Appeal – Argued claims arising under 42 USC Section 1981 subject to mandatory arbitration (matter of first impression)
- ▶ (2019) JAMS – Obtained complete defense award of race harassment and retaliation claims by assembly line worker who engaged in same conduct complained of
- ▶ (2019) United States District Court, N.D. Cal. – Secured summary judgment in time-barred action alleging plaintiff was terminated because of age, disability, and race
- ▶ (2018) United States District Court, N. D. Cal. – Secured partial summary judgment of sex harassment and retaliation claims in action alleging plaintiff (an alleged harasser) was treated less favorably than other alleged harassers because of sex
- ▶ (2018) United States District Court, N.D. Cal. – Obtained 12(b)(6) dismissal of 1981 claim in action alleging such claims exempt from arbitration
- ▶ (2017) United States District Court, E.D. Cal. – Secured order compelling arbitration of e-signed arbitration agreement
- ▶ (2017) Alameda County Superior Court – Secured order compelling arbitration of FEHA claims
- ▶ (2016) United States District Court, N.D. Cal. – Obtained 12(b)(6) dismissal of action against defense contractor alleging fraud and retaliation
- ▶ (2015) 9th Circuit Court of Appeal – Argued writ review of enforceability of forum selection clause in light of Supreme Court's decision in *Atlantic Marine*
- ▶ (2015) United States District Court, E.D. Cal. – Secured temporary restraining order (leading to stipulated preliminary injunction) in trade secret misappropriation action
- ▶ (2014) Eldorado County Superior Court – Favorably resolved highly contentious trade secret, employee raiding action
- ▶ (2014) United States District Court, N.D. Cal. – Secured 10-year permanent injunction in highly contentious semiconductor trade secret action
- ▶ (2013) United States District Court, N.D. Cal. – Secured summary judgment of FEHA medical condition and leave retaliation claim alleged by former radio executive

- ▶ (2013) San Francisco County Superior Court – First-chaired matter set for jury trial in age discrimination action alleged by radio personality. Favorably settled day before trial

- ▶ (2013) United States District Court, N.D. Cal. – Secured dissolution of preliminary injunction in contentious trade secret dispute in language interpretation industry

- ▶ (2013) United States District Court, N.D. Cal. – Obtained dismissal of unfair competition action by former sports agent – secured arbitration of employer’s cross-claims

- ▶ (2013) California Supreme Court – Led appellate briefing on petition for review of decision denying motion to compel arbitration

- ▶ (2012) Alameda County Superior Court – Secured summary judgment of FEHA disability discrimination action alleged by former bus driver

- ▶ (2012) California Court of Appeals, 2nd App. Dist. – Argued defense appeal of denial of motion to compel FEHA discrimination claims. Reversal granted

- ▶ (2011) San Mateo County Superior Court – First-chaired seven figure contract dispute between television stations. Plaintiff dismissed with prejudice day before trial

- ▶ (2010) Santa Clara County Superior Court – Secured terminating sanctions and six figure default judgment in trade secrets cross-action against former employee

- ▶ (2010) San Francisco AAA – Obtained defense arbitration monetary award in commission compensation dispute and cross-claim under complex compensation plan

- ▶ (2009) San Francisco AAA – Obtained defense arbitration decision in commission compensation dispute under complex compensation plan

- ▶ (2009) San Mateo County Superior Court – Limited plaintiff’s jury verdict to \$65k (no emotional distress) in seven figure pregnancy discrimination action by TV manager

- ▶ (2008) San Mateo County Superior Court – Co-chaired jury trial in sex discrimination action by television shipping assistant. Settled day of trial

- ▶ (2008) California Court of Appeals, 1st App. Dist. – Led appellate briefing in multi-plaintiff race discrimination/harassment suit. Defense jury verdict affirmed

- ▶ (2008) Ninth Circuit Court of Appeal – Secured summary judgment and led appellate briefing in race discrimination claim. Summary judgment granted and affirmed. (2007) Alameda County Superior Court – Obtained defense jury verdict in disability discrimination action by long-term public employee

- ▶ (2007) United States District Court, N.D. Cal. – Obtained defense decision in disability discrimination bench trial

- ▶ (2007) California Court of Appeals, 6th App. Dist. – Argued appeal of defense jury verdict in wrongful demotion/discipline/defamation action. Jury verdict affirmed
 - ▶ (2007) Alameda County Superior Court – First-chaired jury trial involving disability discrimination claim by public employee – obtained defense verdict
 - ▶ (2005) Santa Clara County Superior Court – Obtained defense jury verdict in wrongful demotion/discipline/defamation action by computer engineer
 - ▶ (1998) San Diego County Superior Court – Obtained 1.2 million plaintiff's jury verdict in partnership dispute by disenfranchised partner
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Education & Admittance to Practice

Education

- ▶ J.D., University of California Hastings College of the Law, 1995
- ▶ B.A., University of California at Santa Cruz, 1991

Admittance to Practice

- ▶ California

Professional Activities & Speeches

Professional Activities

- ▶ Bar Association of San Francisco, Labor and Employment Section (Past Executive Committee (2020) – Current Member)
- ▶ Lawyers Committee for Civil Rights of the San Francisco Bay Area (2018 Board Member)
- ▶ Minority Bar Coalition (Board Member, 2015-2017)
- ▶ Adjunct Associate Professor – UC Hastings College of the Law (2005-2014)
- ▶ Black Women Lawyers of Northern California, (Past President, 2009-2010)
- ▶ National Bar Association (Board Member at Large, 2009-2010; Chair, 2007-2010, Labor and Employment Section; Director of Region IX, 2006-2008)
- ▶ Wiley Manuel Law Foundation (Board Member)
- ▶ Alameda County Bar Association (Labor and Employment Section)
- ▶ American Bar Association (Labor and Employment Section)
- ▶ California Association of Black Lawyers
- ▶ Charles Houston Bar Association
- ▶ National Employment Law Council
- ▶ State Bar of California (Labor and Employment Section)

Speeches

- ▶ Ogletree Deakins Podcast - "Workplace Strategies Watercooler 2023: TECHPLACE™ Talk—ChatGPT, Biometrics, and AI? Oh My!" - June 9, 2023
- ▶ Workplace Strategies Seminar - "ChatGPT, Biometrics, and AI? Oh My!" - San Diego - May 12, 2023
- ▶ Navigating California Employment Law - "Workplace Tech Tips and Traps for California Employers" - Napa - March 2, 2023

- ▶ Corporate Labor and Employment Counsel Exclusive - "Eye on AI: Utilizing Compliant Artificial Intelligence in Hiring" - Colorado Springs - September 23, 2022
- ▶ Ogletree Deakins Webinar - "The EEOC's New Guidance on the Use of Software, Algorithms, and Artificial Intelligence: What Employers Need to Know" - May 20, 2022
- ▶ Workplace Strategies Seminar - "Workplace Tech Tips and Traps: Achieving Business Objectives While Staying Compliant" - Phoenix - May 4, 2022
- ▶ Ogletree Deakins Webinar - "Keeping Current in California With Charles and Leslie" - April 27, 2022
- ▶ Ogletree Deakins Webinar - "Avoiding Technology Traps in 2022: Key Issues for Employers" - March 18, 2022
- ▶ Navigating California Employment Law - "'Headline News': The Latest Developments in California Employment Law" - Napa - March 3, 2022
- ▶ Ogletree Deakins Webinar - "TECHPLACE™ Regulation in 2022: What Tech Employers and Users Should Expect" - January 21, 2022
- ▶ Workplace Strategies Seminar - "A-I Powered Deepfakes: What Employers Need to Know" - Austin - June 25, 2021
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Talk: New United States and European Union Guidance Relating to Update on Regulation of Artificial Intelligence" - June 2, 2021
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Talk: AI and Emerging Technologies" - March 26, 2021
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Talk: The Future of Work—A Global Perspective on the Impact of the Pandemic" - November 17, 2020
- ▶ Corporate Labor and Employment Counsel Exclusive - "AI, the Right Way: Avoiding Employment Discrimination With Artificial Intelligence" - November 12, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Talk: Political Speech, Social Media, and Off-Duty Employee Conduct—The Trending Risks of Digital Reputational Damage" - September 15, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Talk: How the FTC's Guidance on the Use of Artificial Intelligence and Algorithms Impacts Employers" - August 25, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Talk: Digital Contact Tracing Solutions to Slow the Spread of COVID-19" - August 10, 2020
- ▶ Ogletree Deakins Workplace Strategies Virtual Conference - "The Accelerated Future of Workplace Technology: AI-Enabled Hiring, Wearable Monitoring, and Automation in the COVID-19 Era" - May 15, 2020

- ▶ Ogletree Deakins Podcast - "Special Edition TECHPLACE™ Tickler: Legal Associate Well-Being During COVID-19 Pandemic" - May 7, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Tickler: Tech Industry Immigration during COVID-19" - May 5, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Tickler: The Challenges of Taking Remote Depositions" - April 30, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Tickler: Cybersecurity and Privacy in the Remote Workplace – Best Practices for Securing your Data and Technology" - April 17, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Tickler: The Expanding Importance of eSignatures in the Remote Workplace – Best Practices for Compliance" - April 14, 2020
- ▶ Ogletree Deakins Podcast - "TECHPLACE™ Tickler: eDiscovery Challenges in a Remote Work Environment" - April 3, 2020
- ▶ Corporate Labor and Employment Counsel Exclusive - "Full Disclosure: The Latest Litany of Laws on Sexual Harassment" - New Orleans - November 15, 2019
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Headline News - Key Developments Impacting Employers" - Las Vegas - May 2, 2019
- ▶ National Employment Law Council Annual Meeting - "Protecting the Brand: Communications Strategies For Employers In Crisis" - San Diego - April 2019
- ▶ Ogletree Deakins Navigating California Employment Law Seminar - "Discrimination and Harassment in the #MeToo Era: Complying With California's Web of Prevention Requirements" - Napa - March 1, 2019
- ▶ National Bar Association, Commercial Law Section Annual Conference - "The IP in the Machine: Protecting AI-Related Innovation" - Washington, D.C. - February 2019
- ▶ ACC-SFBA Labor & Employment Committee Meeting - "A Year End Review of California Employment Law in Light of #MeToo and Other Significant California Trends" - San Francisco - December 2018
- ▶ Corporate Labor and Employment Counsel Exclusive - "Hairpin Turns and Potholes in Investigations - What Would You Do?" - La Quinta - November 2018
- ▶ California Employment Law Council Annual Meeting - "Effective Mediation and Settlement Techniques" - Irvine - November 2018
- ▶ ACC Annual Meeting - "The Business Consequences of Bad Behavior" - Austin - October 2018
- ▶ ACC Foundation Annual Meeting - "'Conflict – Seven Tips for Managing It' & 'Delegation: The Cornerstone to Building Your Personal Pyramid'" - Austin - October 2018

- ▶ Northern District of California Judicial Conference - "Rights & Remedies: The Latest in Workplace Sexual Harassment" - Napa - April 2018
- ▶ BASF Labor & Employment Law Section Annual Conference - "Year in Review" - Yosemite - January 2018
- ▶ Labor and Employment Counsel Exclusive - "Emerging Issues in Unfair Competition and Trade Secrets Law" - Boca Raton - November 2017
- ▶ Kern County Society of Human Resource Professionals - "Position Yourself Now in the Event You Get Sued Later" - Fresno - October 2017
- ▶ 13th Annual Corporate Counsel Women of Color - "Who Stole my Origination Credits" - New Orleans - September 2017
- ▶ ACC Compliance Day - "Confidentiality Agreements - Under Attack - But Still Relevant!" - Burlingame - May 2017
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Panel Discussion: It's Going to Be Huge! The Trump Administration and Employers" - San Diego - May 2017
- ▶ Ogletree Deakins Navigating California Employment Law Seminar - "Position Yourself Now in the Event You Get Sued Later" - Napa - March 2017
- ▶ National Bar Association Commercial Law Section - "How to Defend Trade Secrets Act of 2016 Affects Your Employment Agreements" - Dana Point - February 2017
- ▶ 12th Annual Corporate Counsel Women of Color - "The 10 Marketing & Advertising Issues Every Lawyer Should Know" - Las Vegas - September 2016
- ▶ State Bar of California - Labor & Employment Law Section Annual Meeting - "Retaliation Claims: What You Don't Know Can Hurt You" - Berkeley - April 2016
- ▶ Ogletree Deakins Seminar - "The Perils of the Digitally Integrated Employee" - Chicago, New York City, Raleigh, Dallas - March 2016
- ▶ Ogletree Deakins Seminar - "Data Management, Records Retention, and E-Discovery - The Importance of Document Management and Records Retention in "E-Discovery" - San Francisco - October 2014
- ▶ Ogletree Deakins Corporate Labor and Employment Counsel Exclusive Seminar - "Modernizing the 'White Collar' Overtime Regulations: Back to the Future" - Dana Point - September 2014
- ▶ National Bar Association (NBA) - "Jeopardy in the Workplace" - Atlanta - July 2014
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Drug Policy Rehab: The Straight and Narrow on Legal Marijuana" - New Orleans - May 2014

- ▶ National Employment Law Counsel (NELC) - "Workplace Bullying – When the Mean Kids Show up at Work" - San Francisco - April 2014
- ▶ Ogletree Deakins California Cabernet Seminar - "California Workplace Investigations – So Much More than Just the Facts" - Napa - March 2014
- ▶ NBA Gertrude Rush Mid-Year Meeting - "Mixed Motive Theory (Harris v. City of Santa Monica)" - Dana Point - Spring 2013
- ▶ NBA Commercial Law Section - "Employment Law Update" - San Francisco - February 2013
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Employment Law Litigation, New Claims and Trends" - Phoenix - May 2012
- ▶ Ogletree Deakins Seminar - "Suddenly, Federal Law is Relevant Again" - San Francisco - October 2011
- ▶ Bridgeport Continuing Education - "Taking & Defending Depositions" - San Francisco - July 2011
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Conducting Successful Workplace Investigations" - Chicago - May 2011
- ▶ ABA's 4th Annual Labor & Employment Law Pre-Conference - "Taking on the Yoke: Women and Minorities as Leaders of National Legal Associations" - Chicago - November 2010
- ▶ National Labor and Employment Law Developments - "Avoiding Sexual Harassment in the Workplace" - San Francisco - October 2010
- ▶ NBA Annual Convention - "Jeopardy in the Workplace" - New Orleans - August 2010
- ▶ NBA Annual Convention - "Meet the EEOC" (moderator)" - New Orleans - August 2010
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Conducting Successful Workplace Investigations" - Las Vegas - May 2010
- ▶ Black Women Lawyers Survival Series - "How to (Not Just) Survive a Law Firm" - San Francisco - April 2010
- ▶ NBA Labor & Employment Law Section 3rd Annual CLE Conference - "Coordinator and Luncheon Speaker" - Atlanta - March 2010

Published Works

- ▶ [June 18, 2023 - Best Lawyers - "Keep an Eye on AI"](#)
- ▶ [October 21, 2019 - Ogletree Deakins Blog Post - "Answers to 10 Questions About California's Ban on Mandatory Arbitration of Statutory Employment Claims"](#)
- ▶ January 31, 2017 - SHRM Online - "10 Key Questions About California Choice of Law and Forum Selection Clauses"
- ▶ January 17, 2014 - Law360 - "Sorting Laundry: The Scope of Calif. Trade Secrets Act"
- ▶ August 2012 - California Lawyer - "Book Review - LAWTALK The Unknown Stories Behind Familiar Legal Expressions"

Media Quotes

- ▶ July 17, 2023 - [Atlanta Business Chronicle](#) - "AI applications in the workplace — and how to avoid technology traps (podcast)"
- ▶ February 15, 2023 - [Law360](#) - "As Workplace Surveillance Rises, Lawmakers Are Taking Note"
- ▶ January 20, 2023 - [Law 360](#) - "2nd Circ. Case Has Lessons For Attys About Digital Evidence"
- ▶ January 20, 2021 - [Law360](#) - "5 Tips For Curbing Bias Risk When Using AI For Hiring"
- ▶ November 6, 2019 - [Human Resource Executive](#) - "Employ workers in California? Review your arbitration agreement"
- ▶ October 17, 2018 - [Law360](#) - "Calif. Ruling Hamstrings NCAA's Ability To Sanction Coaches"
- ▶ August 20, 2018 - [SHRM Online](#) - "When Employees Leave: Make Sure Trade Secrets Are Protected"
- ▶ September 15, 2017 - [Law360](#) - "Tech Industry's Bias Complaints Not Letting Up Anytime Soon"
- ▶ January 30, 2015 - [Law360](#) - "Minority Powerbrokers Q&A: Ogletree's Danielle Ochs"
- ▶ November 3, 2011 - [San Francisco Daily Journal](#) - "Juries Shift Sympathies to Workers"

Honors & Awards



- ▶ *Best Lawyers in America* (2021-present)
 - ▶ Northern California *Super Lawyers* (2022, 2023)
 - ▶ Fellow, College of Labor and Employment Lawyers (2019)
 - ▶ Most Influential Black Lawyers, *Savoy Magazine* (2018)
 - ▶ Minority Powerbroker, Employment, *Law360* (2015)
 - ▶ Presidential Award, Outstanding Service, National Bar Association (2006, 2008, 2009)
 - ▶ Alumnus of the Year, Black Alumni Chapter /BLSA, UC Hastings College of the Law (2006)
 - ▶ Extern, 9th Circuit Court of Appeals, San Francisco (1995)
 - ▶ University of California Regents Scholar, UC Santa Cruz
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