

PHILLIP MALTIN

PARTNER

- ✉ pmaltin@raineslaw.com
- ☎ 310-730-4396
- 📠 310-691-1367
- 🌐 [LinkedIn Profile](#)
- 📇 [Download vCard](#)



Phillip R. Maltin is a veteran employment and business litigator and trial lawyer. He is Chair of the Commercial & Employment Risk Control Department, and a member of both the Labor & Employment and Business Litigation practice groups at Raines Feldman. Phil represents clients in state and federal trial and appellate courts, and in arbitration and mediation. He has considerable experience in general business and employment-related lawsuits against one, or several, opposing parties, and an admirable record defending businesses against wage and hour class-actions and claims under California's notorious Private Attorneys General Act (PAGA). Phil represents corporations, officers and directors in shareholder derivative lawsuits; he has the distinction of recovering millions of dollars for businesses victimized by their employees' fraud and embezzlement.

Phil defends employers in lawsuits involving discrimination, harassment, retaliation, wrongful termination and misappropriation of trade secrets. He also has managed and conducted numerous internal investigations for companies in a variety of work-place issues, from claims of discrimination and harassment to inquiries into violence and embezzlement. He regularly acts as outside general counsel and advises businesses of all sizes, providing day-to-day human resources counseling and strategy. His clients include national and international corporations located in the United States, Asia and Europe.

Phil is a fully credentialed instructor in the prestigious fellowship program of the Trial Advocacy Project ("TAP"). He is a former full-time prosecutor in the Los Angeles City Attorney's Office and continues to prosecute discrete criminal cases through trial as part of his commitment to the TAP program.

With a reputation as an expert in deception detection techniques, Phil has appeared on NBC News multiple times to discuss how to identify liars. He has also published articles on the subject and on how to question witnesses to uncover the truth in scores of national publications.

Phil is a Southern California Super Lawyer (every year from 2010 to 2018), an elite distinction given to no more than five percent of the Southern California Bar.

PROFESSIONAL AFFILIATION +

- › Instructor, Fellowship Program of the Trial Advocacy Project (TAP)
- › Pro Bono Representation, and Former Member of Board of Directors of MEND, One of California's Largest Foodbanks
- › Former Member of Advisory Board, USC Guild School of Law, Institute for Corporate Counsel
- › Beverly Hills Bar Association; Member, Board of Governors (2004–2006); Chairman, Executive Committee, Labor & Employment Law Committee (2003–2004); Member, Executive Committee, Labor & Employment Law Committee (2003–present)
- › Los Angeles County Bar Association; Member, Labor & Employment Section Saturday Seminar Committee; Executive Committee, Labor & Employment Law

Areas of Practice

LABOR & EMPLOYMENT ›

CORPORATE GOVERNANCE & MANAGEMENT › LIABILITY LITIGATION

Education

- › J.D., DePaul University College of Law
- › B.A., California State University, Chico

Admissions

- › State Bar of California

Section (2001)

- › Member of Board of Directors of Burbank Chamber of Commerce

PROFESSIONAL RECOGNITIONS +

- › Defeated the Employment Development Department in two administrative trials and on appeal following legally defective reclassification of independent contractors as employees.
- › Obtained dismissal of a wage and hour class action—without paying anything to the class of plaintiffs—after the court had certified a class, while representing a venerable Los Angeles restaurant chain.
- › Forced the opposing business into bankruptcy on the eve of trial, and then at trial, won court-imposed fines against the opposing business owner and his lawyers, while representing one of the largest manufacturers in Asia in an international business dispute.
- › Won case dismissal, a public quasi-apology for the client, and payment of attorney's fees, while representing a startup publishing company in a misappropriation of trade secrets case against the startup company's largest competitor.
- › Pressured the plaintiff in a sexual harassment and gender discrimination case to abandon his lawsuit simply by cross-examining him at deposition.
- › Obtained summary judgment in multiple cases while representing one of the country's largest HMOs in member disputes and ERISA actions.
- › Continues to win convictions in crimes involving domestic violence, battery involving serious bodily injury and driving while impaired, as a bono public prosecutor for the City of Los Angeles.
- › 2019 Distinguished Alumnus, California State University, Chico.
- › Received the only "Outstanding Alumnus" award in the history of the Trial Advocacy Project.
- › Teaches deposition skills and trial advocacy in the Trial Advocacy Project.

PUBLICATIONS, RECOGNITIONS AND SPEAKING ENGAGEMENTS +

- › Phil's articles on trial tactics and evidence have been regularly featured in Los Angeles Lawyer magazine and other publications. From 2002 through 2003, Phil wrote a monthly column on employment law and trial techniques for the Los Angeles Daily Journal. He was also an "expert speaker" for Vistage International speaking across North America on employment law.

Phil's publications include:

- › P. Maltin, "Lawyers Learn what Body Language Is—and what it Is Not," Daily Journal, February 28, 2018
- › P. Maltin, "#MeToo and Liability under the Talent Agencies Act," Daily Journal, January 18, 2018
- › A. Ciccattelli, Interview of Phillip Maltin, "What Companies Need to Do to Address Sexual Harassment Post-Weinstein," Corporate Counsel, November 30, 2017.
- › P. Maltin, "Hollywood Needs to Start Acting to Rein-In Sexual Harassment," Daily Journal, November 7, 2017.
- › D. Wilkie, Interview of Phillip Maltin, "How to Identify Liars," SHRM Magazine, April 28, 2017.
- › P. Maltin, "Whither Uber?" IC Business Insights for the Legal Professional, November 2015.
- › P. Maltin, "The Art of Communicating Means Learning to Question Effectively: Five Techniques that Help Gain Valuable Information from an Interview," Bottomline, 30(4), 14-17, October 2015.
- › C. Ottens & M. Pressberg, Interview of Phillip Maltin, "Fit to be Recognized: 'Phil the Lawyer from P90X,'" Los Angeles Business Journal, September 7, 2015.
- › M. Schwartz, P. Maltin, "Strength of Character" (Cover Article), Los Angeles Lawyer, June 2010.
- › P. Maltin, "Human Resources Techniques Of Great Leaders," Bottomline, October 2008.
- › P. Maltin, "Fundamental Skills For Catching Liars In The Workplace," Bottomline, August 2007.
- › P. Maltin, "Catch Liars In The Workplace," Risk Factor, 2(12), March 2007.
- › P. Maltin, "Rape Shield Law Protection for Sexual Harassment Victims," California Labor and Employment Law Quarterly, June 2006.

- P. Maltin, "Shield Law Offers Protection to Sexual Harassment Victims," Los Angeles Daily Journal, January 19, 2006.
- P. Maltin, co-author "Second Acts: The expansive reach of Evidence Code Section 1101(b) provides a basis for effective strategies before and during Los Angeles Lawyer, June 2004.

Mr. Maltin regularly speaks on labor and employment law, evidence and trial tactics. His popular seminars generate interest across North America and include training on how to:

- Identify liars in the workplace, on the witness stand and in personal life;
- Conduct investigations, particularly of fraud;
- Recognize and avoid sexual harassment claims;
- Achieve success as a supervisor; and Avoid lawsuits, among others.

Some of Phil's presentations include:

- Speaker, "How to Identify Liars during Mediation and Arbitration," USC Law School, Los Angeles, California, February 23, 2021.
- Panelist, "What Would You Do If . . . The Most Vexing Back to the Office Dilemmas and How to Resolve Them: Masks, Social Distancing, Whistleblowing," American Conference Institute, EPLI Conference, January 27, 2021.
- Speaker, "Returning Employees to Work and Hiring New Ones: Avoiding Discrimination Claims using Traditional Selection and Automated Screening," BLR Webinar, August 10, 2020.
- Speaker, "What New Types of Claim, Arising from COVID-19, May Come from the United States?" The Insurance Institute of London, England, June 2, 2020.
- Speaker, "How to Spot Liars during Claims Examination and Litigation," The Insurance Institute of London, England, December 5, 2019.
- Speaker, "Toxic Personalities at Work: Making Legally Sound Decisions," HR Comply, Los Angeles, California (October 8, 2019).
- Speaker, "Attracting Top-Tier Talent," HR Comply, Los Angeles, California (October 8, 2019).
- Seminar, "How to Identify Liars in Legal Settings," USC Law School, January 31, 2019.
- Keynote Speaker, "Law for Leaders: A Survey of the Real and the Apocryphal—Rules for the Workplace all Leaders Must Know," HFTP, Los Angeles, California January 23, 2019.
- Keynote Address, "#MeToo: Why it's the Third Most Important Legal Issue in Employment Practices Liability Insurance," Insurance Institute of London, October 16, 2018.
- Panelist, "A Peek Behind the Curtain: Workplace Traps, Common Mistakes and Countermeasures to Protect your Business against Employee Lawsuits," Los Angeles, California, August 8, 2017.
- Keynote Address, "I Can Read You: Communication, Questioning & the Science of Unmasking Untruths," San Francisco HR Star Conference, July 12, 2017.
- Interviewed, "The Science of Uncovering Dishonesty at Work," Podcast: <https://talentculture.com/worktrends-recap-science-of-uncovering-dishonesty-at-work/>, May 4, 2017.
- Live Interview, "How to Identify Liars," SHRM, April 28, 2017.
- Speaker, "I Can READ You: Communication, Questioning and the Science of Unmasking Untruths," SHRM Staffing Conference, Chicago, Illinois, April 26, 2017.
- Speaker, "I Can Read You: Communications, Questioning & The Science of Unmasking Untruths," Talent Management Conference, Society for Human Resource Management, Chicago, Illinois, April 26, 2017.
- Speaker, "Information Technology Ethics and Law," HFTP Digital Day, March 22, 2017
- Speaker, "Liars! Communication, Questioning and the Science of Unmasking Liars," Bay Area Human Resource Executive Council, Sunnyvale, California, March 15, 2017.
- Speaker, "Fiduciary Exception to the Attorney-Client Privilege in ERISA Litigation," National American Conference Institute ERISA Litigation. Conference, San Francisco, California, June 28, 2016.
- Speaker, "The Art of Communicating Effectively: Unearthing Information, Brushing Aside Barriers and Exposing Liars," Annual Convention and Tradeshow, Hospitality Financial and Technology Professionals, Seattle, Washington, October 22, 2015.
- Speaker, "Hire the Best, Pass on the Rest," Workshop, Los Angeles, California, September 24, 2015.
- Speaker, "I Can READ You: How to 'Win' a Negotiation By Getting At The Truth," Lathrop & Gage Seminar, Los Angeles, February 25, 2015.
- Special Guest, Champions of Justice Radio Interview with Tom Girardi on KRLA AM

2014.

- › Speaker, "Information Technology Ethics and Law," HITEC Executive Session, June 23, 2014.
- › Keynote Address, Atlanta HR Star Conference, Atlanta, Georgia, October 10, 2013.
- › Seminar, Club Managers Association of America, Milwaukee, Wisconsin, June 26, 2013.
- › Panelist, "Proving and Defending Emotional Distress Damages in Litigation," Beverly Hills Bar Association, June 19, 2013.
- › Seminar, Scottsdale, Forensic Expert Witness Association Annual Conference, Arizona, April 27, 2013.
- › Private Workshop, ACE Group Insurance Company, Wilmington, Delaware; Alpharetta, Georgia; Jersey City, New Jersey, Multiple Dates in 2013.
- › Annual Workshop Leader, Deposition Skills, Los Angeles County Bar Association and Trial Advocacy Project, 2012-Present.

INSIGHTS



- › Phillip Maltin and Patrick Healy from NBC News on Vaccine Verification
- › Business Brief: California Quarterly Employment Law Update, 2020 Q3
- › A Webinar Exposing Lies in the Workplace in the COVID-19 Era
- › Business Brief: California Quarterly Employment Law Update, 2020 Q2
- › Common Questions Prompted by New Federal Laws and COVID-19
- › Franchisors Must Not Control Franchisees' Personnel Decisions to Avoid Liability for Franchisees' Employees' Labor Code Claims
- › Workers Can Use Accurate Overtime Adjustments to Penalize Even Generous Employers
- › Legislation: Work Culture Harassment
- › Tips Trends: Paga
- › Tips Trends: Employee Reimbursement
- › Tips Trends: Anticipation Of Litigation
- › Legislation: Salary Questions
- › Case Pending: Out Of State Wages
- › Off The Clock Pay Ruling
- › Legislation: Statue Of Limitations
- › Legislation: changes to anti-harassment
- › Case Pending: Union Unpaid Wage
- › Case Pending: Paga Unpaid Wages
- › Case Pending: Labor Code Claims
- › Case Pending: Free Speech
- › Case Pending: Correctional Officers Comp
- › Case Pending: Conversion Lawsuit
- › Case Pending: Arbitration-Supreme Court
- › Case Pending: Ambulance Break Pay Policy
- › Legislation: Ca Requires Gender Diverse
- › Legislation: Ca Settlement Agreements
- › Legislation: California Harassment Claim
- › Arbitration in the Workplace, What's New?
- › Background Check Disclosure