



# Brian T. Ashe

## Partner

Labor & Employment  
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**Brian represents employers in all aspects of labor and employment law.**

## More About Brian

Brian's main areas of practice are complex litigation, class and collective actions, and counseling. Brian defends employers in wage/hour and PAGA matters, discrimination issues, trade secret cases, and multiparty contract litigation. He counsels clients in various aspects of human resources management, including compliance, independent contractor issues, privacy, and equal employment opportunity. Brian's counseling practice focuses on prevention and artful business strategy.

Brian has been named one of the leading US lawyers for employment law according to *Chambers USA* for every year since 2009, credited as "having 'an almost encyclopedic knowledge' of labor and employment law, with specific 'excellence on everything wage and hour related'." *Chambers* notes that, "clients praise him as 'a strategic and efficient attorney who dispenses sound advice'" whom they turn to "to help us assess the risk with various employment actions in a way that is easy to understand, and he does so in an expeditious manner."

Brian is routinely honored by *The Legal 500* as one of America's leading employment litigation lawyers (Legalese Ltd.). They have honored Brian with this award multiple times throughout the past decade, reporting that his clients describe him as "the most effective labor and employment counsel with whom I have ever had the pleasure of working with" because he "consistently delivers superior results." Brian was recognized in *BTI Consulting Group's* BTI Client Service All-Stars report and was cited as "absolutely the best at client service" because he is "head and shoulders above the rest ... with the most demanding clients." He is recognized as a leader in his field in *The Best Lawyers in America* (Woodward/White Inc.) (2018-2024) and has been rated as a "star" in Tier 1 of *Benchmark Litigation's* survey of the finest employment lawyers in the United States every year since its inception in 2018.

Brian has been listed as one of *The Daily Journal's* Top Labor and Employment Lawyers in California based on professional accomplishments and case victories. He has also been awarded the *Financial Times* "Innovative Lawyer" commendation for his U.S. Supreme Court victory establishing the scope of the Dodd-Frank Act whistleblower law.

Brian has served on Seyfarth's Partner Board since 2016 and was its Chair for the three years before 2024. He was a recipient of the firm's Mike Warner Award for "sacrifice, team work and legal excellence," is the only partner ever to have received Seyfarth's "Inspirational Leader Award" for his dedication to helping others in need, and received the "Champion of the Year" from Best Buddies International.

## Education

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- JD, The George Washington University Law School
- Graduate Studies, Oxford University  
History
- BA, Boston College  
Cum laude

## Admissions

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- California

# Courts

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- US Supreme Court
- US Court of Appeals, Ninth Circuit
- US Court of Appeals, DC Circuit
- US District Court, Central District of California
- US District Court, Eastern District of California
- US District Court, Northern District of California
- US District Court, Southern District of California
- California Supreme Court
- California Courts of Appeal

## Related Services

Class & Collective Actions

Complex Discrimination Litigation

Employment

Wage Hour Class & Collective Actions

Trial

## Related Key Industries

Health Care, Life Sciences & Pharmaceuticals

## Blogs

Workplace Class Action Blog

# EXPERIENCE

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- *Digital Realty Trust v. Somers* (U.S. Supreme Court, 2018). 9-0 victory stating that the Dodd-Frank Act's anti-retaliation provision does not extend to an individual who has not reported a violation of the securities laws to the SEC.
- *Five Individuals v. International Insurance Company* (U.S. Court of Appeals for the Ninth Circuit). Successful defense of appeal by plaintiffs from the denial of their motion for new trial following unanimous jury verdict.
- *Class Action v. National Health and Fitness Company* (U.S. Court of Appeals for the Ninth Circuit). Currently handling appeal by class member of denial of her request for relief from class action settlement.
- *Insurance Agency v. Insurance Agency* (California Appellate Court for the Third District). Currently handling appeal to determine whether court-compelled speech violates California's anti-SLAPP law.

## Related News & Insights

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**RECOGNITION** 10/05/2023

Seyfarth Ranked Tier 1 Nationally for Labor & Employment in Benchmark Litigation 2023; 29 Seyfarth Lawyers Cited

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**RECOGNITION** 08/17/2023

210 Seyfarth Attorneys Chosen as Leaders in Their Fields by Best Lawyers in America 2024

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**RECOGNITION** 06/01/2023

2023 Chambers USA Names 81 Seyfarth Lawyers as Leaders in Business Law; 36 Seyfarth Practices Also Recognized as Leaders in Their Fields

## Seyfarth Earns Top Rankings in Benchmark Litigation 2022

### Select Recognition

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- Selected by peers for *The Best Lawyers in America* award for work in Employment Law - Management (Woodward/White Inc.) (2018–2024)
- Recognized as a Leading Lawyer for Employment Litigation by *The Legal 500* (Legalese Ltd.) (2012–2014, 2017–2020); Recommended Attorney, Labor and employment disputes (including collective actions) - defense, *The Legal 500* (Legalese Ltd.) (2020-2021)
- Recognized as a "Labor & Employment Star" by *Benchmark Litigation* (Euromoney Institutional Investor) (2018-2024)
- Ranked as a Leading Lawyer for Labor and Employment (California) by *Chambers USA* (2009-2024)
- Listed as one of *The Daily Journal's* Top Labor and Employment Lawyers (2019)
- Listed in Northern California *Super Lawyers* (Thomson Reuters) (2007, 2011–2019)
- Awarded the *Financial Times* "Innovative Lawyer" commendation (2018)
- Named a "Legal Lion" by *Law360* (2018)
- Recognized as a *BTI Client Service All-Star* (2017–2018)

### Leadership & Professional Affiliations

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- Employers Group (Legal Committee)
- American Employment Law Council (AELC)

### Publications

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- Co-Author, *Harassment Law*, Chapter 15 “Employer Liability for Harassment Culminating in a Tangible Employment Action,” *BNA* (2d ed. 2019)
- Quoted, “What Facebook’s New Advertising Policies Mean for Senior Housing,” *Senior Housing News* (March 20, 2019)
- Quoted in *Law360* article naming Seyfarth Employment Group of the Year (January 31, 2019)
- Author, “How to Improve Your Mediation Advocacy in Employment Litigation,” *Mediation Committee, ABA Section of Dispute Resolution* (2018)
- Co-Author, “Supreme Court Unanimously Confirms Scope of Whistleblower Protection Under Dodd-Frank,” *One Minute Memo, Seyfarth Shaw LLP* (February 21, 2018)
- Co-Author, “The Supreme Court To Clarify Who Is a Whistleblower Under the Dodd-Frank Act; Employers Have a Reason to be Hopeful,” *Management Alert, Seyfarth Shaw LLP* (November 28, 2017)
- Co-Author, “Alleged Sleep Time Violations Result in \$2.2M DOL Lawsuit Against Residential Group Homes,” *Senior Living and Long-Term Care Blog, Seyfarth Shaw LLP* (November 30, 2016)
- Co-Author, “DOL Issues Guidance on the Exclusion of Sleep Time From Hours Worked by Domestic Service Employees,” *Senior Living and Long-Term Care Blog, Seyfarth Shaw LLP* (May 24, 2016)
- “Sales Directors and the Outside Sales Exemption of the Fair Labor Standards Act,” *Senior Living and Long-Term Care Blog, Seyfarth Shaw LLP* (April 28, 2016)
- Co-Author, *Harassment Law*, Chapter 21 “Employer Liability for Harassment Culminating in a Tangible Employment Action,” *BNA* (1st ed. 2012)

## Civic & Charitable

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- SFJAZZ Organization, Board of Trustees
- Seyfarth Shaw Charitable Foundation, Board of Directors (2007–2017)

- Edgar Osorio Award for the attorney “whose pro bono, charitable, and community outreach set an example for everyone.” (2018)
- Seyfarth Shaw Pro Bono All-Star award (2017)

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