

Gary Gwilliam

BlueBook Law Society Member

Press Release, January 14th 2016

Andrews, et. al. v. Lawrence Livermore National Security, LLC.

**A Federal Nuclear Research Facility, A Greedy Corporation & Mass Layoffs:
A Breach of Contract & Wrongful Termination Lawsuit in California**

Settlement: September 30, 2015, for \$37.25 million dollars.

In May of 2008—just seven months after acquiring the contract to manage the government’s nuclear research laboratory in Livermore, California—Lawrence Livermore National Security, LLC (LLNS), engaged in a massive layoff of more than 430 of its employees. This was the first layoff at the Lab in almost 40 years. In May of 2009, 130 of these former employees sued LLNS, claiming that they had been selectively terminated because they were older, more senior, and thus higher-paid employees. Furthermore, they said LLNS breached their employment contracts when they ignored a long-standing policy of cutting temporary, contract and junior workers before terminating employees with seniority. All of the plaintiffs had claims for age discrimination and breach of contract, along with other individual claims such as retaliation and disability. They were represented by Gary Gwilliam and his law firm Gwilliam, Ivary, Chiosso, Cavalli & Brewer in Oakland, California.

The case was heavily litigated for more than 7 years; close to 300,000 pages of documents were produced. More than 100 plaintiffs were deposed. There were two separate 60-day jury trials— known as Phase I and Phase II—and both sides filed appeals. With the encouragement of Alameda County Superior Court Judge Robert Freedman, the parties engaged in months-long mediation that finally resulted in the settlement on September 30, 2015, for \$37.25 million dollars.

Gary said of the case: “This was a case about perseverance and courage, and continually moving forward under very complicated, difficult and trying circumstances. This also was a very expensive case to pursue, but we not afraid to do anything we had to do to fight for justice for our clients. And so, it was about the courage of our firm, the courage of our clients and all of us, to take on people like this and never give up—and that is what good plaintiffs lawyers do— otherwise they wouldn’t be successful. You just have to have the courage to move forward and say, ‘Hey, I’m going to do it.’ I would have fought this case forever even if it had driven me to bankruptcy; I would never have given up on this case—never—I just would not do it—you can’t do that. You simply have to decide that there is something more important than money; it is about doing what is right and getting justice for your clients.” - **Gary Gwilliam**



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