

# LAW CLERK

Employment, Labor & Education **PROJECTS**



## DRAFT WRITTEN PROCEDURES FOR EMPLOYEE GRIEVANCES & COMPLAINTS

**FLAT FEE**  
**\$900**

### PROJECT DESCRIPTION

I need written procedures drafted for a company for the following:

Written procedures for handling employee complaints of discrimination or sexual harassment.

Written procedures for handling employee grievances or complaints.

Written procedures and guidelines to classify the status of each employee as Exempt or Non-Exempt under the rules and regulations of the Fair Labor Standards Act of 1938, as amended.

### PROJECT DETAILS

The company operates in all 50 states, but the employees are currently in Nevada. However, employees may be located in other states.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Sandra was wonderful to work with. She prepared a comprehensive employee handbook tailored to the unique aspects of the business and worked closely with me to incorporate my comments and finalize. I will definitely work with Sandra again.

## EEOC EMPLOYER POSITION STATEMENT

### FLAT FEE PROJECT DESCRIPTION

**\$650**

I need you to prepare an employer's position statement in an EEOC discrimination complaint. The former employee is alleging age discrimination, sex discrimination, and handicap discrimination in connection with her assertion that she had a pregnancy-related disability. The employee was hired as a plumbing company office worker in November 2017, and was terminated January 1, 2018 because of too much missed work.

### PROJECT DETAILS

I have the EEOC complaint and employee time records. I am requesting pertinent documents from the employer. If there is anything in particular you want me to request, let me know and I will include it. I will try to set up interviews with the manager and a co-worker after the documents are produced and create a transcript of the interview. If there is any particular question you want me to ask, please let me know. I will want the position statement to address the legal elements of each of the three discrimination charges. In particular, it will need to address whether a pregnancy-related disability qualifies for ADA accommodation, and the standards for evaluating a pregnancy related disability as sex discrimination. The employer states that it has had numerous pregnant employees and has even permitted a few of them to bring their babies to the office.

### COMMENTS



#### EXCEEDED EXPECTATIONS

The work product was outstanding.

## PERSONNEL POLICIES & PROCEDURES CREATION INTERVIEW

### FLAT FEE PROJECT DESCRIPTION

**\$375**

Organizational Interview for Creating a Personnel Policies and Procedures Manual in Minnesota.

### PROJECT DETAILS

I'm trying to create a system for interviewing nonprofit corporation clients who need a personnel policies and procedures manual. These orgs may have anywhere from 1 to 300 employees. They may have never had an comprehensive manual, or they may have a bunch of random policy documents that don't all hang together and it's time to upgrade, and we may be making a new one from scratch and abandoning what they had before.

This project is to create a word document interview of questions (including any if this, then that scenarios) for employers in Minnesota.

What would you need to know if you were creating the PPP manual? Build that interview - this will be the basis of (hopefully many) projects that will be outsourced to you or other team members.

The word document will ultimately be turned into a jotform online. Please be sure to indicate any conditional logic (if Yes, then ask that or don't ask all these other things, etc.). I don't need the word doc to be fancy, just clear enough to build an online form from.

Questions and any included explanations need to be in 8th grade English and not legalese. Thank you in advance!

Special note: Bear in mind this is for Minnesota and Minneapolis has some sick and safe time rules at the municipal level for employees sitting in the city, which is where a lot of my clients are located.

### COMMENTS



#### EXCEEDED EXPECTATIONS

AmyAnn is fantastic to work with. She asks great questions and produces high quality work that needs little revision. She also has taken on my style requests as we've worked on subsequent projects. A++ :)

## EMPLOYEE STOCK OPTION PROGRAM (ESOP)

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$2,250**

I have a client that requires a employee stock option plan to be drafted. More details to follow.

### PROJECT DETAILS

The ESOP will be based on Delaware law. This is for an e-commerce company. The company has multiple employees, but the ESOP will be offered to only one (1) employee at first with the intention of offering an incentive to this employee to remain at the company since he is the key employee.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Jenny was an absolute pleasure to work with. Her work product is meticulous and well-drafted. Not only did she get everything to me on time, but she was more than willing to speak with me to share her wealth of knowledge about incentive stock plans. She educated me on the subject and answered all my questions. She made me look like a rock star! Jenny goes above and beyond because she has a real passion for the subject matter. I can't wait to add her to my team for my next employment matter.

## DEVELOP DISCOVERY OUTLINE

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$350**

I need a discovery plan (you don't have to draft discovery just write out a list of the kinds of demands) for a retaliation case. The best way to do this is to find (a) cases that beat summary judgment on these issues and see what factors the Court utilized; and (b) looking at EEOC opinions on their website - you can search opinions of EEOC judges as to factors they considered when they ruled for federal employees on these kinds of issues. At the end of your list, make a list of the cases you used.

### PROJECT DETAILS

After my client complained about discrimination, these things happened to her in the following order:

1. The Complainant was demoted when she was notified of a reduction of "high level responsibilities" and a reduction in staff reporting to her.
2. The Complainant's supervisory duties were removed.
3. The Complainant was excluded from key meetings, communications, and projects.
4. The Complainant was given little to no work and all her staff was removed.
5. The Complainant received an evaluation with negative comments.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Christian did an excellent job and I am very impressed with his litigation instincts.

## STOCK INCENTIVE PLAN REVISIONS

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**FLAT FEE**   **PROJECT DESCRIPTION**  
**\$3,000**

I have a stock incentive agreement that I like that was prepared for another company. I need someone skilled at drafting such agreements to revise it to make it applicable to the subject company.

**PROJECT DETAILS**

I would estimate this to be a 15-20 hour project. After review of the form agreement and discussion of the subject company's information, if that estimate is not in the ballpark, we can discuss a modified price for this project before work commences.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Jennifer is very knowledgeable and wonderful to work with! I will absolutely work with her again!

## MOTION FOR DISCOVERY SANCTIONS

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**FLAT FEE**   **PROJECT DESCRIPTION**  
**\$250**

I need a Motion for Discovery Sanctions in an employment discrimination case in federal court.

**PROJECT DETAILS**

Without authorization or permission, Defendants accessed Plaintiff's witness' Facebook account/page by posing as him (the witness), downloaded information, printed it and used it as an exhibit in both the witness' and Plaintiff's deposition. We wish to bar use of the exhibits and get any other sanctions possible.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Chris is a legal writing genius. I got way more than I bargained for with this assignment. The pleading prepared was detailed, supported with research, well-written and presented on time.

## NDA AND NON-CIRCUMVENTION AGREEMENT FOR EMPLOYEES

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**FLAT FEE**   **PROJECT DESCRIPTION**  
**\$540**

I need a confidentiality, non-disclosure, non-circumvention agreement for new and existing employees to sign. I would like it to be a form such that it can be used repeatedly and is not overly complex or full of legalese.

The jurisdiction will be Nevada and the employee must consent to personal jurisdiction in Nevada in the event of a breach/litigation.

**PROJECT DETAILS**

I do not expect this to be a complicated project for someone with experience drafting similar agreements for employers.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Scott was very responsive, made requested revisions, and provided a great agreement.

## EX-EMPLOYEE RESTRAINING ORDER

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$500**

Two ex-employees in California have stolen from clients business and they were recently seen staking out the premises. I am going to get a TRO to have them on notice that we are watching them and that they need to stay away from the business.

**PROJECT DETAILS**

I need a TRO and supporting forms with sample facts. I'll substitute actual facts when I have them.

Jurisdiction-is Santa Clara County Superior Court.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Alyssa was terrific from start to finish. My idea was not certain to be supported by the law. Alyssa did the research to determine potential outcomes for my client and delivered good and bad news with clarity and confidence. I am grateful for her thoroughness and professionalism. Another great hire via lawclerk.legal.

## REPLY IN SUPPORT OF SUMMARY JUDGMENT

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$1,000**

I need a reply brief in support of a motion for summary judgment to respond to the opposition. This case has to do with the Fair Labor Standards Act. It will require a detailed reading of the initial motion I prepared, the opposition filed by the U.S. Department of Labor, and the related research. I am looking for a finished product by the deadline, including correct legal citations and exhibits attached to the reply brief.

**PROJECT DETAILS**

I represent a call center that has been sued by the U.S. Department of Labor for misclassifying call center workers as independent contractors instead of employees and failure to pay minimum wage and overtime. My clients were added late in the lawsuit as a predecessor company was the owner during the bulk of the alleged wrongdoing. The issues for summary judgment as they relate to my clients are whether the call center employees were appropriately classified as independent contractors, individual liability for one of my clients who is the owner of the corporation, and statute of limitations issues under the FLSA (willfulness, adding my clients late (relation back doctrine), and equitable tolling.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Emily was very responsive and did a great job on some complex issues regarding the FLSA and related statutes of limitation.

## RESPONSE TO EMPLOYER POSITION STATEMENT

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$300**

I need a response drafted to an employer position statement with the EEOC. The employer terminated the employee because she chose to go on LTD. The employer gave the employee an ultimatum (1) move to part time status (her ACTUAL WORK hours) and owe the company money each month because of her premiums for health insurance or (2) take long term disability.

**PROJECT DETAILS**

Employer submitted responses to the EEOC. The total responses are 6 pages in length with exhibits. The response to the employer position statement will address and oppose each of the employer's responses based on information from the client and documents from the client.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Sandra did a fabulous job with the assignment. She delivered the assignment early and the quality of the work was far better than I would have done myself. I added a few details and the document was ready for submission supported with current, applicable case law.

## EMPLOYEE WAGE TREATMENT IN CHAPTER 11 BK RESEARCH

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$1,500**

Memorandum re: treatment of employee bonuses and severance payments in chapter 11.

### PROJECT DETAILS

Company has several employees in various states that were awarded 2019 retention bonuses that have not yet been paid. Employees are located in New Jersey, North Carolina, Illinois, Texas, Nevada, and California. Additional bonuses are provided under employment contracts for other employees. They are calculated based on 2019 performance, but will not be due pre-petition. Finally, there are pre-petition agreements with severance payments. Some employees may be terminated pre-petition. Need research and memo regarding how each of these will be treated in a chapter 11 bankruptcy case, company liability under state wage laws, and whether there is any officer and director liability under state wage laws.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Lawclerk turned around a well-researched memo in a short time frame.

## DRAFT A LETTER CHALLENGING SECURITY CLEARANCE REVOCATION

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$500**

A Client received a 3-page letter from DHS revoking his access to classified information (which will end his job). He's got four charges against him. I've interviewed the client extensively. I have a table of the four issues and our defenses to them. I also have the exhibits we will use (lawclerk does not have to start from scratch for this project-this whole thing is outlined). There is some research to strengthen our arguments and I will direct lawclerk to the research sites. This is about a 5-7 hour assignment, but it's due tomorrow 6 pm E.S.T.

### PROJECT DETAILS

Lawclerk doesn't have to write the opposition, just assist in some research, analysis and selected other tasks. Will be working with me directly over next few days. I'm around all day today and tonight to answer any questions.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Joshua was very timely and met my needs for a professional work product under a serious deadline. He was available for calls and understood the mission.

## MEDIATION STIPULATION AND RETAINER AGREEMENT

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$300**

I would like a retainer agreement and stipulation for appointment as a mediation/special master that includes an hourly provision as well as a flat rate provision that can be signed by attorneys and parties.

### PROJECT DETAILS

Litigants have been seeking my appointment as a special master and/or mediator. I have no idea who put this out there but its working for me. :) I just need to protect myself. I DO NOT have malpractice insurance and that must be disclosed in any retainer agreement. I just want to have a professional retainer agreement for this purpose, and a corresponding stipulation that can be filed with the court.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Greg was so easy to work with. I love it when I can't find typos!! I also love it when I don't have to micromanage the project. Thank you, Greg!!

## MSJ & AMEND PETITION

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**FLAT FEE**    **PROJECT DESCRIPTION**  
**\$400**

Hello! The project would be to draft: 1) a Motion for Summary Judgment with supporting affidavit on whether our client, who was seriously injured on the job, was an employee, as we believe, or an independent contractor, as his boss has long argued and 2) a 1st Amended Petition that includes an FLSA claim for non-payment of our client's overtime fees and employee taxes.

**PROJECT DETAILS**

We filed suit on several causes of action (COA), the relevant one being "Misclassification as an Independent Contractor". The MSJ doesn't have to be long or difficult, but we must counter the written record which had the defendant boss paying our client as a 1099 contractor. A simple affidavit should prove most of our points. You'll need a little bit of research to tie up the arguments and how this is a legal determination for the court to make - not a jury.

I do wish to add to the Petition (via an Amended Petition) a single new COA for FLSA violations. This won't be in the MSJ. The boss defendant regularly forced plaintiff employee to work 60 hour work weeks and never paid any employee taxes. I'd like to add this to the petition with just a few simple facts I can feed you. I realize this is a federal claim that'll be lumped into a TX state court lawsuit.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Jordan is on top of her game! She's professional, zeros in on the issues, prioritizes problems, and was a delight to work with. I highly recommend her for your next project!

## OPPOSITION TO MOTION FOR SUMMARY JUDGMENT

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**FLAT FEE**    **PROJECT DESCRIPTION**  
**\$900**

Opposition to SJ in Discrimination/Employment situation.

**PROJECT DETAILS**

The client had a complaint which investigates complaints of discrimination. The investigation found that there was discrimination. Client had a substance abuse issue and was told her job would be waiting for her when she returned from treatment. It was not. This was with the mayor's office.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Excellent work, well cited, and well prepared. I will use again.

## CONSTRUCT A QUICK TABLE

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**FLAT FEE**    **PROJECT DESCRIPTION**  
**\$150**

Need a two column table of which agencies are covered by the WPA for an individual right of action for a federal employee to bring a whistleblower claim.

**PROJECT DETAILS**

No need to research anything. I'm attaching about 27 pages from the hornbook on this topic which lays it all out. I just don't have the time or energy to go through those pages and get the bottom line for each of the agencies they mention. This should take no more than an hour or two at most.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Mike gave me exactly what I needed.

## EDIT FMLA COMPLAINT

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$200** Edit FMLA Compliant.

**PROJECT DETAILS**  
Edit existing Complaint after reviewing medical records.

**COMMENTS**   
**EXCEEDED EXPECTATIONS**  
Great job!

## DRAFT DISCOVERY REQUESTS

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$750** Draft Tailored Discovery Requests.

**PROJECT DETAILS**  
Draft Discovery requests similar to the ones you have prepared for me in other matters.

**COMMENTS**   
**EXCEEDED EXPECTATIONS**  
Mark - once again - did an excellent job on this project!

## COMPLAINT

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$300** I need a California superior court complaint drafted to initiate a lawsuit for unpaid wages and misclassification of employee as independent contractor.

California-admitted lawyers only. California employment law is changing really fast in this area and the complaint will be very statute-specific.

**PROJECT DETAILS**  
Complaint should only be 5-10 pages with the (illegal) independent contractor (IC) agreement attached as an exhibit. Case is a straightforward matter of a dentistry group that hired a dentist, misclassified him as an IC, and then failed to pay him anything.

**COMMENTS**   
**EXCEEDED EXPECTATIONS**  
Daria drafts good pleadings. She's efficient and knows her way around a law library. I got an excellent memo re liability and draft complaint in no time. I will definitely use her again.

## DFEH MEDIATION BRIEF

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$525** Mediation brief/letter for DFEH.

**PROJECT DETAILS**  
I need a mediation letter/brief drafted setting out the background, California governing law, and defendant's defenses/position.

**COMMENTS**   
**EXCEEDED EXPECTATIONS**  
Superior writing skills! I was quite pleased with the document.

## REDRAFT DISCOVERY DEMANDS

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$300** Redraft some discovery demands.

### PROJECT DETAILS

This is an easy one, but it has to get done. I've got some discovery demands already drafted in this Client's prior EEOC administrative case. The defense lawyer and I negotiated the demands down and I made my comments in the pages of discovery as to how to pair it down. Now the case is in Federal Court. I want to use the same demands (don't do the admissions part) with the narrowed scope. I will send you the (1) demands in MS word, (2) a sample of the instructions that I use in every single discovery package; (3) the prior demands with the comments (narrow the demands per those comments); and (4) a copy of the complaint for background. All you have to do is combine (1) through (3) into one document

### COMMENTS



#### EXCEEDED EXPECTATIONS

Joseph is always on the money.

## COMPLAINT

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$700** Multiple counts of retaliation and changing conditions of employment and failure to promote for a Police Officer. Police department interfered with side business. Tortious Interference with Contracts, Age Discrimination LAD Claim, Verbal Harassment, failure to pay wages, and Intentional Infliction of Emotional Distress. Stress resulted in Extreme High Blood pressure. Harassment went so far as he was reprimanded for handwriting. Whistleblower for Reporting Criminal Activity.

### PROJECT DETAILS

NJ complaint for causes of action noted above. Looking for a second set of eyes to put this together and add to what I have done already.

Also looking to add any causes of action that may have been missed. There are many claims.

### COMMENTS



#### EXCEEDED EXPECTATIONS

This was my first experience with Lawclerk. Mark was incredible. He asked relevant questions and was able to organize a complicated fact pattern. I would highly recommend Mark and will use him again.

## DISCOVERY DEMAND (RFA, RFPD, ROGS)

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$150** Lawclerk will provide Requests for Admissions, Requests for Production of Documents and Interrogatories to be propounded upon Defense Counsel.

### PROJECT DETAILS

This is a very unique case dealing with a sham marriage for the benefit of immigration purposes. The litigation is now proceeding, in my opinion, as a means to delay the inevitable denial of the Defendant's 3rd application for permanent US Residency, which is why we have brought counterclaims for abuse of process.

There will be a few unique aspects to these discovery requests because of the unusual nature of the case.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Deirdre complete this assignment on time and on point - she did an excellent job.

## DEMAND LETTER

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$500**

I need a demand letter to a restaurant and bar where my client's daughter was employed. She was 17 and had an affair with an employee who was 24. He is being charged with sexual misconduct with a minor. We are alleging that employees, management and owners were aware of the relationship and warned the guy that she was a minor, but did nothing to stop it.

**PROJECT DETAILS**

Provide relevant arguments as to responsibility and the law: respondeat superior, negligent supervision, etc.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Writing demand letters can be very difficult. Frank hit it out of the park.

## REPLY TO RESPONSE TO MOTION FOR ATTORNEY'S FEES AND COSTS IN FLSA CASE

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$750**

I need a draft of a reply to a response to a motion for attorney's fees and costs in an FLSA case.

**PROJECT DETAILS**

Plaintiffs prevailed in an FLSA case. A 12-page motion for attorney's fees and costs was filed with supporting exhibits. Defendants filed a 29-page response. A reply brief is necessary to address arguments raised by defendants.

The project should take approximately six to eight hours.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Nicole provided a thorough, thoughtful analysis of a complicated project. She has excellent analytical and writing skills.

## DEMAND LETTER

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$400**

This project involves researching and drafting a demand letter on behalf of a nurse practitioner student who has been dismissed and denied two appeals in contravention of the Americans with Disabilities Act and the school's own policies and procedures. Letter should include detailed factual background from information provided by the student, legal argument (with citations to the controlling circuit, where possible) explaining the potential claims the student may bring against the school and demands made by the client in an attempt to avoid litigation. Sample demand letters may be provided for comparison.

**PROJECT DETAILS**

Typical demand letters are between approximately 6-10 pages in length and require approximately 10-12 hours of time to draft given the information provided by the student and samples, etc., provided by us. The draft demand letter will be sent to the client for comment after the initial project deadline so that revisions, if any, may be made based on such feedback prior to the final project deadline.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Robin did a great job on our demand letter project. Super quick turnaround and excellent work product. Will definitely use her again!