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‘Fighting the Bully’

Rager Law carved out a niche bringing employment cases against the health care industry.

By Glenn Jeffers
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TORRANCE — A sly smile cuts across Jeffrey A. Rager’s face when he talks about employment law.

Sitting in the conference room of his third-floor office in Torrance, the silver-haired, well-tanned Rager has all the laid-back, affable charm of someone born, raised and still living off the shores of Manhattan Beach. Then the question comes up: What is it about employment law that you enjoy so much?

“I actually enjoy fighting the bully,” Rager said.

There it is. The drive. The aggression. Collected and always civil but certainly zealous and unyielding. It’s what motivates Rager to focus on, at most, 25 cases a year split between him and associates James Y. Yoon and Ashley J. Garay. It spurs him to take only cases he believes have merit.

It pushes him to take every case to trial because, “settling early means the defense is getting a discount on the value of the case,” Rager said.

“Our business plan is low volume,” he added. “If the case lasts three or four years, that’s fine. We’re either going to get good settlement value or try the case, and there’s nothing in between. And I think that’s the way it should be.”



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From left, associate James Y. Yoon, associate Ashley J. Garay and owner and founder Jeffrey A. Rager

So far, this odd mix of gracious fanaticism has worked. Since starting the Rager Law Firm in 2006, Rager has made a name as an advocate for the wrongfully terminated. Rager said he enjoys helping those who feel betrayed by their employers, either for reporting or uncovering malfeasance.

Rager and his team have carved out a niche for themselves in health care, going after hospitals and providers whom employees, including physicians, allege retaliated against them for speaking out. Last January, Rager secured more than \$1.2 million for a Kaiser Permanente employee who managed an Equal Employment investigations unit and was fired after pointing

out pay discrepancies along age and gender lines. *Loveless v. Kaiser Foundation Health Plan Inc.*, BC564550 (L.A. Super. Ct., filed Nov. 21, 2014).

In September, the city of Long Beach settled for a confidential amount with Rager and co-counsel Melanie R. Savarese in *Renshaw-Bodnar v. City of Long Beach*, BC700201 (L.A. Super. Ct., filed Apr. 2, 2018). In that case, a city employee alleged she was wrongfully terminated after reporting two colleagues for making racist statements at work, court documents show.

“Jeff is a very talented trial lawyer,” said Al M. De La Cruz, a San Diego-based partner at Manning & Kass, Ellrod, Ramirez, Trester LLP. “He’s

a very measured individual in terms of how he presents things. Not a lot of histrionics. He can get animated in the moment. But by and large, he’s a good matter of fact ‘this is why I’m right’ kind of lawyer.”

The two opposed each other in a 2010 case where Rager’s client, a supervising nurse at Corona Regional Medical Center, was fired for writing up subordinates for poor treatment of patients. *O’Connor v. UHS-Corona, Inc.*, RIC516507 (River. Super. Ct., filed Dec. 30, 2008).

The trial, which resulted in a \$1.6 million award for plaintiff Doreen O’Connor, impressed De La Cruz. To this day, if De La Cruz runs into Rager in a courthouse, he’ll find a seat in

the gallery to watch Rager in trial.

“He has a very good way of questioning that I think is helpful, and he’s got a couple of different gears,” De La Cruz said. “There an adversarial style, and a ‘just getting information out’ [style], dealing with exhibits and keeping someone focused on the salient points. He’s got a very nice technique to that.”

The cases help. Plaintiffs like O’Connor and Mary Allison Renshaw-Bodnar — longtime employees who’ve never had any work issues or complaints — are the type of the clients Rager wants.

Rager said he personally screens and rejects 99% of the cases that come to him, instead opting for the person who “walks in and said, ‘I never thought I would ever need a lawyer in my entire life.’”

“When they lose their job, they lose their income,” he said. “They lose their social network, their friends — all of them are work buddies. You see their lives fall apart.”

“And what’s great is that the jurors all work,” Rager said. “They understand. They can see through the BS. So whoever’s lying is going to get called out on the carpet.”

Equally important to Rager is his commitment to training younger attorneys, teaching them how to become effective trial lawyers. De La Cruz noticed that mentoring with Savarese, a former Rager associate who co-counseled with him on O’Connor. Rager said the two still co-counsel on cases.

“She was fairly junior then, but you could see how Jeff helped inform her thinking about how to actually do a trial

in a professional manner,” De La Cruz said.

Rager said he’s just handing down the lessons he received after graduating from Loyola Law School in 1996. After a stint at Girardi Keese, he spent the next few years working as a medical malpractice defense attorney at Hillsinger & Costanzo, PC, a job he found difficult.

“It was very hard on cases of liability to not compensate the client,” he said. “Those cases are very difficult on the plaintiff side, and even when you have a really good case, there’s no guarantee you’re going to win a trial.”

In 1999, a mentor from law school connected Rager with Charles “Ted” Mathews, a prominent, then-Pasadena-based attorney specializing in consumer class actions and employment litigation. The two worked together for the next seven years, with Mathews teaching Rager how to prepare, try and win cases at trial.

“I was lucky to fall into a pipeline,” Rager said. “Ted let me try cases with him, taught me how to try cases. I could have easily not had my own shop had I not run into someone who taught me how to try cases.”

Once he struck out on his own, Rager started finding work, but in towns like Merced, Modesto and Bakersfield. One of his first wins came when a Stanislaus County jury returned a \$3.46 million award for a former heart surgeon who claimed he suffered intolerable work conditions at a Modesto hospital after trying to improve care for post-surgical patients. *Chaugle v. Valley Heart Associates*, 63558 (Stanislaus

Super. Ct., filed Dec. 22, 2008).

“I remember the judge telling me, ‘I’ve never had a verdict over a million in my court,’ and we hit for just under [\$3.5 million],” Rager said. “My doctor was Indian and had a thick accent, but he was an excellent surgeon, and he met a lot of resistance from the old guard who didn’t want to change their ways.”

More cases came closer to Southern California and big verdicts followed, including a \$1.1 verdict against the city of Long Beach in 2014 and a verdict against Kaiser for \$1.7 million in 2015.

But despite his doggedness, Rager always maintains a high level of civility, said Rachel L. McClintock, a partner in the Los Angeles office of Lewis Brisbois Bisgaard & Smith LLP. McClintock remembered opposing Rager early on in her career and needing extra time to finish a motion for summary judgment.

Distraught, McClintock called him and asked for professional courtesy, she said. “He said, ‘These things happen. It’s not a big deal.’”

“He litigated the case on the merits,” McClintock said. “He doesn’t try to screw people over with administrative issues. If somebody came to me and asked for a referral, he would be on that shortlist.”

By 2016, Rager established himself as one of the state’s top employment lawyers, gaining admission to the American Board of Trial Advocates, while continuing to mentor young trial lawyers. An active member in the California Employment Lawyers Association, Rager had begun volunteering with the group’s

annual trial college, which grooms younger attorneys for litigation. That year, he also hired Yoon, a 2012 graduate from the University of San Diego School of Law.

Yoon worked at several plaintiff side firms, including DesJardins & Panitz LLP before joining Rager Law Firm. Rager saw in Yoon a kindred spirit who wanted to help others. Yoon saw a lawyer with trial-first mentality and a knack for winning. He likened Rager to U.S. Army Captain Richard Winters, the World War II veteran immortalized by actor Damian Lewis in the HBO mini-series “Band of Brothers.”

“Jeff is a lead by example kind of guy,” Yoon said. “He’s always down to earth, always with his guys. If there’s a motion to be done, he’s the first one in and the last one to go home.”

Last year, Rager hired Garay, a 2017 graduate from the University of LaVerne School of Law. Garay said she hadn’t heard of employment law before a recruiter told her about an available associate’s position at Rager Law. Having been laid off from a previous firm, Garay said she could empathize with the clients.

“I can relate better,” she said. Coming from a pre-litigation firm, Garay told the recruiter she wanted a job she was could learn to try cases.

Rager said he can work with that.

“They’re both dedicated associates who are willing to work hard,” Rager said. “And that’s really the key to our profession. If you’re willing to work hard, you’re going to do well.”

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