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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@portfoliomedia.com

Legal Secretary Hits IP Boutique With Overtime Action

By **Ryan Davis**

Law360, New York (December 21, 2009) -- A legal secretary at boutique intellectual property law firm Turocy & Watson LLP has filed a proposed class action alleging that the firm failed to pay its secretaries overtime in violation of the Fair Labor Standards Act.

Karla Osolin filed suit Friday in the U.S. District Court for the Northern District of Ohio, seeking to represent a class of all secretaries who have worked at the firm since December 2006. The suit estimates that the proposed class includes approximately 30 employees.

In addition to the firm, partners Himanshu Amin, Gregory Turocy and Thomas Watson are named as defendants. The firm changed its name from Amin Turocy & Calvin LLP in April.

According to the suit, Osolin was employed as a legal secretary at the firm's Cleveland office from September 2008 to April.

All legal secretaries were paid a salary and were misclassified as exempt from the FLSA's overtime requirements, the complaint states.

None of the secretaries engage in management, direct the work of employees, have the authority to hire and fire, or perform any other work that would exempt them from overtime requirements, according to Osolin.

The firm sometimes referred to its legal secretaries as paralegals, but none were certified paralegals, the suit contends.

Secretaries regularly worked more than 40 hours per week, but were not paid overtime compensation, the complaint alleges, adding that the firm also failed to records of unpaid hours worked by the secretaries.

The suit seeks unspecified damages and a court order notifying class members of their right to opt in to the litigation.

A representative for the firm declined to comment on the suit.

Turocy & Watson has offices in Cleveland and Bellevue, Wash., and employs about 60 legal professionals, including partners, associates, law clerks and paralegals, according to the firm.

The firm's work is dedicated to intellectual property with a focus on patents, and it represents approximately 15 Fortune 500 companies, Turocy & Watson said.

The plaintiff is represented by the Lazzaro Law Firm LLC.

Counsel information for the defendants was not immediately available.

The case is Osolin v. Turocy & Watson LLP et al., case number 09-cv-02935, in the U.S. District Court for the Northern District of Ohio.

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