Rachel Geman

PARTNER

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Working for Employees, Whistleblowers, and Consumers

Rachel Geman, a partner in the New York office, chairs the firm's Whistleblower Law/False Claims Act practice group and combats frauds that harm her clients in their lives and misconduct that threatens the fairness and safety of their workplaces and communities.

Recent successes and exemplar ongoing matters:

- Represents the Authors Guild and a proposed class of authors as co-lead interim class counsel in copyright class action litigation against OpenAI and Microsoft (2024)

- Represented a certified class of female employees in the Goldman Sachs Gender litigation ($215 million settlement in 2023)

- Appointed co-lead class counsel for the medical monitoring in Valsartan contaminated drug litigation (2023)

- Lead counsel for the whistleblower in litigation against AbbVie involving the marketing of Humira ($27 million in settlements as of 2023; programmatic relief in California)

- Appointed co-lead class counsel in consumer privacy litigation against fintech company Plaid (2022 settlement of $58 million and robust injunctive relief)

- Lead counsel for whistleblowers in matter involving fraud in New York's Indigent Care Program against the Door (2022 settlement of $12.9 million)

- Exemplar earlier cases: Rachel represented consumers in the GM Ignition Switch MDL economic loss litigation (2020 settlement of $121 million); served as co-lead counsel representing the City of Philadelphia in Fair Housing Act litigation against Wells Fargo (2019 settlement with the bank's funding city programs for communities affected by lending discrimination and agreeing to other relief); served as co-lead class counsel or counsel for the class in consumer financial litigation over "payment protection" products, resulting in more than $50 million in settlements; represented employee benefit plans in recovering $65 million from

AXA Rosenberg; represented a class of female financial advisors who secured $39 million plus injunctive relief from Bank of America/Merrill Lynch; and cut her teeth on the False Claims Act years ago in helping to recoup $78.5 million from the University of Phoenix in one of the largest settlements involving fraud on the Department of Education.

Rachel has been recognized by Best Lawyers in the field of Employment Law-Individuals and was named "Lawyer of the Year" in 2014 and 2019; by Lawdragon as one of "500 Leading Plaintiff Employment & Civil Rights Lawyers in America" and as one of "500 Leading Plaintiff Financial Lawyers in America"; she is a Legal 500 Recommended Lawyer and received Recognition for outstanding service to individuals and families who sought compensation under the September 11th Victim Compensation Fund. Rachel serves as the employee-side Chair of the ABA's Workplace and Occupational Safety and Health Law Committee and is a CDRC-trained community mediator.

Areas of Practice

Consumer Protection, Employment, False Claims Act

Education

Columbia Law School, New York, New York
J.D. - 1997
Honors: Stone Scholar
Honors: Equal Justice America Fellow; Human Rights Fellow
Law Journal: Columbia Journal of Law and Social Problems, Editor

Harvard University, Cambridge, Massachusetts
A.B. (Cum Laude) - 1993

Bar Admissions

New York, 1998
New York State Supreme Court, 1998
U.S. Supreme Court, 2013
U.S. Court Of Appeals, 2nd Circuit, 2015
U.S. Court Of Appeals, 9th Circuit
U.S. District Court, District of Colorado, 2007
U.S. District Court, Eastern District of Michigan, 2005
U.S. District Court, Eastern District of New York, 1999
U.S. District Court, Southern District of New York, 1999
U.S. District Court, Northern District of Ohio, 2019
U.S. District Court, Eastern District of Wisconsin, 2011

Professional Associations and Memberships

American Bar Association, Labor and Employment Law Section, Standing Committee on Equal Employment Opportunity, Member, Past Employee Co-Chair (2009-2011)
Certified Fraud Examiners, New York Chapter, Member
National Employment Lawyers' Association, New York Chapter, Chair of Amicus Committee (2017-); Past Board Member (2005-2011)
National Employment Lawyers' Association - National
Public Justice Foundation
Rutter Federal Employment Guide, Contributing Editor (2017 - present)
Taxpayers Against Fraud Education Fund

Seminars and Presentations

Panelist, "Class Actions Challenging Employment Discrimination," NELA New York Chapter Spring 2024 Conference, May 2024

Panelist, "Artificial Intelligence and the Future of Civil Litigation," Berkeley Law AI and Evidence Symposium, April 2024

Panelist, "It's a Global Workforce – Employer International Health and Safety Obligations," ABA Workplace and Occupational Safety & Health Mid-Winter Conference, March 2024

Faculty, "Medical Monitoring in Personal Injury, Products Liability, and Medical Device Litigation: Developments and Strategies," Strafford CLE Webinar, June 2023

Panelist, "Gender Based Discrimination & Pay Inequality," 7th Annual Class Action Money & Ethics Conference, May 2023

Panelist, "The Mental Health Crisis and the Workplace," ABA Workplace and Occupational Safety & Health Mid-Winter Conference, March 2023

Panelist, "Shareholder Derivative Actions Challenging Diversity," 16th Annual ABA Labor and Employment Law Conference, November 2022

Speaker, "Data Driven Cases," Taxpayers Against Fraud 22d Annual Conference, October 2022

Moderator, "Artificial Intelligence, Machine Learning, and Bias: Prospects, Pitfalls, and Penalties," 2022 National Conference on Equal Employment Opportunity Law," March 2022

Panelist, "Time to Rethink and Retool: Innovative Strategies for Crafting State-of-the Art Settlement Agreements," ABA Section of Labor & Employment Law, 15th Annual Labor & Employment Law Conference, November 2021

Moderator, "Corporations Are Deponents, My Friend: Taking 30(b)(6) Depositions In Wage & Hour Cases," National Employment Lawyers Association Spring Seminar, March 2021

Moderator, "Discovery In Wage & Hour Cases," National Employment Lawyers Association Virtual Convention, July 2020

Faculty, "Classwide Damage Models in Misleading and False Advertising Consumer Class Actions," Strafford Consumer Class Actions Webinar, May 2020

Faculty, "Current Topics in Employment Discrimination Class Actions," Lawline Webinar, August 2019

Speaker, "Statistics in Employment and FCA Cases," Clearlaw Webinar, January 2018

Speaker, "The Anatomy of a False Claims Act Case & How the FCA Works in a Whistleblower World," Lawline Webinar, October 2017

Speaker, "Litigating Wage & Hour Cases: Challenges & Opportunities," National Employment Lawyers Association Spring Conference, April 2017

Speaker, "Plaintiffs' Perspective in Investigating and Litigating Employment Class Actions," Lawline Webinar, December 2016

Speaker, "Pay Equity in Practice: What Works? Employee-Side Perspectives on Compensation Discrimination," ABA-LEL Conference, November 2016

Speaker, "Bringing Your First – or Next – FHA Case," NCLC Annual Conference, October 2016

Moderator, Government Plenary, ABA EEO Conference, March 2016

Speaker, "Latest Trends and Developments in Qui Tam Lawsuits and the Statute of Limitations," Webinar, January 2016

Speaker and Moderator, "Statistics for Lawyers – Even Those Who Hate Math," National Employment Lawyers Association Annual Convention, June 2015

Speaker, "Gender Pay Disparities: Enforcement, Litigation, and Remedies," New York City Conference on Representing Employees, May 2015

Speaker, "Protecting Pay: Representing Workers With Wage and Hour Claims," National Employment Lawyers Association, April 2015

Speaker and Author, "What Employment Lawyers Need to Know About Non-Employment Class Actions," ABA Section of Labor and Employment Law Conference, November 2014

Moderator, "Dodd-Frank and Sarbanes-Oxley Whistleblower Issues," National Employment Lawyers Association/New York, October 2014

Speaker, "Consumer Class Action Symposium," National Consumer Law Center Consumer Rights Litigation Conference, November 2013

Panelist, "Who is an Employer Under the FLSA?," National Employment Lawyers Association Conference, 2013

Panelist, "Class Certification Strategies: Dukes in the Rear View Mirror," Impact Fund Class Action Conference, 2013

Panelist, "Fraud and Consumer Protection: Plaintiff and Defense Strategies," Current Issues in Pharmaceutical and Medical Device Litigation, ABA Section of Litigation, 2012

Panelist, "Drafting Class Action Complaints," New York State Bar Association, 2011

Participant and Moderator, "Ask the EEOC: Current Insights on Enforcement and Litigation," ABA Section of Labor and Employment Law, 2011

Moderator, "Hot Topics in Wage and Hour Class and Collective Actions," American Association for Justice Tele-Seminar, 2010

Panelist, "Class Action Considerations: Certification, Settlement, and More," American Conference Institute Advanced Forum, 2009

Panelist, "'Don't I Think I Know You Already?': Excessive Subjective Decision-Making as an Improper Tool for Hiring and Promotion," ABA Labor & Employment Section Annual Meeting, 2008

Panelist, "Rights Without Remedies," American Constitutional Society National Convention, Revitalizing Our Democracy: Progress and Possibilities, 2008

Panelist, "Fair Measure: Toward Effective Attorney Evaluations"

Panelist, "Getting to Know You: Use and Misuse of Selection Devices for Hiring and Promotion," ABA Labor & Employment Section Annual Meeting, 2008

Panelist, "Ethical Issues in Representing Workers in Wage & Hour Actions," Representing Workers in Individuals & Collective Actions under the FLSA, 2007

Panelist, "Evidence and Jury Instructions in FLSA Actions," Georgetown Law Center/ACL-ABA, 2007

Panelist, "Crucial Events in the 'Life' of an FLSA Collective Action: Filing Considerations and the Two-step 'Similarly-Situated' Analysis," National Employment Lawyers Association, Annual Convention, 2006

Panelist, "Electronic Discovery," Federal Judicial Center & Institute of Judicial Administration, Workshop on Employment Law for Federal Judges, 2005

Panelist, "Time is Money, Except When It's Not: Compensable Time and the FLSA," National Employment Lawyers Association, Impact Litigation Conference, 2005

Chair and Panelist, "Current Topics in Fair Labor Standards Act Litigation," Conference, Association of the Bar of the City of New York, 2003

Moderator, "Workforce Without Borders," ABA Section of Labor & Employment Law, EEOC Midwinter Meeting, 2003

Published Works

Rutter Federal Employment Guide, Contributing Editor (2016 – present)

"Class Actions: Class Representatives / Named Plaintiffs (Federal)," Practical Guidance Practice Note, Lexis/Nexis, 2021

Author, "Whistleblower Under Pressure," Trial Magazine, April 2013

The New York Employee Advocate (Co-Editor, 2005-2009)

"Image-Based Discrimination and the BFOQ Defense," EEO Today: The Newsletter of the EEO Committee of the ABA's Section of Labor and Employment Law, Vol. 9, Issue 1, 2004

"Fair Labor Standards Act Overtime Exemptions: Proposed Regulatory Changes," New York State Bar Association Labor & Employment Newsletter, 2004

Honors and Awards

AV Preeminent Peer Review Rated, Martindale-Hubbell

Selected for inclusion by peers in The Best Lawyers in America in field of "Employment Law – Individuals," 2012-2024

"Lawdragon 500 Leading Plaintiff Consumer Lawyers in America," Lawdragon, 2022-2024

"Super Lawyer for New York Metro," Super Lawyers, 2011, 2013-2024

"Lawdragon 500 Leading Plaintiff Employment & Civil Rights Lawyers in America," Lawdragon, 2018-2023

"Lawdragon 500 Leading Plaintiff Financial Lawyers in America," Lawdragon, 2021-2023

"Lawyer of the Year," Best Lawyers, Employment Law – Individuals, New York City, 2014, 2019

Recognition for outstanding service to individuals and families who sought compensation under the September 11th Victim Compensation Fund

Legal 500 recommended lawyer, LegalEase, 2013

"Rising Star for New York Metro," Super Lawyers, 2011

Distinguished Honor Award, United States Department of State, 2001