

# ***Mark Budensiek***

## **EDUCATION**

### **Stanford Law School**

*Juris Doctor (with Distinction)*, 1991. Articles Editor-Stanford Journal of International Law

### **University of Iowa**

*Bachelor of Business Administration (with High Distinction) Industrial Relations and Human Resources Management*, 1985. Undergraduate Honors Award; Beta Gamma Sigma national business honors society

### **United States Naval War College**

*College of Naval Command and Staff (with Highest Distinction)*, 1993. Naval War College Foundation Award

## **PROFESSIONAL HISTORY**

### **Klatte, Budensiek & Young-Agriesti, LLP, Newport Beach, California, Partner-Labor and Employment Law**

February 2012 to present. Founding partner of boutique law firm representing employers in employment law matters. Heads the firm's employment law counseling practice, focusing on "preventive" employment law strategies to avoid litigation. Develops employment policies and practices designed to comply with California's demanding and complex employment laws, especially emphasizing work with companies headquartered outside of California to conform employment policies to California compliance requirements. Represents employers in employment-related investigations or hearings before state and federal administrative agencies. Trains management-level human resources employees and company supervisors in compliance and employment best practices. Trains and supervises associate attorneys in developing employment law practice and legal writing skills.

### **Rutan & Tucker LLP, Costa Mesa, California, Partner-Labor and Employment Law Section**

March 2005 to February 2012. Representation of employers in employment law practice, with special emphasis on client counseling on employment law compliance, development and review of human resources policies, management of sensitive investigations into personnel matters and employer representation in government agency investigations in employment law and wage/hour matters. Conducted and managed complex projects including employment law compliance audits for major national retailers.

### **Hillenbrand Industries, Batesville, Indiana, Staff Counsel**

March 2004 to March 2005. Responsible for support of Human Resources function and assigned litigation matters for holding company and two operating companies with 15,000 employees throughout all 50 states. Managed diverse range of employment and some commercial litigation matters, working with outside counsel and insurance carriers on strategy development, cost management, and successful case resolution. Responsible for internal client counseling on human resources matters, as well as employment law training and policy development to maximize legal compliance and litigation avoidance.

### **Rutan & Tucker LLP, Costa Mesa, California, Associate Attorney-Labor and Employment Law Section**

March 1999 to March 2004. Full range of employment and labor law practice, including client counseling on employment law compliance and representation of employers in employment and labor law matters including government agency investigations. Extensive experience in wage and hour law and in related class action litigation. Principal working attorney on several employment law class action matters, requiring extensive research, law and motion work and discovery coordination, as well as complex mediations and settlement negotiations.

### **Paul, Hastings, Janofsky & Walker LLP, Los Angeles, California, Associate Attorney-Labor and Employment**

*Law Section* September 1997 to March 1999. Employment and commercial litigation as well as client counseling on employment practices and policies. Represented employers in mediation of employer-employee disputes and various aspects of litigation in a broad range of employment lawsuits. Motion and discovery work in large and complex insurance industry litigation matters involving coordination of multiple firm offices and counsel. Researched and developed detailed legal memorandum and policy guidance for large university client on use of race-based financial aid to promote educational diversity.

**Judge Advocate General's Corps, United States Navy, various assignments** October 1991 to August 1997.

***Deputy Staff Counsel, Commander, Naval Air Force, U.S. Atlantic Fleet.*** Counsel for civil and administrative law matters for over forty naval aviation commands throughout Eastern United States, Europe and Southwest Asia, including responsibility for resolution of sensitive personnel matters. Directed and documented complex internal investigations into major incidents including complaints of discrimination, harassment or maltreatment and assessed investigation results for potential criminal charges or administrative personnel action. Advised commands on operational law, law of the sea, and government ethics law. Developed and provided training in sexual harassment prevention, workplace fraternization, and Navy Equal Opportunity procedures. Awarded Meritorious Service Medal.

***Senior Counsel, USS GEORGE WASHINGTON (CVN-73).*** Senior Counsel and Legal Department Head responsible for leadership of 100-person department on board deployed aircraft carrier with over 5,000 embarked personnel. Advised command on broad range of civil, administrative, international and criminal law matters. Developed exercises and conducted extensive training on international law, rules of engagement and law of the sea. Investigated and advised command on personnel matters including gender and racial discrimination, sexual harassment, gender relationships on ships at sea. Sensitive negotiations with foreign government officials involving U.S. military personnel accused of misconduct in foreign countries. Awarded Meritorious Service Medal.

***Litigation Attorney, Naval Legal Service Office, San Francisco.*** Criminal prosecutor, successfully trying over twenty criminal cases including four contested felony-level trials. Served subsequently as Senior Defense Counsel, representing individual clients in over forty criminal trials and administrative proceedings, while supervising four junior attorneys. Additional duty as Training Officer, responsible for professional training of all Navy attorneys in San Francisco region. Ranked number one of all junior officers assigned. Awarded Navy Commendation Medal.

***Staff Counsel, Commander, Naval Base San Francisco.*** Staff counsel to command responsible for all naval affairs in Northern California. Directed two major investigations into highly publicized allegations of misconduct involving sexual harassment and fraternization. Performed detailed analysis of major incidents including sensitive personnel matters in preparation for criminal and civil litigation and handled media and public relations in coordination with public affairs personnel. Awarded Navy Commendation Medal and Navy Achievement Medal.

***Student, Law Education Program, Stanford Law School.*** Selected in competitive selection board as one of five naval officers to complete Navy-funded legal education. Summer clerkships at Naval Legal Service Office San Francisco.

***United States Navy, Surface Warfare Officer, USS GRAY (FF-1054)*** July 1985 to August 1988. After extensive training in surface ship navigation and operations, served as first-level manager of shipboard divisions of over thirty personnel responsible for Electronics Maintenance and Anti-Submarine Warfare, while also serving as ship's non-lawyer Legal Officer. Received Outstanding Graduate Award, Arleigh Burke Leadership Award and Navy Achievement Medal. Ranked number one of all junior officers assigned.

### **PROFESSIONAL AFFILIATIONS**

- Admitted to practice law in the state of California; U.S. District Court, Central District of California; and before Military Courts-Martial
- Retired after 21 years combined active duty and reserve service from Judge Advocate General's Corps, U.S. Naval Reserve, in the rank of Commander
- California and Orange County Bar Association Sections on Labor and Employment Law
- Society for Human Resources Management (SHRM)

### **SELECTED HONORS AND PUBLICATIONS**

- Selected by the Daily Journal as one of California's top 75 employment law attorneys in 2011
- Published *A New Chemical Weapons Convention: Can It Assure The End Of Chemical Weapon Proliferation?*, 25 Stan. J. Int'l Law 647 (1990), reprinted in 39 Naval L. Rev. 15 (1990).