



**Andrew M. Wolfe**  
**201 Spear Street, Suite 1000**  
**San Francisco, CA 94105**  
**Direct: (415) 972-6352**  
**Office: (415) 543-4800**  
**Fax: (415) 972-6301**  
**Email: [awolfe@rmkb.com](mailto:awolfe@rmkb.com)**  
**Web: [www.rmkb.com](http://www.rmkb.com)**

Andy Wolfe is a partner in the San Francisco office and has been practicing employment law for more than 30 years. In 2005 he was named by Northern California *Super Lawyers*® magazine as one of the top attorneys in his field.

A Harvard Law School graduate and *magna cum laude* Yale graduate, he litigated numerous high-visibility cases as a state Assistant Attorney General and with the U.S. Department of Justice before joining the firm.

He has taken 13 employment cases to trial and 28 of his precedent-setting cases have resulted in published decisions. Some of his more prominent cases are mentioned here:

- *National Coal Association v. Marshall* – Successfully defended the federal Black Lung benefits program against attacks by coal mine operators
- *Morgan v. Hennigan* – In the nationally famous Boston school desegregation case, successfully defended the state against claims that it was responsible for constitutional violations in the Boston school system
- *Agee v. CIA* – Enforced a government confidentiality agreement against turncoat former CIA employee Philip Agee, the controversial author of “Inside The Company”
- *Guthrey v. CDC* – Obtained a record-setting attorneys fee award for the defendants
- *Willson v. Cagle* – Represented the United States in a lawsuit brought by the anti-war protestor who, in a grisly accident that received nationwide publicity, was run over by a munitions train and lost both his legs
- Successfully defended the United States in litigation contesting President Reagan’s decision to fire thousands of striking air traffic controllers
- *U.S. v. U.S. House of Representatives* – Represented the United States in the historic Separation of Powers confrontation between Executive and Legislative Branches arising from Congressional contempt proceedings against the head of EPA
- *Goldberg v. Rostker* – Lead counsel in nation-wide litigation regarding the constitutionality of the draft, later won by the government in the U.S. Supreme Court
- *Davis v. CDC* – Successfully defended a correctional officer in a landmark sexual harassment case that resulted in a 164-page published decision
- *American Baptist Churches v. Meese* – Defended the federal government against challenges to its policies regarding immigration from Central America

## Practice Areas

- Employment
- Employment Litigation and Dispute Resolution

## Education

---

- Yale University , 1966 B.A.  
magna cum laude
- Harvard Law School, 1969 J.D.

## Court Admissions

---

- California
- Massachusetts
- Supreme Court of the United States
- US Court of Appeals for the Ninth Circuit
- USDC: Eastern District of California
- USDC: Northern District of California

## Memberships & Associations

---

- State Bar of California

## Representative Experience

---

**Practice Area:** Employment

**Key Issues:** Wrongful Termination

**Venue:** San Francisco Superior Court

**Client Type:** National housing maintenance corporation

Former employee alleged multiple claimed discriminatory and retaliatory discharge

**Result:**

Won pretrial summary judgment dismissing all claims against employer

**Practice Area:** Employment

**Key Issues:** Fraud and embezzlement by former employee

**Venue:** San Francisco Superior Court

**Client Type:** Medical Practice

Brought action on behalf of employer against former employee

**Result:**

Won default judgment of more than \$1 million for employer.

**Practice Area:** Employment

**Key Issues:** Wage and Hour

**Venue:** San Francisco Superior Court

**Client Type:** National housing developer

Former tenant alleged employment relationship and unpaid wages

**Result:**

Won dismissal of the case at the pleading stage (i.e., before discovery or trial)

**Practice Area:** Civil Rights

**Key Issues:** Federal Fair Housing statute of limitations and right to accommodation

**Venue:** U.S. District Court, Northern District of California

**Client Type:** Housing construction

Alleged failure to construct residence that adequately accommodates her disability.

**Result:**

Won dismissal of the case at the pleading stage (i.e., before discovery or trial)

**Practice Area:** Toxic Tort

**Key Issues:** Statewide workplace hazards

**Venue:** Occupational Safety and Health Appeals Board

**Client Type:** State Agency

Cal-OSHA issued multiple citations against state agency facilities re workplace hazards presented by "superbug" exposures

**Result:**

Successfully negotiated precedent-setting statewide plan for dealing with this exposure

## Publications

---

- Author, Under Fire, *Smart Business*, 4/12/2012
- Author, *Govori v. Goat Fifty*: Court's decision sides with wanna be moms , *Employment Case Alert*, 4/29/2011
- Author, Employment Newsletter, *Employment Law & Issues*, 2/11/2011
- Author, Employment Newsletter, *Employment Law & Issues*, 11/05/10
- Author, Avoiding Wrongful Termination Liability, August 2009

## News

---

- Compete Without the Noncompete, *Silicon Valley/San Jose Business Journal*, 10/17/08