



Tristan R. Kirk

Associate

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Tristan's practice is premised on providing comprehensive representation in all aspects of employment law, whether that entails compliance counseling and guidance or vigorously defending clients in litigation. He focuses on developing dynamic strategies and crafting creative solutions for employers nationwide.

Tristan defends employers against a wide array of employment claims in both class/representative actions and single plaintiff matters. Tristan also handles matters in arbitration and those brought before the NLRB, DFEH, and the California Labor Commissioner. He is a member of the firm's Videogame, Gaming and Esports Group dedicated to providing comprehensive legal solutions to companies in these industries.

He has experience conducting investigations into allegations of discrimination, harassment, and/or retaliation. Tristan regularly advises clients on a broad spectrum of employment issues including laws related to independent contractor/employee distinctions, hiring and discharging employees, protecting trade secrets, drafting/enforcing non-competes, reasonable accommodation efforts, and the myriad of California and federal protected leaves. He also drafts and revises employment contracts, severance/settlement agreements, employee handbooks, and workplace policies.

Recent Experience

Recognitions

- *Best Lawyers: Ones to Watch*® in America, Litigation-Labor and Employment, (2021-2024)
 - Southern California *Super Lawyer* Rising Star (2020)
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Activities

Member, Los Angeles Association of Business Trial Lawyers

Credentials

EDUCATION

Tristan received his B.A., *magna cum laude*, from University of Redlands in 2013. He received his J.D. from UCLA School of Law in 2016, where he was a founding member of the Gaming Law Association.

ADMISSIONS

- California

Related Insights & News

- Arthur F. Silbergeld, Natalie Ikhlassi, and Tristan Kirk, *Gender Discrimination in Parental Leave Practices*, Bender's Labor & Employment Bulletin (2019)
 - Arthur F. Silbergeld and Tristan Kirk, *Wage Ruling Isn't All That Bad*, The Daily Journal (2018)
 - Arthur F. Silbergeld and Tristan Kirk, *Counseling Employers On Wage Matters After Alvarado*, The Daily Journal (2018)
 - Joseph T. Ortiz and Tristan Kirk, *Best In Law: Four Steps Employers Can Take To Avoid A #MeToo Situation*, The Press Enterprise (2017)
 - Roger Crawford and Tristan Kirk, *Joint Employer Standards*, PublicCeo (2017)
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BLOG

Shining a Light on the Importance of Article III Standing in Class Settlements

MARCH 28, 2024

RECOGNITIONS

Winston Attorneys Recognized in *Best Lawyers: Ones to Watch*® in America 2024

AUGUST 17, 2023

CLIENT ALERT

California Tries Again: Group PAGA Claims Stay in Court Despite Arbitration Agreements

JULY 20, 2023

BLOG

Lowery v. Rhapsody International, Inc.: Reasonableness of Attorneys' Fee Awards in Rule 23 Class Action Settlements

JULY 20, 2023

BLOG

Employers Beware: CCPA Amendments Increase Employment Data Obligations and Private Liability Exposure

DECEMBER 9, 2022

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *Best Lawyers: Ones to Watch in America 2023*

AUGUST 18, 2022

BLOG

Plaintiffs Sue Over Nondisclosure of PFAS As Regulators Scrutinize Safety

MAY 12, 2022

BLOG

Ninth Circuit Decision Upholding Mandatory Arbitration Agreements as Condition of Employment is Stayed

NOVEMBER 9, 2021

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *Best Lawyers: Ones to Watch in America 2022*

AUGUST 19, 2021

CLIENT ALERT

California High Court Shuts Down Meal Period Rounding

MARCH 3, 2021

CLIENT ALERT

California Enacts New Laws for 2021

JANUARY 15, 2021

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *Best Lawyers: Ones to Watch 2021*

AUGUST 20, 2020

Capabilities

Labor & Employment

Trade Secrets, Non Competes & Restrictive Covenants

Technology, Media & Telecommunications

Financial Services

Retail & Luxury