

...place a \$4 million payout to the couple. *Mendez v. County of Los Angeles*, 13-56686.

The shooting occurred after the two deputies were asked to assist in the search for a parole violator who had been reported to be riding a bike in front of the home of Paula Hughes. The two shooting vic-

...to have his lower leg amputated as a result of the shooting.

"The deputies first argue that they did not 'search' the shack within the meaning of the Fourth Amendment when Conley opened the door," wrote Ronald M. Gould in the opinion.

"In 2010, the law was clearly established that a 'search' under the

...no justifiable reason.

Melinda Cantrall of Hurrell Cantrall LLP, who represented the officers, did not respond to a request for comment. Attorney David Drexler, who represented the victims, also did not respond to a request for comment.

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# Activision misclassified employees, suit claims

By Steven Crighton

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The company responsible for video game franchises "World of Warcraft" and "Diablo" is accused by a former employee of misclassifying some of its workers as artists, which disqualified them from collecting overtime.

Plaintiff John Lee worked for Activision Blizzard Inc. as a "senior artist" from October 2010 to January 2014, and was responsible for creating and inserting computer generated images into cinematic videos that would play during the games, according to the complaint.

Activision Blizzard classified its senior artists, as well as some other employee titles, as "creative," which are overtime exempt.

Brett Markson of Markson Pico LLP and counsel to Lee argues that such a classification is inappropriate, as the artists are performing the same generalized activities over

and over without any creative input on their end.

"They can work around the clock and don't have to be paid extra, despite the fact that it's essentially an assembly line where each employee is doing a very specific job under the direct control of the art directors," Markson said.

Lee voiced his belief to his fellow graphic designers that they were misclassified and insisted they be properly classified as non-exempt, Markson said. When "Blizzard didn't take kindly to John's position," Markson continued, Lee stopped working overtime hours without pay, which caused Blizzard to release him for insubordination.

In a joint status conference last week, Blizzard maintained that the nature of Lee's work, which netted him a six-figure salary that "far exceeded the amount of compensation required for exempt status," was highly specialized and unique. They hold his work was creative in

nature, "requiring invention, imagination, originality or talent in a recognized field or creative endeavor."

Paul Hastings LLP partner Leslie L. Abbott, counsel to Activision Blizzard, declined to comment for this article.

Markson said they hadn't yet determined the amount Lee was seeking, noting they would seek compensation for wages owed and attorney's fees. Markson is also seeking class certification, which would extend the lawsuit to cover all senior artists employed by the company from March 16, 2011 onward.

In court documents, Activision Blizzard says that eight current and former senior level artists worked in Lee's department during the time frame specified in the lawsuit, while another 110 were in other departments.

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APD focuses on mental health