

Jessica Goneau Scott

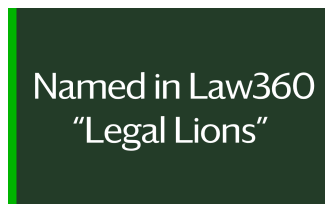
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Wheeler Trigg O'Donnell LLP



Jessica Scott defends major companies facing serious class, collective, and mass action threats nationwide. These include high-risk misclassification cases (both independent contractor and

joint employment), wage and hour cases, FLSA collective actions, and consumer class actions. She serves as lead counsel and national coordinating strategist to a Fortune 500 company in its misclassification and wage and hour cases. Jessica also takes on single-plaintiff cases when the exposure is particularly high and media and other attention garnered by those cases have the potential for a lasting negative impact on her clients if not handled properly from the outset. These cases include discrimination- and retaliation-type claims.

Jessica's notable results include defeating class and collective actions throughout the nation for a Fortune 500 company, including cases in California state and federal court, and obtaining decertification of a nationwide conditional collective; and defeating multiple FLSA cases at the conditional certification stage, despite a lenient standard that usually results in conditional collective treatment, saving her clients hundreds of thousands of dollars in expensive discovery costs.

When faced with a new case or new challenge presented by a client, Jessica first discusses with the client their goals for the litigation and then works hand-in-hand with the client to develop the best strategy for implementing those goals and doing so with as little burden on the client as possible. While Jessica prefers to work with her clients from the start of a case through the end to ensure the best strategies for her clients' goals are implemented from the beginning, she is often sought out by clients seeking to switch counsel mid-litigation when previous counsel did not put in place a strategy that aligned with the clients' goals. Jessica is particularly creative in determining how best to attempt to right the ship in cases where the record is many times already set or mostly developed.

“Absolutely first-rate work all the way around.... No firm in the country could do better.”

– Client Comment

Credentials

Education

University of California, Berkeley, School of Law, J.D., Order of the Coif, 2004

Humboldt State University, B.A., *summa cum laude*, 2000; Major in Psychology and Minor in Criminal Justice

CLERKSHIPS

Judicial Clerk to The Honorable Andrew J. Kleinfeld, United States Court of Appeals for the Ninth Circuit

RECOGNITION

Chambers USA

Colorado Labor & Employment, 2026

Benchmark Litigation

National Labor & Employment Star - Wage & Hour/FLSA Class Actions, 2021-2026

Litigation Star, 2026

Future Star - Colorado, 2015-2018, 2021-2022, 2024-2025

The Best Lawyers In America

Litigation - Labor and Employment, 2024-2027

Colorado Super Lawyers

Class Action, 2022-2026

Law Week Colorado

Top Women Lawyers, 2021

Up-and-Coming Lawyers, Finalist, 2010

Colorado Rising Stars

Class Action/Mass Torts, 2010-2020

LEGAL MEMBERSHIPS

American Bar Association

Colorado Bar Association

Denver Bar Association

BAR AND COURT ADMISSIONS

Colorado

Montana

U.S. Court of Appeals, 10th Circuit

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, D. Colorado

U.S. District Court, D. New Mexico
U.S. District Court, E.D. Michigan
U.S. District Court, W.D. Wisconsin

ARTICLES AND PRESENTATIONS

Co-Author, "What Proposed Contractor Rule May Mean For Wage Litigation," Law360.

"Trim the Fat: Lean Writing, Powerful Results," DRI For The Defense.

"An Interview with Judge Gail Andler about Class Action Settlements," ABA Section of Litigation Women Advocate Committee, (Vol. 21, No.4).

Practices

[Appellate](#)

[Class Actions](#)

[Employment/Class Actions](#)

Cases

After defeating certification, defeated the same plaintiffs' counsel's attempts to bring several lawsuits as mass actions with hundreds of thousands of individual plaintiffs.

In a certified consumer fraud class action pending in New Mexico state court, obtained summary judgment on damages issue, which reduced the plaintiffs' claimed damages from over \$20 million to just \$50,000.

After taking over a case alleging racial and gender discrimination, retaliation, and First Amendment violations, defeated the plaintiff's motion for preliminary injunction based on full briefing and a one-day hearing.

In a racial discrimination, retaliation, and First Amendment case, in a compressed time period, obtained a full win on critical issues for the client. Also obtained a sanctions award after hundreds of pages of briefing and exhibits, and a lengthy hearing.

Went 10-for-10 defeating class and collective actions throughout the nation for a Fortune 500 company. The streak included obtaining decertification of one of the largest FLSA collectives in the history of the U.S.

Defeated attempted nationwide conditional certification in an FLSA case alleging independent contractor misclassification and failure to pay overtime in federal court in Colorado.

Obtained decertification of an FLSA conditional collective that had been certified before we took over the case. After the decertification decision was issued, lawyers for the plaintiffs conceded that another pending nationwide case—which we also were defending—should be decertified as well.

Defeated Rule 23 class certification of state law overtime claims in federal court in New Mexico for an international shipping company.

Defeated conditional certification of an FLSA and state law putative collective action in federal court in Ohio for an international shipping company.

Defeated conditional certification of an FLSA and state law putative collective action in federal court in Virginia for an international shipping company.

After just two days of trial in what was expected to be a two-week trial, obtained an individual settlement favorable to our client and case dismissal.

Defeated certification of a putative class of individuals in California claiming our client improperly classified them as independent contractors and also jointly employed them.

Defeated certification of two putative classes of almost 30,000 California claimants alleging that our client was a joint employer and liable for a number of California wage and hour law violations.

Won case-ending summary judgment for an international shipping company in a multi-plaintiff, putative joint employment case in state court in California. The plaintiffs sought overtime, meal and rest breaks, minimum wage, and other damages.

Defeated certification of a putative class of California claimants alleging our client was a joint employer, seeking compensation for purported “off-the-clock” work. The California state trial court judge agreed with our arguments that the plaintiff’s “common” evidence did not show joint employment under California law.

Won a motion to strike a California Labor Code Private Attorneys General Act (“PAGA”) representative claim in federal court for alleged meal break violations where our client was a purported joint employer.

Successfully negotiated a nuisance value settlement in a putative class action for overtime wages in federal court in Illinois, before our client had to incur any substantial fees or costs in discovery or for significant briefing.

Defeated certification of a putative class of 20,000 California claimants alleging that our client was a “joint employer” and was liable for unpaid overtime and other wage-and-hour violations.

Won summary judgment for an international shipping company in a putative joint employment class action in federal court in Colorado.

Won a Montana Supreme Court victory for a health system in a putative consumer class action that challenged its policy of issuing refunds in the form of pre-paid debit cards. The victory affirmed our prior summary judgment win and defeated the plaintiff’s new claims on appeal.

Defeated class certification for Whirlpool in a bellwether case alleging false advertising of innovative self-cleaning ovens.

Won dismissal with prejudice in a putative wage-and-hour class action in Kentucky. After defeating the plaintiff’s attempt to obtain nationwide discovery against our client, we then filed a summary judgment motion on the plaintiff’s claims. Rather than opposing the motion, the plaintiff agreed to dismiss his claims with prejudice.

Serve as national coordinating counsel to a major transportation company in FLSA collective action and individual and class wage and hour claims.

Won summary judgment for a multinational corporation in a putative class action dealing with independent contractor misclassification issues in New Mexico, thereby ending over two years of litigation. The court denied the plaintiff's motion for class certification as moot.

Successfully opposed conditional certification of an FLSA collective action and won summary judgment against the named plaintiff.

Won Montana Supreme Court reversal of class certification against USAA in bad faith litigation.

Won Montana Supreme Court affirmance of a jury verdict for Ford Motor Company in a product liability case involving a fatal car accident.

Represented an international shipping and package delivery company in numerous arbitrations involving alleged independent contractor misclassification.

Won a unanimous jury defense verdict in a three-week trial in Denver District Court for USAA. Defeated breach of contract and bad faith claims in connection with USAA's refusal to provide coverage for a roof on the plaintiffs' property. The jury returned a complete defense verdict in less than one hour.

Obtained dismissal of a plaintiff's class action complaint alleging false advertising filed against Whirlpool.

Defended an appeal to the Colorado Court of Appeals that affirmed the trial court's finding that our client, Encompass Insurance, was not liable for the claims brought against it in an insurance case. Subsequently defended the award of costs to our client.

Obtained a highly favorable non-class settlement in a putative, multistate class action involving Whirlpool-made wall ovens.

Won an 88% reduction in the appeal of a punitive damages award in a case tried by another firm.

Defeated certification of a multistate class action in Arkansas federal court involving claims that certain Whirlpool-made refrigerators were defective.
