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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Berg & Androphy, Former Paralegal End Racial Bias Suit

By **Andrew Strickler**

Law360 (July 18, 2022, 2:56 PM EDT) -- Litigation firm Berg & Androphy and a former legal assistant who sued the partnership for racial bias have ended their dispute, according to a Monday notice in a New York federal court.

Akima Gurley, a Black ex-employee at the Berg firm, had said she was **repeatedly subjected** to discrimination while working there, including through a requirement that she send a supervisor photos of her outfits and hairstyles before she came to the office.

In her complaint, Gurley had argued that as the only Black employee working at Berg & Androphy's New York office between 2017 and 2019, she was also paid less than her peers, assigned more manual labor and kept from sitting at the front desk when she wore her hair naturally.

Gurley worked at the firm's Manhattan office for 15 months and was fired in early 2019, after she reported the alleged discrimination to New York City's Commission on Human Rights, according to her complaint.

In a **response** to the complaint, the firm said Gurley was never held to a different standard than other employees. The managing partner of the firm's Manhattan office, Jenny Kim, said Gurley was fired for dressing too casually, coming in late and for sloppy work, adding that the way she wore her hair "was never a concern."

In a **joint notice** on Monday, lawyers for Gurley and the firm said the claims were dismissed against all defendants with prejudice.

B&A has offices in New York, Houston, Denver, Miami and Washington, D.C.

Counsel for Gurley and the Berg firm did not immediately respond to requests for comment on Monday.

Gurley is represented by Tiffany Ma of Young & Ma LLP and William Brown of Brown Kwon & Lam LLP.

The firm is represented by in-house attorneys Michael Fay, Chris Sprengle and David Berg.

The case is Gurley v. David H. Berg & Associates et al., case number 1:20-cv-09998, in the U.S. District Court for the Southern District of New York.

–Additional reporting by Anne Cullen and Alexis Shanes. Editing by Steven Edelstone.

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