

Monday, October 27, 2008

**[Brinker Restaurant v. Superior Court \(Hohnbaum\) \(2008\) 80 Cal.Rptr.3d 781, review granted, Oct. 22, 2008, S166350/D049331 Meal and Rest Breaks](#)**

Petition for review following vacation of a class certification order and entry of a new order denying with prejudice certification of plaintiffs' rest, meal period, and off-the-clock subclasses. Question has not been posted on docket, but likely relates to whether employers must ensure that employees take breaks, and whether employers would be held liable if they knew or should have known that employees worked off the clock. Werdegar, J., was absent and did not participate. Votes: George, C.J., Kennard, Baxter, Chin, Moreno, and Corrigan, JJ. Petition granted/brief due.

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