



## Sheila Doyle Kelley Counsel

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Sheila Doyle Kelley serves as Counsel in the firm's Litigation Services Department. In the spring of 2018, she stepped away from the partnership and full-time practice of law, choosing to concentrate her practice on product liability toxic tort litigation with an emphasis on developing and preparing corporate representatives for deposition and trial testimony in asbestos litigation.

Ms. Kelley is the senior member of a litigation team that serves as National Coordinating Counsel and/or National Discovery Support Counsel for motor vehicle manufacturers, distributors and parts suppliers in friction asbestos litigation. Ms. Kelley has extensive experience directing all aspects of friction asbestos litigation defense strategy, from discovery through trial. Significantly, over the past 10 years she has lead the deposition and/or trial testimony preparation of over 20 corporate representatives, most of whom were serving in this role for the first time, for several U.S. and Japanese manufacturers and distributors of automotive products in friction asbestos litigation.

## Representative Matters

- Successfully directed the deposition and/or trial testimony preparation of over 20 Corporate Representatives of several U.S. and Japanese manufacturers and distributors in friction asbestos litigation pending in state and federal courts throughout the United States.
- Defense Verdict - September 21, 2015: *Swasey v. Nissan North America, Inc.*, Alameda County Superior Court, Hon. Wynne Carvill presiding. Directed the trial team in the defense of a living

mesothelioma automotive friction asbestos action.

- Defense Verdict - October 2011: *Steiner v. Nissan North America, Inc.*, Santa Barbara County Superior Court, Hon. Thomas Anderle presiding. A directed trial team in the defense of an automotive friction asbestos action in which plaintiff and his young family claimed plaintiff's lung cancer was caused by exposure to asbestos from occupational automotive repair work.
- Defense Verdict - November 2009: *Bantugan v. American Honda Motor Co., Inc.*, Santa Clara County Superior Court, Hon. Mark H. Pierce presiding. Lead trial counsel in consumer warranty action in which plaintiff claimed the electronic throttle control system in her 2007 Civic was defective and was not timely repaired in violation of California's Song-Beverly Consumer Warranty Act and the Federal Magnuson-Moss Federal Trade Commission Improvement Act.
- Defense Verdict: *Engleman v. Nissan Motor Corporation in U.S.A., Inc.*, Siskiyou County Superior Court, Hon. Charles N. Henry (assigned) presiding. Lead trial counsel in breach of automotive warranty action in which plaintiffs alleged premature paint failure on a Nissan Sentra.
- Defense Verdict: *Harroun v. Mitsubishi Motor Sales of America & Hyundai Motor Sales of America*, Sonoma County Superior Court, Hon. Elaine Waters presiding. Trial counsel in wrongful death action brought by surviving mother of 17-year-old killed in a rollover accident. Defeated claims that alleged defects in the shoulder belt/knee bolster seat belt design violated FMVSS 209, allowed partial ejection and caused the daughter's death.
- Verdict For Client: the *United States, for the use of Carboline Company v. Universal Coatings*, United States District Court, Northern District of California, Hon. Joan Brennan presiding. Trial counsel in action seeking full monetary recovery for Plaintiff on bond in Miller Act case and denial of offset requested by opposing counsel on theories of breach of warranty and fraud in connection with the performance of a roof coating system.
- Summary Judgment: *Leyba v. Mitsubishi Caterpillar Forklift America, Inc.*, Alameda County Superior Court, Hon. Marshall J. Whitley presiding. Judgment for client following a finding that operator error and not alleged defects in the park brake lever design and park brake warning system of a Mitsubishi Forklift caused a co-worker's crush injury.
- Defeated Class Certification: *Ebbert v. Nissan North America, Inc.*, Sonoma County Superior Court. Defeated class certification in a consumer class and representative class action brought under California's Business & Professions Code and Consumer Legal Remedies Act for alleged misrepresentations in connection with an advertised payload capacity of Frontier Pickup Trucks.
- Dismissal at Start of Trial: *Koester v. American Honda Motor Co., Inc. and Nissan North America, Inc.*, Los Angeles County Superior Court, Hon. Frances Rothschild presiding. Secured dismissals at the start of trial after establishing through expert testimony that plaintiff's malignant tongue cancer was caused by the HPV virus and not exposed to asbestos as a lifetime career mechanic.
- Dismissal at Start of Trial: *Jamal v. American Honda Motor Co., Inc., Nissan North America, Inc., and Mitsubishi Motor Sales of America, Inc.*, Los Angeles Superior Court. Secured dismissals for all three clients after discovering that plaintiff, who allegedly suffered from malignant peritoneal mesothelioma caused by exposure to asbestos that occurred in connection with his ownership and work at fueling stations, filed a claim with a bankrupt entity claiming asbestos exposures that were denied during discovery.

## Community and Pro Bono

- 2018 Mock Trial Judge - Championship Round - San Francisco City & County School District

## Education

- University of San Francisco School of Law, J.D., 1985
- Santa Clara University, B.S., 1980

## Bar Admissions

- California, 1985

## Court Admissions

- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Central District of California

## Professional Affiliations

- Fellow, Litigation Counsel of America Trial Lawyer Honorary Society, 2018
- American Bar Association, Section on Tort and Insurance Practice and Automobile Law and Products Committee, Member
- The Defense Research Institute, Inc., Committee on Products Liability, Member
- State Bar of California, Litigation Section, Member

## Other Distinctions

- Recognized by *Super Lawyers* as a Top Rated Products Liability Attorney, 2013 - 2017
- Recognized by *Corporate Counsel* as a Women Leader, 2018
- Recognized by *National Law Journal* as a Women Leader, 2018
- Recognized by *San Francisco Magazine* as a Top Attorney in Northern California and as a Top Women Attorney in Northern California, 2015 - 2018

- Rated AV® Preeminent by Martindale Hubbell®
- Listed in *The Best Lawyers in America* for Product Liability Litigation - Defendants, 2019-2020

## Practices

- Litigation
- Product Liability

## Industries

- Insurance