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Education

J.D., University of California at Berkeley
(Boalt Hall), 1967

B.A., University of the Pacific, 1964

Bar Admissions

California

Associations

American College of Trial Lawyers

Board of Trial Advocates (ABOTA)

International Academy of Trial Lawyers

International Society of Barristers;
California

Academy of Appellate Lawyers
(President, 1984)

American Academy of
Appellate Lawyers

Publications

Co-Author, *California Expert Witness
Guide* (California CEB); *California
Complex Litigation Manual* (Lexis
Publishing)

Raoul D. Kennedy handles civil litigation at both the trial and appellate level. He has been lead counsel in more than 50 jury trials, 25 non-jury trials and 50 appeals, involving a diverse range of subjects including: intellectual property, trade secrets and unfair competition; antitrust; breach of fiduciary duty; class actions; commercial litigation; consumer fraud; defamation; insurance; legal malpractice; mass torts; personal injury; products liability; real estate; RICO and wrongful discharge.

Mr. Kennedy is ranked in Band 1 in *Chambers USA: America's Leading Lawyers for Business* and is recognized in numerous other legal ranking publications. He has been listed in *The Best Lawyers in America* since 1987, which named Mr. Kennedy its "San Francisco Mass Tort Litigation/Class Actions — Defendants Lawyer of the Year" for 2013 and "San Francisco Insurance Lawyer of the Year" for 2014.

In 2005, he was selected as the Trial Lawyer of the Year by the State Bar of California and inducted into the State Bar Litigation Section's Trial Lawyer Hall of Fame.

Mr. Kennedy has long been active in continuing legal education and has lectured at more than 250 programs on behalf of a variety of sponsoring organizations, including the California Judges Association, the Practising Law Institute, the American Bar Association, California Continuing Education of the Bar and the Rutter Group.

Representative cases he has handled include:

- *Robert M. Mallano v. John Chiang et al.* (Los Angeles Superior Court). Judgment awarding back pay and interest in favor of a certified class comprised of all sitting California State Court justices and judges and all judicial retirement beneficiaries.
- *Perez v. State Farm Mutual Auto. Ins. Co.* (N.D. Cal.). Denial of class certification and summary judgment against named plaintiffs in an antitrust case alleging that auto insurers conspired to use inferior repair parts. Affirmed on appeal to the 9th Circuit.
- *Fresh Del Monte Produce Inc. v. Del Monte Foods Co., et al.* (S.D.N.Y.). \$13 million jury verdict and injunctive relief in a Lanham Act and breach of contract case between competing fresh fruit companies.
- *SanDisk Corp. v. Kingston Technology Col Inc., et al.* (863 F. Supp2d 815) (WD Wisc. 2012). Verdict in favor of a flash memory chip maker in an antitrust action based on a patent licensing program.
- *Nellis v. Farmers Insurance Company of Arizona* (New Mexico App. Ct.) (2012 - NMCA-020; ; 272 P3d 1143 (2012). Reversal without remand of two summary judgments totaling \$175 million against an insurance company for supposed nondisclosure of financing charges.
- *Schachter v. Citigroup* (Cal. Supreme Ct.). (47 Cal 4th 610 (2009) Forfeiture provision in a key employee stock purchase plan found not to violate the California Labor Code in a certified class action.
- *Mattel v. MGA* (C.D. Cal). Highly publicized trial over ownership of the Bratz line of dolls.
- *Hill v. State Farm* (166 Cal. App. 4th 1438 (Cal. Ct. of App)). Summary judgment in a nationwide class action alleging that the insurer had \$47 billion of unneeded surplus.
- *Marketel v. Priceline.com* (Fed. Cir.). Affirmance of summary judgment in favor of the defendants in a collection of patent inventorship action.
- *Sunbelt v. AmRep* (C.D. Cal.). Multimillion-dollar jury verdict in a patent case involving hydraulic arms.
- *Fischel v. Advanced Cardiovascular* (N.D. Cal.). Defense jury verdict in a patent and trade secret case involving atherectomy devices.