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Robyn M. McKibbin

Partner

Robyn M. McKibbin, *Partner*, has a broad-based litigation practice representing both corporate and individual plaintiffs and defendants with primary emphasis on employment law including wage and hour, harassment, discrimination, and wrongful termination. She represents clients in private mediations and arbitrations, before administrative agencies and in state and federal courts. She provides preventive personnel advice concerning hiring, firing, leaves of absence, internal investigations, and disciplinary action. Robyn prepares and evaluates client personnel manuals, policies and forms, and negotiates and drafts employment, confidentiality, separation, and severance agreements. She also provides anti-harassment, discrimination and retaliation training for supervisors and employees, and supervisor training on the best employment practices.

Her commercial business litigation practice includes contract disputes, unfair business practices claims, trade secret misappropriation actions, and insurance defense.

AREAS OF PRACTICE

- Employment
- Commercial Litigation
- Insurance Defense

REPRESENTATIVE MATTERS

- Negotiated and resolved multimillion dollar sexual harassment cases on behalf of several SD clients.
- Successfully defended the owner of two dozen franchises in employee classification lawsuit seeking unpaid overtime wages, a plethora of statutory penalties for Labor Code violations, and attorney's fees.
- Successfully struck punitive damage claim and eroded a \$500,000 wrongful termination and unpaid wages lawsuit down to a nuisance value settlement on the eve of trial on behalf of a small employer.
- Obtained dismissal of entire lawsuit including claims for discrimination and wrongful termination on summary judgment on behalf of national retailer.
- Defeated or greatly reduced numerous wage claims before the Labor Commissioner, the Department of Fair Employment & Housing, and the Equal Employment Opportunity Commission.
- Obtained six-figure settlements in unpaid commissions and wrongful termination suits on behalf of individual clients.
- Defended defunct Internet company in wrongful termination action, settling for nuisance value.
- Defended application for T.R.O. and trade secret misappropriation allegations against software designer.
- Defended multimillion dollar intentional interference lawsuit in notorious international military weapons procurement.
- Obtained judgment for attorney's fees on frivolous cross-claim on behalf of auctioneer.
- Obtained dismissal of breach of contract action alleging \$500,000 in damages based on federal law preemption.
- Obtained judgment and fees in favor of client, a multimillion dollar public corporation that extends financial services to attorneys, and defeated allegations of usury violations.
- Defended negligence action on behalf of nursery for damage to grape vines and rootstock.
- Successfully prosecuted multimillion dollar breach of contract action against major natural spring water company.
- Defeated trademark infringement claim brought by dominant paper product company against small, aspiring competitor.
- Trial Team member in multimillion dollar product liability lawsuit against Shell Oil Company, in what was then the longest civil jury trial in San Luis Obispo County history.

EDUCATION

- Bachelor of Arts, Communications, George Mason University, Fairfax, Virginia
- Juris Doctorate, Santa Clara University School of Law, Santa Clara, California

MEMBERSHIPS AND ACTIVITIES

- State Bar of California
- San Fernando Bar Association

PUBLICATIONS

- December 2013 – *Valley Lawyer*, “Managing Mental Disorders in the Workplace”
- April 2013 – *Valley Lawyer*, "The Resurrection of the Mixed-Motive Defense"
- March 2012 – *Valley Lawyer*, “California Imposes Steep Penalties for Misclassification of Independent Contractors”
- Regular contributor to Stone & Dean’s *At Issue*

PRESENTATIONS

- *Anti-Harassment, Discrimination & Retaliation Training for Supervisors and Employees*
- *Best Employment Practices Training for Supervisors*

PERSONAL

Robyn is originally from New York. She enjoys travel, yoga, and doting on her beautiful nieces, Avalon and Ever.