

Shauna N. Correia

Shareholder

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Education

J.D., University of California, Hastings School of Law, Civil Litigation concentration, 2004

B.A., *cum laude*, California State University, Sacramento, 2001

Bar Admissions

California

Nevada

Court Admissions

U.S. District Court, Central District of California

U.S. District Court, Northern District of California

U.S. Bankruptcy Court, Eastern District of California

U.S. Bankruptcy Court, Northern District of California

U.S. District Court, District of Nevada

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PRACTICE AREAS

Labor and Employment | Litigation

Shauna Correia is a shareholder in the firm's San Francisco office. She is an accomplished negotiator and experienced trial attorney, representing individuals and businesses in litigation matters in California and Nevada. Shauna also provides employment-related advice to business owners, and drafts employment-related contracts and handbooks, to help her clients reduce exposure and minimize litigation.

She defends employers against alleged civil rights, tort, contract, and statutory violations, including discrimination and retaliation under Title VII and the FEHA, wage and hour, PAGA, and wrongful discharge claims under federal and state laws. Her other areas of specialty include contract negotiation and disputes, protection of intellectual property rights, and defense of products liability claims.

In the products liability arena, she has defended manufacturers and retailers against defect claims involving roofing and other building products, pharmaceuticals, nutritional supplements, cosmeceuticals, gas grills, pet products, and fitness devices.

She also has particular proficiency with obtaining extraordinary remedies when necessary, including prejudgment remedies (writs of attachment and possession), appointments of receivers, and injunctions.

Representative Experience

- Our client held the exclusive license to manufacture and sell a medical device. In 2015, an individual named sued the client (Contra Costa County) and other co-defendants, for employment related claims. Shauna negotiated a nuisance value settlement Plaintiff's employment claims against our client. The plaintiff pursued his other claims against the inventor and owner of the medical device. Plaintiff obtained a \$500,000 stipulated judgment against that co-defendant. In late 2017, Plaintiff filed judgment liens against the patents, trademarks and FDA 510(k) file for the product, to try to collect on his judgment against the co-defendant. In doing so, Plaintiff incorrectly asserted that he "owned" the intellectual property. He threatened to sell the IP or to terminate the license agreement between the patent owner and our client. Shauna once again had to step in to protect our client's interests. This presented a unique opportunity for the client

ATTORNEY PROFILE

Shauna N. Correia

Shareholder

Affiliations & Awards

40 Under 40 Award Finalist,
Sacramento Business Journal,
2012

Northern California Super
Lawyers, Rising Star, 2013 -
2017

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to potentially purchase the licensed IP outright, from the owner who previously had rejected any reasonable offer. In collaboration with Weintraub's patent attorneys, in February 2018, Shauna negotiated a three-way deal whereby our client acquired all of the IP rights from the co-defendant debtor, paid off the Plaintiff's judgment lien for less than the full amount owed, quieted title to the IP, and terminated the license agreement under extremely favorable terms, all in a manner and timeframe that the client called "tremendous".

- In December 2017 Shauna and Paul Gaspari tried a three-week age discrimination case to a jury in San Francisco Superior Court. During the bench trial phase, the court agreed with our client, as a matter of first impression, that a non-profit religious corporation operating a high school independent from a church and not on church grounds was exempt from the provisions of the Fair Employment and Housing Act.
- Obtained a Temporary Restraining Order and won a contested Motion for Issuance of a Preliminary Injunction against our client's competitor and three individual former employees of our client who accepted jobs at the competitor. The case is pending in the Alameda County Superior Court, and alleges \$55 million in trade secret and confidential information and breaches of agreements by the three former employees of our client. The TRO was granted on September 28, 2017 and the Preliminary Injunction was granted on October 26, 2017.
- Obtained summary judgment on behalf of the defendant in *Robin Lee-Danridge v. Sisters of the Presentation*, a wrongful termination and whistleblower retaliation case alleging violations of CA Labor Code section 1102.5. The motion was granted by the San Francisco Superior Court on December 16, 2016.
- Won a special motion to strike (also known as an anti-SLAPP motion) as to a defamation claim, on behalf of two individual defendants named in a multi-defendant defamation, harassment, and retaliation case, resulting in a dismissal of the defamation claims against those defendants. The motion was granted by the Contra Costa Superior Court on November 14, 2016.
- Obtained summary judgment on behalf of the defendant in *Belinda Solis v. Walgreen Co.*, a 9-count disability discrimination/harassment

ATTORNEY PROFILE

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and retaliation case, also alleging violations of CA Labor Code section 970. The motion was granted by the U.S. District Court, Northern District of California, on May 9, 2013

- Obtained summary judgment on behalf of all defendants in *Neva Day v. Sears Holding Corp.*, an 11-count sexual harassment, gender discrimination and retaliation case also alleging violations of CA Labor Code sections 232.5 and 1102.5. The motion was granted by the U.S. District Court, Central District of California, on March 13, 2013
- Provides employment-related advice and counseling to private businesses and non-profit charitable organizations.
- Served as trial counsel in 2011 for a 570-unit homeowners' association in Los Angeles County (South District), in an action to set aside a special fee assessed by the property developer since 1973. After a multiple-week bench trial, Shauna's client won a judgment valued at approximately \$95 million (overturned in part and affirmed in part on appeal). It was a case of first impression involving California Civil Code section 1098 et seq.
- Negotiated nuisance value settlements on behalf of product manufacturer in class action products liability case involving allegedly defective siding material.
- Obtained Court dismissal of a breach of contract matter by defeating the plaintiff's attempt to enforce an unconscionable forum-selection and choice-of-law provision in the parties' contract.
- Obtained a Writ of Possession of collateral exceeding \$500,000 and a Permanent Injunction on behalf of a commercial lender as against a defaulting borrower.
- Negotiated a favorable settlement prior to litigation on behalf of landowner/lessor in a dispute with lessee related to repairs of a boat dock and marina, resulting in an immediate cash payment of more than \$60,000 to the landowner and completion, at lessee's expense, of necessary repairs.
- Acts as outside general counsel to an artists' collaborative. In that capacity, she has negotiated a buyout of intellectual property rights and a partnership interest, defended an artist against infringement claims, negotiated the licensing agreement permitting the artists' works to be used in an iPhone app, and prosecuted infringement of an artist's intellectual property.

ATTORNEY PROFILE

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- Acted as outside general counsel to a 25-unit mixed commercial/residential owners association in Southern California. In that role, she negotiated a significant rent reduction for a homeowners association whose land lease contained an unconscionable and improperly enforced rent escalation clause.
- Negotiated nuisance value settlement of wage and hour claims against dental practice.
- Negotiated nuisance value settlement on behalf of foreign parent company in a product liability case involving recalled barbecue gas grills after court tentatively granted our motion to quash service of summons and complaint.

Speaking Engagements

- 2018 Weintraub Seminar Series – Employment Law Update 2018; January 10, 2018
- National Business Institute – Human Resource Law from Start to Finish; November 6, 2017
- CA Superior Court Bootcamp (12th Annual) – Depositions: Practical Pointers; October 27, 2017
- San Francisco Bank Attorneys Association, August 7, 2017, “Recent Developments in Employment Law: Pot, Restrooms, National Origin Discrimination and More!”
- California Bankers Association – Directors Conference & 50th Annual Bank Counsel Seminar; June 14-16, 2017
- 2018 Weintraub Seminar Series - Can You Hear Me Now? The Good, Bad & Ugly of Client Communications; June 9, 2017
- CRA California Restaurant Association - Legal Center Live Roadshow; May 23rd and 25th, 2017
- 2018 Weintraub Seminar Series - The Ever-Developing Employment Law Landscape: 2016-2017 Legal Update; January 25, 2017
- California Restaurant Association – Legal Panel on What You Need to Know in 2017; November 2, 2016
- 11th Annual Superior Court Boot Camp; a Motion and Trial Practice Skills Program; October 14, 2016

Shauna enjoys giving back to the community, including by acting as the Girl Scout Troop Leader for both of her daughters’ troops, and by serving on the Twin Creeks Elementary School PTA Executive Board.

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