



Kelly M. Matayoshi

Partner

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Kelly Matayoshi represents a broad range of local and international companies to thoughtfully handle their complex litigation needs. In her business litigation practice, Kelly focuses on products liability, contract disputes, breach of fiduciary duty, and other business disputes. She has a deep understanding of the consumer products industry, having many clients in this space. Kelly is national coordinating counsel for a flexible gas tubing manufacturer, where Kelly handles every aspect of litigation, beginning with the notice letter that originates the case, through fact-gathering, working with experts, discovery, motion practice, negotiation, and settlement or trial.

Kelly also has extensive employment experience, effectively representing employers in state and federal court as well as numerous agencies on a range of causes of action including wrongful termination and class action wage and hour disputes. She has represented employers in the transportation and sales industries concerning issues arising under a variety of employment statutes and regulations such as exemptions, split shifts, meal and rest breaks, overtime, vacation, wage statements, deductions, and commissions.

Kelly is particularly gifted at building the relationships that make her an efficient practitioner, and in working cooperatively with all the parties to a dispute to uncover a mutually acceptable solution. She is the exact opposite of a scorched-earth litigator – she seeks, and usually finds, the consensus that brings disputes to swift, equitable, and favorable conclusions.

She served as an extern for Judge Edward Chen of the U.S. District Court for the Northern District of California and represented a pro bono client before the 9th Circuit Court of Appeals as part of the Hastings Appellate Project.

Distinctions

- *The Best Lawyers in America*: Ones to Watch - Commercial Litigation, Product Liability Litigation - Defendants (2021)
- Northern California Rising Stars by Super Lawyers (2015-2020)
- Laurie Miller Award for Public Service, ABA Section of Litigation (2018)

Memberships and Affiliations

- President, Barristers Club, Bar Association of San Francisco (2020)
- President, UC Hastings College of the Law Alumni Association Board of Governors (2019-2020)
- Director, Asian American Bar Association of the Greater Bay Area (2016-present)
- Committee Member, Membership & Marketing, Section of Litigation, American Bar Association (2020-present)
- Co-Chair, Labor and Employment Committee, Section of Litigation, American Bar Association (2017-2019)
- Co-Chair, Section of Litigation ABA Annual Meeting (2019)
- San Francisco Leadership Team, Judicial Intern Opportunity Program

Services

- Business Litigation
- Consumer Products + Manufacturing
- Employment

Education

- University of California, Hastings College of the Law (J.D., 2012)
 - *magna cum laude*; *Hastings Law Journal*; Thurston Society
- Wellesley College (B.A., 2008)

Bar Admissions

- California

Experience

Nevada Links Wins Summary Judgment Motion in Case Brought by United States

Successfully defended client against a \$100 million lawsuit brought by the United States alleging that a land lease between Nevada Links and Clark County violated the Southern Nevada Public Land Management Act administered by the Bureau of Land Management. Following more than three years of litigation, the U.S District Court District of Nevada granted Nevada Links' summary judgment motion, agreeing with the Farella team's position that the statute of limitations had expired before the United States filed suit.

Ortiz v. Ghirardelli

Defended a wage and hour class action brought by hourly restaurant and retail employees for all California locations. The complaint included meal and rest break violations, unpaid overtime, non-compliant wage statements, unreimbursed business expenses, and PAGA claims. We resolved all claims prior to class certification through mediation, and the court approved the settlement.

Correa v. Sabah International

Defended class action involving field service technicians who were required to drive company vehicles. The main claim centered on the compensability of time spent traveling from home to the various work sites (i.e. whether the technicians were "subject to the control" of Sabah during that commute). Ancillary claims include compensation for the completion of work reports, cell phone calls, and maintaining the company vehicle. All claims were settled at mediation, court approval is pending.

Publications

July 07, 2020

The Pandemic's Impact on Junior Attorneys and Diversity

BASF Legal by the Bay

5/5/2016

San Francisco Enacts Nation's First Fully Paid Parental Leave Ordinance

9/9/2015

California to Enact Strongest Equal Pay Law in Nation

8/4/2015

Wineries Often Overlook Harassment Liability

10/7/2014

New California Law Holds Employers Liable for Labor Contractor's Wage Violations

7/14/2014

Supreme Court Clarifies Severance Payment Tax Rules

3/28/2014

Supreme Court Clarifies Tax Rules for Certain Severance Payments

1/31/2014

Construction ADR - A Comprehensive Resource from the Top Legal Minds in the Construction Industry

11/18/2013

New San Francisco Ordinance Requires Employers To Discuss Family Life Accommodations

10/29/2013

12 New Laws California Employers Need To Know

8/1/2013

Advancing the Right to Civil Counsel

Outside the Office

When Kelly's not at work, she does a lot of things to relax. She spends time hanging out with her wife and dog, as well as working out and reading fantasy novels.