



Janice P. Brown
Principal

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Practice Groups

Labor and Employment
Workplace Investigations
Commercial Litigation
Trial and Litigation

California Bar Number
114433

Court Admissions

U.S. District Courts - Southern District of California, Central District of California, Northern District of California, and Eastern District of California

Education

Gonzaga University School of Law, JD, 1983
(earned degree in two years)

University of Montana, BA, Journalism,
1981, honors graduate

Practicing Since: 1984

Janice Brown is a Principal in Meyers Nave's Labor and Employment Practice, Workplace Investigations Practice and Commercial Litigation Practice. She has more than 35 years of trial, arbitration and appellate experience in state and federal courts. Janice's distinguished career began in the U.S. Justice Department where she quickly demonstrated outstanding legal expertise that earned her membership in the Honors Program and the "Outstanding Trial Attorney" and "Trial Lawyer of the Year" awards in under three years.

Janice is recognized as a pioneer in the legal profession as the founder and Chief Strategy Officer of Brown Law Group, a woman- and minority-owned employment and business litigation firm in San Diego that served local corporations and Fortune 50 companies headquartered throughout the U.S. for over 20 years. She is a trusted advisor to clients, an inspirational mentor to colleagues and an influential leader in advancing diversity throughout the legal profession. For example, *San Diego SuperLawyers* magazine published an article about Janice titled "[Chief Executive Optimist](#): Janice Brown took an uncommon approach to the law and built an uncommon firm." Janice is also a speaker and consultant for Diversity, Equity, and Inclusions issues.

Employment Law and Litigation: Janice provides employers with a comprehensive range of employment law advice and counseling, training, internal investigations, and administrative hearings and litigation. She is an expert in drafting and revising personnel policies, employee handbooks, and employment and severance agreements, as well as providing advice on complex issues such as employee classification, discipline and terminations, leaves of absence, disability issues, employee privacy, and whistleblower laws. She also advises on HR assessments and compliance audits.

Janice advises on the myriad of laws and regulations that impose a significant compliance burden on employers. She also helps clients understand the extensive number of state,

federal, and administrative agency decisions that construe ever-changing and increasingly complex employment laws.

Janice's approach to employment litigation focuses on understanding that legal disputes between employers and employees can be highly charged, intensely personal, and problematic when made public. Employment disputes can also impact a client's general employer-employee relationship.

When litigation is unavoidable, Janice defends employers in single- and multi-plaintiff lawsuits involving allegations of wage-and-hour violations, wrongful termination, sexual harassment, racial discrimination, age discrimination, sexual orientation discrimination, medical leave, disability accommodation, defamation, pregnancy, and retaliation, among others. Janice also has a unique specialty handling Private Attorneys General Act lawsuits which are similar to qui tam cases involving different processes, penalties and damages than traditional employment suits.

Business Litigation: Janice serves as a strategic partner with clients that are involved in commercial litigation as defendants or plaintiffs. She studies and understands each client's business and develops litigation strategies that are legally efficient, cost effective and practical. Her goal is to minimize the distraction and disruption that litigation can cause at all levels of the daily operation of a client's business.

Janice's commercial litigation clients include local businesses and national corporations in the economic sectors of insurance, financial services, telecommunications, retail, professional sports, food and beverage, manufacturing, transportation, construction, real estate and entertainment. For these clients, she has handled an extensive scope of litigation, including breach of fiduciary duty, corporate governance, shareholder derivative actions, trade secret misappropriation, trademark infringement, fraud and breach of contract, business disparagement and defamation, partnership or corporation creation and dissolution, unfair competition, and tortious interference with a contract or prospective business relations.

Janice is well known for her legal expertise as well as her commitment to local community service. She has been featured on the local San Diego affiliates of CBS, Fox, ABC and NBC for her insights on topics such as sexual harassment and wrongful termination. Janice also is a frequent speaker on economic development and personal and business success.

Honors and Awards

- "Women of Influence: 50 Over 50 2021," *San Diego Business Journal*, August 9, 2021
- "The San Diego 500: Influential Business Leaders," *San Diego Business Journal*, December 5, 2020
- "San Diego Super Lawyers" list in the categories of Employment Litigation: Defense, Employment & Labor: Employer, and Business Litigation. Thomson Reuters' *Super Lawyers*® magazine, 2007-2021
- "Woman of Color Excellence Award," Lawyers Club of San Diego, 2019

- “Top 25 Women San Diego Super Lawyers,” Thomson Reuters’ *Super Lawyers*® magazine, 2017, 2018
- Diversity & Equity Award, Urban League of San Diego, 2018
- Women in Leadership Award, Central San Diego Black Chamber of Commerce, 2017
- Lifetime Laureate, Junior Achievement San Diego Business Hall of Fame, 2017
- Corporate & Business Diversity Award, City of San Diego Human Relations Commission, 2016
- The National Black Lawyers Top 100, 2015
- Diversity Leader Hall of Fame, California Minority Council Program, 2014
- Small Business of the Year, Central San Diego Black Chamber of Commerce, 2013
- Award For Outstanding Diversity, San Diego County Bar Association, 2003
- Award of Lifetime Membership, Earl B. Gilliam Bar Association, 2010
- Distinguished Alumni Merit Award, Gonzaga University, 2010
- Distinguished Service Award, Earl B. Gilliam Bar Association, 2010
- 42nd Annual Community Service Award Honoree, National Council of Negro Women, 2008
- 50 People to Watch, *San Diego Magazine*, 2007
- “10 Coolest Women,” Girl Scouts San Diego-Imperial Council, 2007
- “Top 25 Attorneys - Employment,” *San Diego Daily Transcript*, 2005
- Annual Bernard E. Witkin, Esq. Award, 2003
- Certificate of Silver Lifetime Membership, NAACP, 2002
- San Diego Women Who Mean Business, *San Diego Business Journal*, 1998
- 93-94 President's Award, Earl B. Gilliam Bar Association, 1996
- The Loren Miller Lawyer of the Year Award, California Association of Black Lawyers, 1995
- 89-90 President’s Award, Earl B. Gilliam Bar Association, 1990
- Outstanding Trial Attorney, U.S. Department of Justice – Tax Division, 1987
- Trial Lawyer of the Year, U.S. Department of Justice, 1987

Professional Affiliations

- Member, State Bar of California
- Member, California Women Lawyers

- Executive Committee Member and Immediate Past Chair of the Board of Directors, San Diego Regional Economic Development Corporation
- Past Board Member, National Association of Minority and Women Owned Law Firms
- Past Board Member, Minority Corporate Counsel Association
- Member, Lawyers Club of San Diego
- Member, National Bar Association
- Member, National Employment Law Council
- Lifetime Member, NAACP
- Past President, Earl B. Gilliam Bar Association
- Past Vice President, San Diego County Bar Association
- Member, Senator Padilla's Federal Judicial Evaluation Committee
- Board of Directors, ABA Retirement Funds
- Past Board Member (TIPS), American Bar Association
- Member, UC San Diego Rady School of Management ASCEND Executive Women's Forum

Presentations and Publications

- Author, "Another Benefit of Arbitration Agreements," Meyers Nave Client Alert, September 3, 2021
- Quoted, "Delta Air Lines Plans Surcharge on Unvaccinated Workers, but No Mandate," *Daily Journal*, August 26, 2021
- Author, COVID-19 Vaccine Mandates, Meyers Nave Client Alert, July 26, 2021
- Presenter, "City Attorney Practicum: COVID-19 Return to Work – Navigating the New Landscape," League of California Cities, June 9, 2021
- Presenter, "Lawyering in the Time of COVID: A Survival Guide for Women Attorneys and Attorneys of Color," Association of Business Trial Lawyers of San Diego, April 29, 2021
- Presenter, "COVID-19 & Return to Work," Elevating Black Excellence Regional Summit Series, Black In-House Counsel Network, April 27, 2021
- Quote, "LA School Employees Say They're Being Forced to Get COVID Vaccine," *Daily Journal*, March 22, 2021
- Presenter, "COVID-19 Return to Work Issues: How to Navigate the Changing Landscape for Your Return to Work Plan," HR West Virtual Conference, March 17, 2021
- Presenter, "Tools for Becoming Tougher," Ms. JD's Annual Conference, March 11, 2021

- Presenter, “Building a Plan for Social Equity,” Central San Diego Black Chamber of Commerce in association with *The San Diego Union Tribune*, February 24, 2021
- Presenter, “Where Business, Law and Tech Intersect,” Central San Diego Black Chamber of Commerce, February 12, 2021
- Presenter, “COVID-19 Vaccination Policies: Options, Issues and Considerations for Employers,” Meyers Nave webinar, February 3, 2021
- Feature Article Profile, “Encouragement Changes Lives: Celebrating Black Entrepreneurship,” *San Diego Business Journal*, February 1, 2021
- Author, “Mandatory vs. Voluntary COVID-19 Vaccination Policies: What California Employers Need To Know,” Meyers Nave Client Alert, January 15, 2021
- Presenter, “City Attorneys – Leaders During the Crossroads,” City Attorneys Association of San Diego County, October 22, 2020
- Presenter, “Diversity and Inclusion: Theory Meets Reality,” Knoxville Bar Association, Knoxville, TN, October 3, 2019
- Presenter, “So You Want to be a Lawyer?” Gonzaga Law School, Spokane, WA, March, 31, 2019
- Presenter, International Women’s Day Celebration, Becton Dickinson, San Diego, CA, March, 7, 2019
- Presenter, “Women's Inclusion Boss Series,” Takeda, San Diego, CA, January, 30, 2019
- Presenter, “Annual Employment Law Update,” Brown Law Group, San Diego, CA, January 24, 2019
- Presenter, “Priorities: The Responsibility of Leadership,” Tennessee Bar Association Leadership Law Academy, Nashville, TN, January, 5, 2019
- Presenter, “Building Your Network,” San Diego County Bar Association, San Diego, CA, December, 6, 2018
- Presenter, “To Thine Own Self Be True,” Celebrating Women Event, *San Diego Magazine*, San Diego, CA, September, 25, 2018
- Feature Article, “[Beyond Law](#),” *The Gonzaga Lawyer*, Gonzaga Law School, Spokane, WA, September 28, 2016
- Feature Article, “[Chief Executive Optimist](#): Janice Brown took an uncommon approach to the law and built an uncommon firm,” *San Diego SuperLawyers* magazine, 2008

Representative Experience

Employment Litigation

- Plaintiff sought over seven million dollars in damages against her former employer, the largest retailer in the nation. Plaintiff was emboldened to pursue her case after the Magistrate Judge granted plaintiff's discovery request for a worldwide production of the employer's records. Appealed the Magistrate Judge's order to the Presiding District Court Judge, who reversed the Magistrate Judge's order and invited defendant to file a Rule 11 motion against plaintiff. While Rule 11 and summary judgment motions were pending, plaintiff agreed to dismiss all claims with prejudice in exchange for a waiver of costs.
- Defended a large-scale retailer in home décor against a former employee who sought \$3-\$5 million in compensatory and punitive damages. After the discovery stage revealed that the former employee had stolen documents from her employer in the days immediately preceding her termination, the employer counter-sued the employee for breach of her contractual duty of loyalty. Successfully litigated the breach of loyalty counter-claim, earning a victory for the employer on summary judgment, with the court ruling that the allegations of breach of loyalty and confidentiality were supported by undisputed facts. Subsequently went on to aggressively defend against the harassment and retaliation claims over the course of a five-day arbitration. This defense resulted in another victory for the employer, with the arbitrator dismissing all of the employee's claims, concluding that the employee was terminated due to her combative workplace interactions with co-workers.
- Successfully obtained jury trial defense verdict on behalf of a national banking client accused of gender discrimination claim.
- Represented a transit manufacturer in a complicated age discrimination case brought by an employee who was terminated as part of a company-wide reduction in force. After an extensive and detailed analysis of the employer's actions leading up to the reduction in force, a motion for summary judgment was filed to dispose of the entire action. In the tentative ruling, the trial court denied defendants' motion for summary judgment. At oral argument, convinced the Court to reverse its tentative ruling and dismiss the entire action on summary judgment. Plaintiff appealed to the Court of Appeal which affirmed the dismissal and issued an opinion that was extremely critical of plaintiff. Plaintiff subsequently submitted a writ to the Supreme Court which was denied.
- Defended one of the largest property and casualty insurers in the nation in a month-long jury trial where the plaintiff, a former vice president, alleged whistleblower liability. Prior to commencing trial, the parties were ordered to mediation in an attempt to resolve the case. Plaintiff repeatedly demanded a mid-seven figure settlement which plaintiff immediately took "off the table" prior to jury deliberations. Although the jury returned a verdict in favor of plaintiff, the jury awarded less than five-percent of plaintiff's demand (which was less than half of what was offered in advance of trial), and no punitive or emotional distress damages were awarded. Plaintiff appealed the verdict and the matter ultimately settled pending appeal.
- Successfully obtained court order granting demurrer without leave to amend on behalf of large public university in San Diego Superior Court. A lawsuit was filed by a former employee alleging wrongful termination, discrimination, retaliation and harassment. Following the former employee's appeal of the trial court's decision, the 4th District Court of Appeal affirmed the trial court's decision and awarded defendant its costs on appeal.

- A former employee of a Fortune 50 company sued for wrongful termination after being fired for ethics violations. An extensive investigation of plaintiff's background uncovered several misrepresentations on plaintiff's employment application, as well as in other court filings initiated by the plaintiff. These issues were brought to light during plaintiff's deposition which resulted in plaintiff dismissing the entire action contingent upon an implicit agreement not to refer the matter to criminal authorities.
- Defended a Fortune 500 energy company in a putative wage and hour class action, which included an individual claim for disability discrimination and wrongful termination. Aggressive defense resulted in the class action being dismissed after taking plaintiff's deposition.
- After extensive discovery motions, and multiple mediations, resolved a hard fought case over allegations of sexual orientation discrimination by an executive at a Fortune 500 energy company. This matter presented a unique challenge since plaintiff's allegations of discriminatory actions were directed, in part, toward a high-level executive who was part of the same protected class as plaintiff. Successfully resolved this matter at mediation using innovative and non-economic settlement tactics.
- Represented a hotel owner in two mediations with a plaintiff who refused to resolve a wage and hour dispute, neither of which proved successful. Subsequently defended the client in a three-day bench trial in San Diego Superior Court, South Bay Division. Upon conclusion of closing argument and before defense counsel even took her seat, the court immediately returned the verdict in our client's favor. The Court also granted defendant its attorneys' fees based on the plaintiff's frivolous claim.
- Represented a Fortune 50 banking institution in a wrongful termination matter. As a result of plaintiff's contentious discovery disputes and unethical discovery abuses, the trial court denied the plaintiff's request to depose the human resource representative. Defendants filed a motion for summary judgment which the court granted in full. The trial court's ruling was upheld on appeal by the Fourth District Court of Appeal. Thereafter, plaintiff filed a writ with the Supreme Court which was denied.

Business Litigation

- After a few months of litigation, successfully represented a Fortune 100 company (one of the oldest industrial companies in the United States) and negotiated a dismissal of a cross-complaint for breach of contract, interference and other business torts filed against the company in exchange for a mere waiver of costs.
- Prevailed at trial and on appeal in a contract and lease dispute against a large San Diego law firm for a Fortune 50 company, wherein the value of the amount in dispute totaled over \$120 Million, and the court awarded our client its reasonable attorneys' fees.
- Settled the day before trial, an eight figure settlement for 11 business people who were defrauded by a Fortune 50 company, which was represented by two large national law firms.

- Negotiated hard-fought easement agreement with an adjacent land-owner on behalf of a developer immediately before escrow closings on multiple residential lots, causing dismissal of land-owner's lawsuit and release of lis pendens and allowing the developer to proceed on course with residential closings.
- Successfully resolved an on-going family dispute resulting in the client obtaining full control of the mortuary business.
- Successfully defended slander of title action on behalf of developer client by winning a demurrer and obtaining dismissal with prejudice of the complaint prior to engaging in depositions or other litigation.
- Enforced trademark rights against a competitor who was compelled to change the name of its product and pay a mid-six figure settlement.

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