PRACTICES

Eminent Domain and Inverse Condemnation

Litigation

EDUCATION

J.D., University of San Francisco School of Law, 2000

B.A., cum laude, Santa Clara University, 1997

ADMISSION

State Bar of California

United States Court of Appeals for the Ninth Circuit

United States District Court for the Central District of California

United States District Court for the Eastern District of California

United States District Court for the Northern District of California

United States District Court for the Southern District of California

AFFILIATIONS

San Francisco County Bar Association

Joanne Madden

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Joanne Madden's practice focuses on litigation involving commercial disputes, corporate governance, and employment matters. She represents companies involved in disputes concerning lease obligations, online service agreements, trade secrets, risk allocation between suppliers, and employment contracts. She also has extensive experience representing transportation and construction companies in general liability matters. Her clients include individuals, non- profits, small to mid-size businesses, as well as Fortune 500 companies.

While primarily a litigator, she also advises clients on risk management in various settings. She has counseled individuals, corporations, and public entities concerning compliance with the Americans with Disabilities Act, California's Unruh Act, Wage and Hour regulations, OSHA, Motor Carrier regulations, environmental regulations such as California's Proposition 65, and consumer protection laws. Joanne also counsels a national product distributor on claim and litigation management. She appears in federal and state courts, arbitrations, administrative hearings as well as before special masters.

Joanne serves as Judge Pro Tem for the San Francisco Superior Court, mediating landlord tenant disputes and sitting as a small claims judge.

PUBLICATIONS

Employee Satisfaction Surveys Value & Risks

The Values and Risks of Employee Satisfaction Surveys

When it Comes to Lawsuits, Small Businesses Who Snooze Will Lose

Did I Win? Who is the Prevailing Party When Statutory Settlement Offers are made by Jointly Liable Defendants?"

RECOGNITIONS

First Prize, Santa Clara History Workshop, Santa Clara University, 1997

Redwood Prize, Best Historical Essay, Santa Clara University, 1997

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Best Brief, Moot Court, University of San Francisco School of Law, 1998

REPRESENTATIVE MATTERS

Reported Cases

- *Lempert v. Superior Court* (2003) 112 Cal.App.4th 1161
- *Howard v. Omni Hotels Management Corp.* (2012) 203 Cal.App.4th 403

Commercial Litigation

Joanne represented a global manufacturer in a contract dispute with a global retailer that involved the parties' various obligations as set forth in vendor agreements and an Asset Purchase Agreement. She also represented a nonprofit in a dispute with a former officer and director that involved obligations arising out of an Asset Purchase Agreement, employment contracts, and corporate articles of incorporation and bylaws. She has also counseled an online retailer with respect to prospective litigation against payment processing companies for contract violations arising out of fraudulent conduct.

Labor & Employment

Joanne represented a local restauranteur alleged to have systematically violated overtime laws based on his erroneous calculation of the half time/double time rate rules. The action was filed in a local state court and a class action filing was threatened. She also represented a local service company in a wait time penalty action in which it was disputed whether the employee had been sent home as a disciplinary action versus a lay off/termination requiring immediate pay. The action began before the Labor Commissioner, and after the hearing officer ruled in the employer's favor, the matter was appealed to San Francisco Superior Court, where it remains pending.

Product Liability

Joanne counsels a national product distributor in product liability claims and supervises non-litigated claims handled by third party administrators. She also has experience coordinating the defense of a U.S. distributing subsidiary of a computer manufacturer in warranty claims filed in the United States.

Premises Liability

Joanne's experience includes defending public entities, and their business partners, in various property damage and personal injury cases. These claims involved allegations of disability discrimination under both state and federal statutes, nuisance, and inverse

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condemnation. She has also defended private entities involved in the management of hotels and golf courses in various premises liability actions.

Appellate

Joanne has also represented individuals and corporations before the state and federal courts of appeal. She has defended defense jury verdicts and summary judgment grants on appeal. Additionally, she has appealed decisions involving indemnity agreements and liability findings based on consumer protection statutes. Her appellate experience includes appeals, writs, motions, and other filings in the state and federal courts.

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