



Susan K. Chelsea

Partner

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PRACTICES

Construction Law

Employment Law and Litigation

Insurance Coverage and
Litigation

Litigation

EDUCATION

J.D., University of San Diego
School of Law, 1988

B.A., University of California,
San Diego, 1985

ADMISSION

State Bar of California

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

United States Court of Federal
Claims

AFFILIATIONS

State Bar of California, Real

Susan Chelsea has over three decades of employment law, business and commercial litigation, automobile dealership representation, construction law, and government contract claims experience.

Susan's practice primarily focuses on employment law, but over the past 30 years she has handled matters involving general business litigation, contract disputes, construction contract disputes, consumer claims, government contract claims, mechanic's lien and stop notice claims, and general liability defense.

Susan's employment practice includes both counseling and litigation work. She drafts and updates employee handbooks, other employer policies and procedures, employment agreements, severance agreements, nondisclosure agreements, commission agreements, pay plans, and anti-harassment policies. Her employment counseling practice includes wage and hour compliance, hiring and firing, and FMLA, CFRA, and ADA compliance.

Susan conducts workplace investigations as an independent investigator. She also counsels employers through the investigation process when the investigation is handled in-house or by an independent third party investigator.

An experienced litigator, Susan has successfully tried and arbitrated cases involving wrongful termination, retaliation, wage and hour, trade secrets, and unfair competition as well as real estate issues, business disputes, construction disputes, securities transactions and products liability. Susan has defended employers in over 40 wage claims before the California Labor Commissioner. She has also successfully defended employers subject to Labor Commissioner citations, eliminating or substantially reducing civil penalties assessed against employers. Susan has also successfully defended businesses against OSHA citations, including obtaining dismissal of citations after a successful appeal and hearing.

Finally, Susan has defended businesses against ADA claims, both in the employment context and related to accessibility issues.

Property Law Section, Executive Committee (2012-2015)

State Bar of California, Real Property Law Section, Litigation Subsection, Co-Chair (2011-2012)

California Lawyers Association, Labor and Employment Law Section

USLAW Network, Employment and Labor Law Practice Group, Chair (2017-2019); Vice-Chair (2015-2017); Secretary (2014-2015)

Susan frequently presents on topics related to employment law and provides training to employers on various topics including anti-harassment and bullying, how to conduct proper workplace investigations, and compliance with updated laws and regulations.

A leader in the legal community, Susan served as Chair of USLAW Network's Employment & Labor Law Practice Group. Susan was a faculty member of the University of San Diego Lawyer's Assistant Program for nine years. She served on the Executive Committee of the State Bar Real Property Law Section and was the Co-Chair of the Litigation Subsection of the State Bar Real Property Law Section. She also served as Co-Chair of the San Diego County Bar Association Construction Law Section, and a barrister with the Inns of Court, Wallace Inn.

EVENTS

Workers Compensation and Various Leave Laws

Theft of Trade Secrets Through Departing Employees

Workplace Investigations: When, Who, How and Why?

Effective Internal Workplace Investigations

Employment Law Traps in California (and Elsewhere) That Might Surprise You

Annual Labor Law Update

Independent Contractor Versus Employee

RECOGNITIONS

American Jurisprudence Award for Torts Theory

REPRESENTATIVE MATTERS

- *Jones v. Hammond* (San Diego Superior Court Case No. 647436) Defense verdict for complaint alleging trespass and intentional infliction of emotional distress.
- *Siedow v. Bauer* (San Diego Superior Court Case No. L510851) Jury verdict under \$6,000, well below final settlement demand, for personal injury claim.
- *Howard v. Burlington Industries, et al.* (San Diego Superior Court Case No. 666844) Non-Suit products liability claim.
- *Hughes, et al. v. Remax College Park Realty, Inc. et al.* (Orange County Superior Court Case No. 794601) Obtained jury verdict against real estate broker for breach of fiduciary duty.
- *Faucher Electric v. J. R. Smith & Sons Electric* (San Diego Superior Court Case No. 729983) Obtained six-figure damages award for breach of a construction joint venture agreement.

- *Tatham v. Credit Solutions Corp.* (San Diego Superior Court Case No. GIC843731) Defense verdict for wrongful termination claim.
- *Madsen v. Supralife* (AAA Arbitration, 3-arbitrator panel) Obtained six-figure award for breach of a multi-level marketing agreement. After award confirmed by Superior Court, collected judgment in full after filing a complaint for fraudulent transfer.
- *Confidential* (Cal OSHA Appeal) Administrative Decision after Appeal to withdraw willful citation.
- *Confidential* (California Labor Commissioner Citation) Obtained settlement of citation at less than 5% of the original citation after filing appeal challenging legal basis of citation.
- *Confidential* (San Diego Superior Court) Obtained summary judgment of complaint brought by injured employee of subcontractor against general contractor.
- *Confidential* (Multiple Superior Court Actions) Obtained summary adjudication against subcontractors finding subcontractors owed general contractor a duty to defend and for reimbursement of attorneys' fees and costs.