

# Phillip F. Shinn

Partner



Phillip Shinn is a career trial attorney and an arbitrator with both the American Arbitration Association and the Korean Commercial Arbitration Board - International. He has extensive jury trial, bench trial, and arbitration experience. Mr. Shinn spent two and a half years in Seoul, Korea, where he worked in the international arbitration and cross-border litigation department of Korea's largest law firm

Mr. Shinn's areas of practice include Commercial Litigation; International Arbitration & Cross-Border Litigation; Domestic Arbitration; Construction Litigation; Employment Litigation; Product Liability Defense; Insurance Coverage; and Intellectual Property Litigation.

Mr. Shinn began his career as a Ninth Circuit Court of Appeal Staff Attorney. He is a former Northern District of California Lawyer Representative to the Ninth Circuit Judicial Conference, and was elected to membership in the Federation of Defense and Corporate Counsel (FDCC). He has earned an AV Preeminent rating from Martindale-Hubbell, and has been named a Northern California "Super Lawyer."

Mr. Shinn was the president of the National Asian Pacific American Bar Association (NAPABA), which is the voice of the 50,000 Asian American lawyers, judges, law professors and law students. He was also the overseas president of the International Association of Korean Lawyers (IAKL), the president of the Asian American Bar Association of the Greater Bay Area, and a founding member of the Council of Korean Americans.



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## Representative Matters

- ICC international arbitration arising from cross-border investment dispute. Acting as co-counsel for international investor on post-award enforcement issues.
- Acting as counsel for global entertainment company in intellectual property and unfair competition dispute.
- ICDR commercial arbitration: acted as counsel for battery manufacturer in matter involving electric vehicle battery modules.
- Cross-border commercial and intellectual property litigation in the Northern District of California: acted as counsel for semiconductor equipment manufacturer in matter involving photovoltaic solar panels.
- Patent litigation: acted as local counsel for laptop computer manufacturer and an on-line retailer in several major patent litigation matters.
- Employment & trade secret misappropriation matter in Northern California for major Korean high-tech company.
- Regulatory/white collar defense matter involving networked transportation company.
- Employment discrimination defense for international logistics & warehousing company.
- International airline crash case: advised airline regarding legal issues & claims process.
- US DOJ investigation: advised executive regarding alleged CRT monitor cartel.

## Practice Areas

### Litigation, Arbitration & Trial

- Commercial Litigation
- Complex Tort Defense
- International Arbitration
- Domestic Arbitration
- Intellectual Property Disputes
- Employment Litigation
- Cross-border Litigation

### Intellectual Property

- Copyright & Trademark Litigation
- Patent Disputes
- Trade Secrets & Unfair Competition

### Labor & Employment

- Litigation, Trial & Arbitration

## Education

**University of California, Berkeley School of Law, Berkeley, CA**

- J.D.

**University of California, Berkeley**

- B.A.

## **Representative Matters (continued)**

- \$100 million ICDR commercial arbitration matter for Korean heavy industry manufacturer of oil-drilling equipment.
- ICDR arbitration for international energy company in tainted fuel oil case.
- ICDR arbitration against Brazilian entity regarding software license dispute.
- Litigated failure of hydro-electric generator for public utility against manufacturer, distributor and contractor.
- Defended insurers in bad faith earthquake litigation arising from the Coalinga, Loma Prieta & Northridge Earthquakes.
- Multi-million-dollar construction and product liability litigation involving major hotel and 15 co-defendants. Attended 100 depositions across the US.
- Litigated over 50 property insurance coverage disputes and advised on hundreds of insurance coverage matters.
- Defended \$10 million insurance coverage claim by major national bank.

## **Bar Admissions**

- California
- U.S. District Court Northern District of California
- U.S. District Court Central District of California
- U.S. Court of Appeals 9th Circuit
- U.S. District Court Southern District of California

## **Published Works**

- American Bar Association – Torts & Insurance Practice Section: Chapter on Expert Witnesses for Publication re Defending Bad Faith Insurance Litigation

## **Classes/Seminars**

- "The View From Over There: Comparing International Arbitration and U.S. Litigation," organizer and moderator for National Asian Pacific American Bar Association's annual national conference panel
- "The View From Over There: Comparing International Arbitration and U.S. Litigation," organizer and moderator for National Asian Pacific American Bar Association's annual national conference panel
- "International Arbitration and Cross-Border Litigation – Highlighting the Differences", Presented to the National Association of Minority and Women-Owned Law Firms at its annual meeting, Chicago, 2018
- "The Nuts and Bolts of Expert Testimony," panelist, 2016 NAPABA Convention (San Diego)
- "Career Panel Discussions – Law." panelist, 2016 Mentoring the Next Generation Conference, Berkeley Law
- "Unmanned Aircraft Systems Under US Law," presented to AMCHAM Korea, 2015
- "Trans-Pacific Litigation," presented to Legal Affairs Committee, AMCHAM Korea, 2010
- "The Role of Experts in Institutional Bad Faith Litigation," presented to Property Insurance Law Committee, American Bar Association, 2005
- "Interpreting Insurance Policies (part of the "Basic Training" course)," presented to the Association of Defense Counsel of Northern California, 2003
- "Defending Business & Professions Code 17200 Actions," presented to the California Minority Counsel Program, 2002
- "Municipal law Institute Seminar on Expert Witnesses," presented to the Practising Law Institute San Francisco, 2001
- Punitive Damages & Class Actions Seminar for the International Association of Korean Lawyers Conference, 2001

### **Classes/Seminars (continued)**

- The Expert Witness Workshop for the National Asian Pacific American Bar Association Annual Conference, 2000
- "Diversity in Law Firms," presented to the American Bar Association

### **Professional Associations and Membership**

- Asian American Bar Association, Greater Bay Area, Former President, 2003 to 2004
- Advisory Council for Democratic & Peaceful Unification of the Korean Peninsula
- Federation of Defense and Corporate Counsel, elected March 21, 2005
- Northern District of California Lawyer Representative to the Ninth Circuit Judicial Conference, 2004 to 2007
- International Association of Korean Lawyers, Former President of Overseas Chapter, 2011 to 2013
- National Asian Pacific American Bar Association, Former President, 2006 to 2007
- Asian Law Caucus, Former Board of Directors, 1990 to 1993

### **Pro-bono Activities**

- Settlement Conference Officer, San Francisco Superior Court Mandatory Settlement Conference Program, 2020
- Advisory Council for Democratic and Peaceful Unification of the Korean Peninsula, 2004 to 2005
- Korean American Chamber of Commerce-North Pacific Coast, Former President, 2004 to 2005
- Asian American Bar Association of the Greater Bay Area, Chinatown Pro Bono Clinic, Co-founder and volunteer attorney, 1989 to 1990
- San Francisco Neighborhood Legal Assistance Foundation, Member of the Board of Directors, 1989 to 1990

### **Awards & Accolades**

- AV Preeminent™ Rating by Martindale-Hubbell®
- Northern California Super Lawyer
- Heritage Award for Legal Excellence – California State Assembly, API Legislative Caucus, May 14, 2007
- Minority Bar Coalition & Korean American Bar Association of Northern California Award, November 2, 2000
- Pro Bono Legal Services Award – State Bar of California Board of Governors