

Nicholas D. Kayhan



Representative Clients

- Dow AgroSciences, LLC
- Chevron Chemical Company
- Dow Chemical Company

Admitted to Practice

- California State Bar – 1987

Education

- J.D., Hastings College of the Law, University of California, San Francisco, 1987
- B.A., University of California, Berkeley, 1979

In Brief

Mr. Kayhan is a litigation partner with extensive experience in a wide variety of civil litigation matters. His primary practice focus is defense of toxic tort and environmental claims. He has worked extensively with the firm's petrochemical clients in the defense of environmental, personal injury and property damage claims involving a variety of chemicals, substances and products. He also has handled general personal injury and business litigation. Mr. Kayhan has considerable experience at the trial and appellate levels. Mr. Kayhan has been repeatedly honored as a "Northern California Super Lawyer" by the publishers of *San Francisco Magazine* and *Journal for Law & Politics* in an annual survey of California lawyers.

Partner

Oakland, CA

P 510.444.3131

F 510.839.7940

nkayhan@filicebrown.com

Significant Litigation

- *Britz, Inc. v. Dow Chemical Co.* (1999) 73 Cal.App.4th 177. Joint tortfeasor who settled with plaintiff and dismissed cross-complaint against co-defendants was barred from later suing other settling defendants for indemnity.
- *Roland, et al. v. Norris School District, et al.* (1998). Trial of 12 bellwether plaintiffs seeking medical monitoring damages from alleged exposure to pesticide resulting in a defense verdict. The trial court's earlier grant of summary adjudication in favor of defendants on personal injury and fear of cancer claims was upheld on appeal in a seminal opinion (*Miranda v. Shell Oil Co.* (1993) 17 Cal.App.4th 1651).
- *Weddeck v. Union Oil Company of California (Unocal), et al.* (1997) 59 Cal. App.4th 848. The California Court of Appeal upheld summary judgment for Unocal in a toxic tort action, holding that a temporary employee assigned to a refinery and subject to its direction and control was a "special employee" and therefore limited to workers' compensation.

Professional Associations

- International Association of Defense Counsel
- Defense Research Institute
- Association of Defense Counsel of Northern California