



## Brendan P. Kelley

### Partner

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**Brendan Kelley focuses his practice on the defense of mass/toxic tort and product liability matters.**

Brendan helps corporations, local counsel, and insurance companies defend against mass and toxic tort and product liability claims, serving both as local counsel and as part of national coordinating counsel teams. He also counsels and provides strategic direction to clients in the consumer product industry with regard to regulatory compliance for advertising and marketing materials, including compliance under the Federal Trade Commission Act, as regulated by both the FTC and FDA, and state regulatory laws such as California Proposition 65. He also has significant experience litigating commercial, real estate/eminent domain, intellectual property (patent infringement litigation), antitrust, misappropriation of trade secret/non-compete, and employment discrimination matters.

In his free time, Brendan enjoys spending time with his wife and children, as well as rooting for the Ohio State Buckeyes and Cleveland sports teams.

### Education

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- The Ohio State University Moritz College of Law (J.D., 2004); Ohio State Journal on Dispute Resolution, Staff Member
- Baldwin-Wallace College (B.A., magna cum laude, 2000)

### State Admissions

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- Ohio, 2004

### Federal Admissions

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- United States Court of Appeals, Sixth Circuit
- United States District Court, Northern District of Ohio

### **Service Areas**

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- Mass Tort & Product Liability
- Business Litigation
- Appellate & Legal Issues
- Consumer Product Safety
- Labor & Employment

### **Experience**

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- Won summary judgment for wire manufacturer in asbestos case with undisputed product identification based on lack of sufficient exposure
- Won summary judgment and obtained dismissals in numerous mass and toxic tort cases through strategic fact development and persuasive argument
- Defended a tier-1 automotive supplier in lawsuits in state and federal courts alleging defects in the design of seatbelts and airbags
- Obtained favorable settlement in complex real estate/eminant domain litigation involving damage to clients' property from landslide that occurred during government sewer project
- Obtained favorable settlement as part of litigation team in the prosecution and defense of claims in complex real estate litigation involving triple-net lease
- Obtained favorable settlement as part of litigation team in the defense of a high-ranking university official against employment retaliation claims
- Obtained favorable settlement as part of trial team prosecuting fraud and breach of fiduciary duty claims against a financial adviser and insurance companies

### **Publications & Events**

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#### **PUBLICATIONS**

- "Significant Developments in the Ever-growing Field of Employment Retaliation Law," *Inside Counsel* (September 2014)

#### **In the Community**

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- Cleveland Metropolitan Bar Association
- Ohio State Bar Association
- Legal Aid Society of Cleveland
  - » Legal Advice and Referral Clinic Volunteer
  - » Volunteer Lawyers Program (counsel pro bono clients in the mediation of foreclosure matters)
  - » Time Well Spent Honor Society
- Westshore Montessori Association, Board Member (Secretary)