

Kelly M. Morrison

Special Counsel

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Areas of Focus

Business Litigation

Class Action

Consumer Brands

Education

Organizational Values and
Strategy Task Force



Overview

Kelly Morrison concentrates on complex civil litigation matters, with a focus on trade secret and other business disputes and class action defense. Her practice spans a variety of industries, including consumer products, higher education, financial services, technology and energy.

Kelly brings an in-house lawyer's perspective to her litigation practice, having rejoined the firm in 2022 after serving as in-house counsel for a Fortune 100 bank and a top public research university. While in-house, she managed litigation, supported internal investigations and advised on a wide range of issues facing sophisticated entities operating on a global scale.

At Jenner & Block, Kelly has defended dozens of consumer and employment class actions in California, New York, the District of Columbia and elsewhere, obtaining dismissals at the pleading stage and denials of class certification. Kelly also has trial and arbitration hearing experience. She was a member of a trial team that secured one of the largest trade secret verdicts in US history, as well as a team that obtained a complete defense verdict in a complex business dispute. Kelly has also handled appellate matters in state and federal courts and has argued in the US Court of Appeals.

Kelly maintains an active pro bono practice, including as a member of teams that successfully secured political asylum, convinced the State of Georgia to voluntarily dismiss its case against a man who had been on death row for 28 years and challenged California's lethal injection protocol as unconstitutional.

Affiliated with the Los Angeles office but working remotely.

Areas of Focus

- Business Litigation
- Class Action
- Consumer Brands
- Education
- Organizational Values and Strategy Task Force
- Financial Litigation
- Food and Beverage
- Intellectual Property
- Hedge, Investment, and Private Equity Funds
- Japan Practice
- Trade Secrets and Restrictive Covenants

Representative Matters

Class Actions

- Successfully represented a large public food company against a putative nationwide class action challenging labeling statements on well-known snack food products. The court denied certification as to all of the proposed classes.
- Obtained denial of class certification on behalf of a Fortune 500 consumer products company in a consolidated class action alleging that its nationwide television ads and packaging were deceptive.
- Obtained a dismissal of a class action lawsuit alleging tortious harm from carbon emissions on behalf of a global energy company. The dismissal of the claim was upheld by the US Court of Appeals and the US Supreme Court.
- Defended a defense contractor in an employment dispute, obtaining a dismissal of the representative aspect of the case and reaching a favorable settlement against the two plaintiffs' individual claims.
- Defended a manufacturing company in a class action alleging that certain employment practices violated California law. All class claims were dismissed through motion practice, following which the lone remaining individual claim was settled.
- Successfully defended a national marketing company in a series of class action lawsuits alleging consumer fraud concerning "auto-renewal" policies.

Business Litigation

- Represented a medical software company as a member of a trial team that secured one of the largest trade secret verdicts in US history (\$940 million).
- Defended an international information services and publishing firm, including several subsidiary companies and senior executives, in a complex business dispute involving an alleged corporate acquisition and allegations of

fiduciary violations, fraud, trade secret misappropriation, and the claimed breach of alleged oral employment and intellectual property licensing agreements. The plaintiffs' claims were winnowed down through motion practice. The remaining claims went to trial before the US District Court for the Central District of California, resulting in a complete defense verdict.

- Represented an energy company and several citizens in connection with an unfairly written initiative that sought to single out the energy company for a substantial new tax liability. The team obtained a writ of mandamus from the Los Angeles Superior Court requiring that the ballot materials be written in a fair manner.

Credentials

Admissions

- California
- District of Columbia
- Virginia

Education

- University of Virginia School of Law, JD, 2007
- Johns Hopkins University School of Advanced International Studies, MA, 2007
- Tufts University, BA, *magna cum laude*, 2002

Court Admissions

- US Court of Appeals, Fourth Circuit
- US Court of Appeals, Ninth Circuit
- US District Court, Central District of California
- US District Court, Eastern District of California
- US District Court, Northern District of California
- US District Court, Southern District of California
- US District Court, District of Columbia
- US District Court, Western District of Virginia
- US District Court, Western District of Wisconsin

Service / Recognition

Awards

- Fellow, Leadership Council on Legal Diversity, 2017
- *Southern California Super Lawyers*, Rising Star, 2014-2016
- *Washington, D.C. Super Lawyers*, Rising Star, 2016, 2018