



Tad A. Devlin

Overview

Tad A. Devlin serves as the managing partner of our Northern California offices. With more than 25 years of experience, Mr. Devlin manages clients' complex business legal matters in insurance coverage and litigation, employment law, professional liability, cannabis, general liability, commercial and property litigation, financial services, fiduciary liability, and gig economy cases.

In his employment law work, Mr. Devlin litigates complex matters in arbitration and litigation, including PAGA and class action defense, and in claims of discrimination and harassment. He also advises employers in several employment practice matters, and conducts workplace investigations. Mr. Devlin defends insurance carriers in allegations of bad faith, breached duties and fair dealings. He represents clients in coverage disputes and provides counsel for avoidance of high-exposure claims. Mr. Devlin represents international, national, and regional insurance carriers across a full spectrum of insurance lines. This includes underwriting assistance, subrogation, and litigating fraud claims against underwriters. He works with special investigation units and the California Department of Insurance in defending clients, and has experience handling insurance coverage and defense assignments for high exposure product liability cases involving asbestos (Flintkote litigation), consumer products, pharmaceuticals, and neutraceuticals.

In Mr. Devlin's professional liability practice, he defends against disciplinary actions for lawyers, doctors, accountants, insurance agents, and insurance brokers, and provides counsel and defense litigation in real estate transactions and disputes. He has managed general liability defense construction defect litigation, including design, structural, build, and workmanship claims, as represents property owners, developers, general contractors, construction managers, trade/subcontractors, architects, engineers, material suppliers and surety companies. Mr. Devlin is also experienced in defending various clients in homeowners' association (HOA) disputes including those of multi-unit, common interest, and condominium matters. He has represented homeowners', boards, officers and directors in a variety of settings through arbitration, litigation and mediation.

In utilizing his criminal law background as a felony prosecutor, Mr. Devlin's financial services practice includes counsel to business, and their officers and directors, in state and federal government enforcement actions in criminal and civil matters including RICO, bribery/kickbacks, and in privacy violation allegations of illegal recordings, wiretapping, eavesdropping and hacking. He also advises clients regarding privacy, data breach, monitoring and surveillance, virtual meetings and related media securitization, risk management and best practices related to HIPAA, financial data privacy, insurance privacy, electronic fraud, cyber identity theft, and hacking.

Mr. Devlin has assisted clients in litigation related to California's Proposition 65, including advice, counsel and defense of manufacturers, suppliers and distributors,



Managing Partner of San Francisco and Oakland, CA offices

Contact Information

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Related Practices

- Insurance Coverage & Litigation
- Bad Faith Litigation
- Directors and Officers (D&O)
- Labor and Employment Law
- Class & Collective Action Defense
- General Liability Defense
- Accidents & Defects
- Construction Law
- Professional Liability/Errors and Omissions - Defense
- Insurance Agents and Brokers
- Real Estate Professionals
- Civil Racketeer Influenced and Corrupt Organizations Act (RICO)
- Data Privacy & Cybersecurity
- Commercial Litigation
- Products Liability
- Homeowners' Associations
- Co-Ops, Condos and HOAs
- Real Estate Litigation
- Real Estate Transactions
- Health Care/Managed Care
- IP Litigation

and large utility vendors in the electricity sector, as well as false advertising and labeling claims, and those arising under the Unfair Business Practices Act. Mr. Devlin has extensive business law experience including acting in the role of outside general counsel for large and small companies. He has handled all aspects of contract law, corporate legal work, and transactions in various established and emerging industries.

Admissions

- California
- U.S. District Court
 - Eastern District of California
 - Northern District of California
 - Central District of California
- U.S. Court of Appeals
 - Ninth Circuit
- U.S. Bankruptcy Court
 - Northern District of California

Education

- Pacific McGeorge School of Law, J.D. with honors
- University of California, Davis, B.A.

Professional Memberships

- The Bar Association of San Francisco, Justice and Diversity Center
- PLUS Journal Editorial Board
- Insurance Law360 - 2010 Editorial Advisory Board
- Claims & Litigation Management Alliance (CLM)
- Peers - Legal Counsel for the Sharing Economy
- Property Claims Association of the Pacific

Experience

Representative Matters

- Prevailed on summary judgment in Santa Clara County Superior Court for a major financial institution and its life agents in professional liability dispute concerning complex IRC 412i plan, advice and funding case concerning alleged negligence in providing tax advice, recommendations and financial planning, in which the plaintiffs claimed several millions of dollars in damages.
- Accomplished favorable settlement of a business dispute concerning claims of business torts, unpaid loans and shareholder dispute as part of a complex asset purchase agreement by a successor company.

Community Service

- *Hannukah Hoops, Advisory Board Member*
- *KALW Call a Lawyer Night Fundraiser*

Publications

- *Full 9th Circuit Passes on Review of Schwab Arbitration Ruling, PlanSponsor, ft. Tad Devlin*
- *Schwab Arbitration Ruling Leaves Unanswered Questions, PlanSponsor, ft. Tad Devlin*
- *9th Circuit paves way for more arbitration agreements in ERISA plan docs, BenefitsPro, ft. Tad Devlin*
- *What Will the Fiduciary Standard Look Like in Five Years? FiduciaryNews, ft. Tad Devlin*
- *The SEC's "Best Interest" Proposal – A Step Forward or a Set Back? FiduciaryNews, ft. Tad Devlin and Edward "Ted" McNamara*
- *Cybersecurity & Privacy Predictions For 2018, Law360, ft. Tad Devlin & Marc Voses*
- *Ninth Circuit Court of Appeals holds Telephone Consumer Protection Act claims excluded from coverage based on invasion of privacy exclusion*
- *How to Keep HSAs Exempt from ERISA, SHRM, ft. Tad Devlin*
- *Insuring the Sharing Economy: Existing Models, New Models, Traps and Mitigation of Gaps, Westlaw*
- *Is Your Uber Driver or Lyfter an Employee or Independent Contractor and Why Does it Matter? Westlaw*
- *Trump's Tweets Raise Doubts About Cybersecurity Approach, Law360, ft. Tad Devlin*
- *California High Court to Address Occurrence Caused by Accident, Insurance Journal*
- *Six Cyber Issues for the Trump Administration*
- *What To Do About Defamatory Online Reviews, Law360*
- *Title IX Investigations Expand Dramatically, Daily Journal*
- *Marijuana Legalization Votes Won't End Drug-Free Workplaces, Law360, ft. Tad Devlin*
- *High Court to Weigh In on 'Other Insurance', Daily Journal*
- *Nickerson V. Stonebridge Could Mean Higher Damages Awards, Law360*
- *Fitting a Square Peg Into Two Round Holes – Redefining the Employment Classification for Your Uber or Lyft Driver? Professional Liability Underwriting Society Plus Journal, ft. Tad Devlin & Sheila Pham*
- *AB 2293: Ride-sharing services must get covered, Daily Journal*
- *Insurance risk of easy medicine and doctorless doctoring, Daily Journal*
- *Valuation of Social Media Content and Contacts, PLUS Journal*
- *Ride-sharing insurance paves the way, Daily Journal*
- *Palm Springs Airbnb: a squatter's paradise, Daily Journal*
- *Using Airbnb? Get covered to rest easy, Daily Journal*
- *In Practice: It's My e-Rolodex, The Recorder*
- *"California Federal Court Holds Insurer Required to Cover Employee Reimbursement and Wage Hour Claims and More Under EPLI Policy," E&O Prevention from Agents of America*

News

- *Kaufman Dolowich Appoints Tad A. Devlin as Managing Partner of Northern California San Francisco and Oakland Offices*
- *KD Alert: California Federal Court Holds Insurer Required to Cover Employee Reimbursement and Wage Hour Claims and More Under EPLI Policy*

Speaking Engagements

- *Tad Devlin presenting at Homesharers Democratic Club*
- *KD's Tad Devlin will be a guest on KALW 91.7FM Chuck Finney's Call-A-Lawyer Night - September 20th, 2017*
- *KD's Tad Devlin will be a guest on Call-A-Lawyer Night - August 30, 2017*
- *Handling Commercial Landlord-Tenant Disputes, Webinar by Tad Devlin and Marcus Dong*
- *Tad Devlin, Legal Expert for KALW 91.7 FM San Francisco's "Your Legal Rights" Show*
- *Tad Devlin and Gabriel Rubin, Speaking at CFMA SF Bay Area Chapter Meeting: Legal Marijuana in the Construction Industry*
- *Tad Devlin speaking at CEB'S presentation of "Handling Commercial Landlord-Tenant Disputes"*
- *Tad Devlin, Legal Expert for KALW 91.7 FM San Francisco's Call-A-Lawyer Night*
- *2015 CLM Northern California Educational & Networking Event: The Legal Landscape of the Sharing Economy: Homes & Rides*
- *KALW's Your Legal Rights with Chuck Finney: Landlord/Tenant Laws and Disputes*
- *LSAC Bay Area Forum: What Do Lawyers Do?*
- *Tad Devlin on KALW's Your Legal Rights with Chuck Finney: Landlord/tenant laws and issues*
- *Tad Devlin will be a guest on radio station KALW's Call a Lawyer: Real Property and Landlord/Tenant issues*
- *91.7 KALW's Your Legal Rights: Call-a-Lawyer Night*

Tad Devlin will lay out the current state of the recent amendments to San Francisco's Short-Term Rental Ordinance (Chapter 41A of the San Francisco Administrative Code, hereinafter "Chapter 41A"), specifically addressing the hosts' responsibilities and obligations under the code, and what the appeal procedures.