

# Shalem A. Massey

## Partner

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Shalem Massey has a broad range of experience in civil litigation. He is known for listening carefully to the client and then offering advice which is sensitive to the business concerns, not just the legal concerns. For more than 25 years, his practice has involved representing clients in complex (and often high stakes “bet the company”) litigation. Shalem’s litigation experience involves matters throughout the United States, Canada, Asia, South America, Central America, and Europe. He has litigated numerous international and domestic matters with winning results involving product liability, corporate compliance, class actions, insurance coverage, and complex business litigation. Along with his partners Shalem has advised lessors of aircraft and airports on leasing, repossession, and environmental matters. Additionally, he has represented and guided many clients during the course of numerous OSHA, Federal Aviation Administration, and National Transportation Safety Board investigations. He has also been appointed by several multi-national corporations to guide them in litigation preparedness and product integrity functions.



Shalem also provides advice for guidance relevant to drone manufacturers and operators. For example, he counsels commercial grade drone manufacturers concerning products liability and issues related to data acquisition platforms.

Shalem has also been involved with consumer financial services litigation for various banks and lenders in helping them with class actions and consumer finance litigation.

## EXPERIENCE

### Representative Engagements

- Lead trial counsel for a manufacturer in multidistrict litigation arising from crash of Asiana Airlines flight 214 at San Francisco International Airport.
- Represented manufacturer of wearable consumer product in complex class action litigation in several jurisdictions.
- Responsible for managing labor and employment litigation (with other dedicated labor and employment partners at the firm) for multiple manufacturing clients throughout the United States and specifically California, where labor and employment regulations can be especially cumbersome.
- Acted as lead trial counsel for a maintenance company in litigation involving 10 wrongful deaths arising from the crash of a single engine turbine aircraft.
- Co-lead trial counsel for an engine manufacturer in a six-week trial in Santa Clara, California, arising from the crash of a general aviation aircraft.
- Representation of a navigational data supplier in litigation arising from the crash of American Airlines flight 965 to Cali, Colombia.
- Representation of a manufacturer in litigation arising from the crash of Alaska Airlines flight 261 near Point Mugu, California.
- Representation of a manufacturer for litigation brought in Greece involving a business jet.

## **CREDENTIALS**

### **Education**

University of San Diego, J.D., 1989  
University of California Los Angeles, B.A., 1986

### **Bar Admissions**

California  
U.S. Court of Appeals for the Ninth Circuit  
U.S. District Court for the Central District of California  
U.S. District Court for the Eastern District of California  
U.S. District Court for the Northern District of California  
U.S. District Court for the Southern District of California

### **Professional Memberships**

Los Angeles County Bar Association  
Litigation Section, Member  
Orange County Bar Association  
Aviation Section, Member  
Lawyer Pilots Bar Association  
The State Bar of California  
Defense Research Institute  
International Association of Defense Counsel

## **PUBLICATIONS & PRESENTATIONS**

“Elimination of Bias/Diversity & Inclusion in the Legal Profession,” (moderator) ABA Tort Trial & Insurance Practice Section Aviation and Space Committee Law (October 28, 2021)  
“Social Inflation, Punitive Damages, and U.S. Litigation Trends: Where are claims and verdicts headed?,” (co-panelist) Lloyd’s Market Association (September 22, 2020)  
“Autonomous Vehicles: Current Legal Landscape and Challenges on the Horizon,” (co-author) *RSHC Insight* (August 14, 2020)  
“Connected Vehicles Bring Promise of Mobility — and Jobs — to Two Million People With Disabilities,” (co-author) *RSHC Insight* (August 14, 2020)  
“Public Comments Close on Proposed FAA Rule Governing Remote ID of Unmanned Aerial System,” (co-author) *RSHC Insight* (August 14, 2020)  
“The Public and Private Sectors Are Ready to Unleash Unmanned Maritime Vehicles,” (co-author) *RSHC Insight* (August 14, 2020)  
“Keeping Formation: Navigating the Relationship of Insured, Insurer, and Outside Counsel,” (co-speaker) ABA Tort Trial & Insurance Practice Section, Aviation and Space Law Committee CLE Program, *The Aviation Lawyer’s Operating Handbook: Learning to Litigate, Navigate, and Communicate*, Washington, DC (October 24-25, 2019)  
“State Bar of Texas Aviation Law Section Mid-Year Meeting,” (speaker) Irving, Texas (March 29, 2019)

- “8th Annual Forum on Defending and Managing Aviation Claims & Litigation,” (panelist) American Conference Institute, New York, NY (June 27-28, 2016)
- “Unmanned Aerial Vehicles: A Bird’s Eye View of the Drone Law Landscape,” ABA Section of Litigation Annual Conference, Chicago, IL (April 2016)
- “Danger, Will Robinson! Is Insurance Ready for Unmanned Vehicles?” ABA Insurance Coverage Litigation Committee CLE Seminar, Tucson, AZ (March 2016)
- “ABA Insurance Coverage Litigation Seminar,” (panelist) American Bar Association - 2016 Insurance Coverage Litigation Committee CLE Seminar, Tucson, AZ (March 2-5, 2016)
- “Prepare for Takeoff! What In-House and Corporate Lawyers Should Know to Mitigate the Risks and Capture the Benefits of Commercial Drone Use,” (co-presenter) West LegalEd Center (October 28, 2015)
- Navigant’s Law and Innovation Speaker Series, (panelist) American Bar Association Litigation Section (October 28, 2015)
- “Take-off of Drone Sector Raises Liability Considerations for Commercial Operators,” *Insurance Day* (August 2015)
- Product Integrity seminar, Chino Airport, CA (January 2015)
- “Globalization and the Aviation Industry: Counseling Your Clients on Important Risks and Regulations When Doing Business in Foreign Markets,” 5th National Forum on Defending and Managing Aviation Claims & Litigation for the American Conference Institute, Chicago, IL (May 2013)
- The “Sophisticated User” Defense – Protecting Aviation Manufacturers in Failure to Warn Cases, *BC Aviation* (Winter 2009)
- “Product Integrity Seminar/The Pretrial Discovery Process and How to Protect Your Company,” Olathe, KS (November 2009)
- “Indemnification Agreements and Additional Insured Provisions” Aviation Insurance Association Annual Meeting, Indian Wells, CA (May 2007)
- “Recent Developments in Aviation Law,” ATLA Annual Convention, faculty member, Seattle, WA (July 2006)
- “So, You’re Going To Be Deposed?” *Insurance Day* (July 2005)
- “Legal and Investigation Issues with the NTSB,” Defense Research Institute (DRI) Product Liability Conference, Los Angeles, CA (February 2005)
- “Aviation Products Liability Insurance,” Embry-Riddle Aeronautical University, Orlando, FL (January 2005)
- “Legal and Investigation Issues with the NTSB,” ABA Aviation Litigation Program's Practical Views from the Cockpit to the Courtroom, Washington, DC (October 2004)
- “So You’re Going to Be Deposed,” Aviation Insurance Association Annual Meeting, Orlando, FL (May 2003)
- “Electronic Discovery, How, What, Why, Where, and When,” Aviation Insurance Association Annual Meeting, Kansas City, MO (May 2002)
- “Product Integrity Seminar/The Pretrial Discovery Process and How to Protect Your Company,” Bend, Ore. (April 2003)
- “Legal Issues Involved with Electronic Discovery,” Embry-Riddle Aeronautical University’s Fifteenth Annual Aviation Law/Insurance Symposium, Daytona Beach, FL (January 2002)
- “Electronic Discovery: Will You Byte?” Aircraft Builders Council, Inc. Law Report (Fall 2001)

- “Product Integrity Seminar/The Pretrial Discovery Process and How to Protect Your Company,”  
London, England (June 2001)
- “The Government Contractors Defense - Recent Developments,” Lawyer Pilots Bar Association  
Summer Meeting, Biloxi, MS (March 2001)
- “Writing Business Documents – The New York Times Rule,” Gainesville, TX (June 2000)
- “Ipse Dixit Meets Kumho Tire: Moving to Exclude ‘Junk Science’ from the Courtroom,” Aircraft  
Builders Council, Inc. Law Report (Fall 1999)
- “The Government Contractors Defense – Recent Developments,” *Aircraft Builders Council, Inc.  
Law Report* (Fall 1998)
- “Mandatory Disclosures Required By Federal Courts,” *Aircraft Builders Council, Inc. Law Report*  
(Fall 1995)
- “Statutes of Repose: How, What, Where, Why, and When,” *Aircraft Builders Council, Inc. Law  
Report* (Fall 1994)

## **COMMUNITY SERVICE**

Los Angeles County Pro Bono Adoptions Program

Orange County Forum Board of Directors

S.H.E.P.O.W.E.R. – Founding member Centers for Abused Women in Southeast Asia