



# Nicholas R. Shepard

## Associate

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Mr. Nicholas R. Shepard is a litigation associate with Matheny, Sears, Linkert & Jaime, LLP with extensive experience litigating personal injury and product liability claims. Mr. Shepard has also handled contract, property damage, and employment litigation.

Mr. Shepard earned his J.D. from McGeorge School of Law in May, 2014 and passed the July 2014 California Bar Exam. During law school, Mr. Shepard clerked for Matheny, Sears, Linkert & Jaime. Mr. Shepard earned a B.A. in Political Science at the University of Notre Dame in 2006.

Mr. Shepard has extensive experience obtaining cost awards and opposing cost bills after trials, resulting in substantial savings for the firm's clients. Mr. Shepard believes that strong motion practice is a defendant's best tool for reaching a favorable litigation result, as high-quality dispositive motions can put substantial pressure on plaintiffs. In both State and Federal court Mr. Shepard has prevailed on numerous dispositive motions, including summary judgment, demurrers, motions for judgment on the pleadings, and motions to dismiss.

Mr. Shepard has lived in Roseville, California for nearly his entire life. He enjoys playing poker, following Notre Dame Football, and most of all spending time with his wife Megan and his kids Emmy and Liam.

## Selected Results

- As second-chair trial counsel, obtained defense verdict in 5-week products liability trial. Plaintiff claimed client defendant, Motorhome Step Company, negligently designed and manufactured an automated step system that was installed into plaintiff's recreational vehicle. On the night of the incident, plaintiff alleged she stepped out of the living quarters of her RV and defendant's automated step system had unexpectedly retracted causing her to fall.
- Represented a car rental company as second chair at trial defending high value personal injury auto accident claim. Reached a settlement early in trial favorable to the company.
- Obtained the dismissal, without leave to amend, of a federal class action lawsuit relating to the "Varsity Blues" college admissions scandal. The Court found the plaintiffs, rejected applicants to various prominent national universities, lacked standing to bring the lawsuit because they could not show either a particularized injury or that any such injury was caused by the alleged wrongful actions of defendants.
- After a personal injury plaintiff's verdict, Mr. Shepard successfully reduced plaintiff's claimed post-trial costs by nearly 90%. When plaintiff appealed the court's decision, Mr. Shepard successfully opposed the appeal, resulting in a complete affirmance of the trial court's ruling in a published opinion: *Anthony v. Li* (2020) 47 Cal.App.5th 816.
- Successfully demurred to wrongful death claim in a case where the client's former employee committed suicide four months after an alleged wrongful termination. Plaintiffs claimed the employer's wrongful termination of the decedent caused the suicide. Mr. Shepard successfully argued that the wrongful termination did not cause the suicide, and even if it could be shown that it did, the death was covered by the worker's compensation exclusive remedy.

## Professional Associations

- Sacramento County Bar Association
- Association of Defense Counsel of Northern California

## Practice Areas

- Complex Litigation
- Construction
- Employment Law
- Personal Injury Claims
- Public Entity Defense
- Products Liability
- Trucking & Transportation