



Kiersten A. Martindale focuses her practice in the defense of general liability matters, complex environmental claims, mass toxic tort and product liability actions.

Prior to joining Walsworth, Kiersten was a partner in the Environmental/Toxic Tort practice group at a Southern California AmLaw 100 firm. Her experience includes defending and litigating cases involving water and soil contamination most prominently in the dry cleaners context with PCE, leaking underground storage tanks, CERCLA cases, Proposition 65 matters, toxic personal injury cases involving a myriad of chemical and toxin-related injuries, and representing clients in actions involving the State Water Resources Control Board, the Department of Toxic Substances Control and various other public entities. Kiersten also regularly defends companies in product liability actions involving a wide variety of alleged product defect claims. While at her previous firm, Kiersten was named "Top Attorney" in 2017 among associates and senior counsel practicing in the San Diego office.

Kiersten's experience also includes counseling clients regarding environmental compliance issues outside the litigation context, including contamination and clean up. She regularly assists clients with environmental investigations, and related actions, including representing clients in dealings with the Regional Water Quality Control Boards. She handles all aspects of litigation through trial, including notably a remote/virtual bench trial in an environmental case in November of 2020, during the COVID-19 pandemic.

Previously, Kiersten was an associate at a boutique insurance defense firm where she focused on insurance defense, coverage, bad faith actions, general civil litigation, construction litigation and personal injury lawsuits including premises liability, product liability and auto accident cases.

Kiersten also had law clerk and interning experience while working at a variety of law firms, both in San Diego and in the San Francisco Bay Area, preceding her law license. Prior to law school, she worked for a well-known Bay Area law firm specializing in asbestos and toxic tort litigation. Kiersten also served as a law clerk with an international wine company based in Napa Valley and interned for a nearby prominent law firm servicing the wine industry.

REPRESENTATIVE SUCCESSES

- *Nonprofit Environmental Organization v. Large Companies* – Secured agreement that client was not a named party, prior to filing a responsive pleading, in a large environmental "first-of-its-kind" lawsuit where plaintiffs alleged all waters of the state of California were polluted and contaminated by plastic products manufactured and/or sold by the defendants.
- *District v. Companies* – As cross-plaintiffs, defeated summary judgment brought by the same cross-defendant twice, in a large complex environmental contamination lawsuit that has been ongoing for over a decade in Orange County.
- *Plaintiffs v. Hotel* – Successfully negotiated a favorable settlement in an alleged seven-figure personal injury premises and product liability trip and fall case, where client was alleged to have manufactured, sold, and/or distributed a defective product. Client's summary judgment motion also went unopposed by plaintiffs.
- *Plaintiffs v. Dry Cleaning Chemical Products* – Obtained dismissal of client in a complex toxic tort personal injury lawsuit brought by well-known Los Angeles-based personal injury law firm, following efforts that secured evidence establishing plaintiff never used the client's product.
- *Plaintiffs v. Dry Cleaning Chemical Products* – Negotiated favorable early settlement in

Contact Information

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Areas of Practice

- General Liability and Casualty
- Product Liability
- Environmental
- Toxic Tort

Education

- University of San Diego School of Law, J.D., Civil Litigation Concentration, *cum laude* (top 6.6%) and *Order of the Coif*
- University of California, Berkeley, B.A.

Admissions

- California
- United States District Court, Eastern, Southern, Central and Northern Districts of California

a complex toxic tort personal injury lawsuit brought by well-known Los Angeles-based personal injury law firm, following the filing of a summary judgment motion leveraging early settlement, and evidence discrediting that the client's product caused the plaintiffs' injuries in question.

- *Plaintiff v. Gas Station Equipment Manufacturer* - _____

INDUSTRY INVOLVEMENT

Professional Affiliations:

- Hon. William B. Enright American Inn of Court, Barrister Member (2014-2019)

BEYOND THE OFFICE

Outside of the office, Kiersten enjoys traveling, trying out new restaurants, learning how to cook, white water rafting, and spending time with her husband and 14-year-old cat, Bree.