

# Snell & Wilmer

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## Kevin M. Brown

Partner | San Diego | Orange County | Los Angeles | Denver

Tel. 858.434.5003 SD

Tel. 714.427.7401 OC

[kmbrown@swlaw.com](mailto:kmbrown@swlaw.com)

## Main Bio

Kevin Brown serves as a trusted advisor and experienced advocate for his clients. His primary area of practice is employment law, and he routinely handles commercial litigation. Kevin represents employers in the full range of actions including wrongful termination, harassment, discrimination, retaliation, sexual assault/negligence, wage and hour class actions, PAGA actions, whistleblower claims, restrictive covenants (non-compete/non-solicitation), trade secrets, and disability accommodation. He also handles business disputes, product liability, and aviation-related matters.

Kevin counsels employers and human resources professionals on compliance with state and federal employment laws, with a focus on best practices — particularly risk identification and mitigation. He also reviews and drafts policies, handbooks, non-disclosure agreements, employment agreements, and severance agreements. A dynamic presenter, Kevin has trained thousands of managers and employees on preventing harassment, discrimination, and retaliation in the workplace. He also conducts independent workplace investigations.

Kevin advises employers in OSHA and Cal-OSHA matters, including drafting and reviewing safety and compliance programs, petitioning for variances, and complying with state and federal standards. He also assists employers in protesting federal and state-issued OSHA citations.

Kevin's clients are individuals and both for-profit and nonprofit corporations in a wide range of industries, including healthcare, life science and technology, restaurant and hospitality, construction, human resources and payroll, temporary and international technology staffing, retail and aerospace manufacturing, private aviation, churches and other religious organizations, hotel and international temporary housing, educational and professional training, public-interest, transportation and logistics, and international private security.

Prior to joining the private sector in 2016, Kevin served as a military attorney and a naval aviator in the United States Marine Corps, and he continues to serve as a Lieutenant Colonel (Judge Advocate) in the U.S. Marine Corps Reserve. He also holds an FAA commercial pilot's license and instrument ratings for fixed wing and rotorcraft-helicopter. Beyond his diverse litigation and first-chair trial experience, clients find that his background solving complex problems and conducting investigations, training, mediations, risk management, and standardization enables him to partner with them to achieve their goals.

## Education

- University of Colorado Law School (J.D.)

- Dean's Advisory Council, Member
- Bar Association Outreach, Director
- Student Bar Association, Executive Board Member
- National Mock Trial Team, Member
- Military Law Society, Founder
- University of San Diego School of Law
  - High Pass/Best Oral Advocate/Outstanding Brief, Lawyering Skills I
  - Dean's Scholarship Recipient
  - Moot Court Associate Board (selected)
  - San Diego Law Review (selected)
- United States Naval Academy (B.S., with merit, Political Science)
  - Brainerd Award
  - Pi Sigma Alpha
- U.S. Marine Corps Command & Staff College
- U.S. Naval Justice School (Military, Trial Advocacy, & Operational Law)
  - Professional Excellence Award
  - Trial Advocacy Award
  - Leadership Award

## **Professional Memberships & Activities**

- National Aircraft Finance Association (2023-present)
- National Business Aviation Association (2023-present)
- American Bar Association
  - Employment Law Group
  - Occupational Safety & Health Group
  - Military Pro Bono Project Group
- San Diego Volunteer Lawyer Program
- San Diego County Bar Association
- American Inns of Court, Honorable J. Clifford Wallace
- American Inns of Court, Louis M. Welsh (Past)
- Federal Bar Association (Past)
- Colorado Bar Association (Past)
  - Military & Veteran's Affairs Section
  - Colorado Lawyers for Colorado Veterans
- Law School Si Sue Puede, Mentor (Past)

## **Representative Presentations & Publications**

- ["It's All About the Money \(and Pay Equity\): California Will Require Employers to Disclose Salary Ranges in Job Postings,"](#) Episode Host, CalCurrent Podcast (October 13, 2022)

- ["It's All About the Money \(and Pay Equity\): California Will Require Employers to Disclose Salary Ranges in Job Postings,"](#) Co-Author, Snell & Wilmer Legal Alert (September 30, 2022)
- "This is The Way: An Overview of Vaccine and Mask Mandates, Status of Challenges, and Navigating Exceptions," Co-Presenter, Religious Liberty Section – Arizona State Bar Convention, Phoenix, AZ (June 29, 2022)
- "The Ever-Changing World With COVID-19 In It," Presenter, 2022 InnSpire Conference & Marketplace (January 24, 2022)
- ["Keeping Valuable IP When a Key Employee Jumps to a Competitor,"](#) Co-Author, Today's General Counsel (January 24, 2022)
- ["Updates to the Biden Administration's COVID-19 Regulations,"](#) Episode Host, CalCurrent Podcast (December 9, 2021)
- ["Predicting the Future of the Cal/OSHA COVID-19 Emergency Temporary Standard,"](#) Co-Author, Snell & Wilmer Legal Alert (November 22, 2021)
- "OSHA and the Continuing Impact of COVID-19 on the Workplace," Co-Presenter, 2021 Employment Law Tool Kit Two-Part Webinar Series: Session 1: Issues for All Employers (November 4, 2021)
- "Overview of California Employment Law and Cal/OSHA COVID-19 Regulations," Presenter, Los Angeles Paralegal Association, 45th Annual Conference (October 16, 2021)
- ["President Biden Issues New Vaccine Mandate For All Employers With 100 Or More Employees,"](#) Co-Author, Snell & Wilmer Legal Alert (September 13, 2021)
- ["Employers Revisit Mandatory Vaccinations for Employees Following Full Approval of the Pfizer-BioNTech Vaccine,"](#) Co-Author, Snell & Wilmer Labor and Employment Law Blog (August 27, 2021)
- ["Not So Fast: California Judge Strikes Down Proposition 22, Finding That Rideshare and Delivery Drivers Are Employees—Not Independent Contractors,"](#) Snell & Wilmer Legal Alert (August 26, 2021)
- "Employment Law Pitfalls for California Employers," Speaker, SBDC @ University of California, Irvine Beall Applied Innovation Incubator (August 24, 2021)
- ["What Employers Should Know About California's Revised COVID-19 Emergency Temporary Standard,"](#) Episode Host, CalCurrent Podcast (June 24, 2021)
- ["California's New Face Covering Policy Imposes Additional Burdens on Employers,"](#) Co-Author, Snell & Wilmer Legal Alert (June 22, 2021)
- ["Face Coverings and Social Distancing Remain a Reality for California Businesses After Cal/OSHA Delays Vote,"](#) Co-Author, Snell & Wilmer Legal Alert (May 21, 2021)
- "Employers' Rights and Responsibilities During a Cal/OSHA Investigation," Presenter, San Diego Roofing Contractors Association (May 5, 2021)
- ["What Employers Should Know When Facing a Cal/OSHA or OSHA Inspection,"](#) Episode Host, CalCurrent Podcast (April 29, 2021)
- ["President Biden Focuses on Strengthening COVID-19 Workplace Compliance,"](#) Co-Author, Snell & Wilmer Legal Alert (January 29, 2021)
- ["COVID-19 Vaccine Leads to More Questions for Employers,"](#) Episode Host, CalCurrent Podcast (December 30, 2020)
- ["Show Them the Money: Colorado's New Equal Pay Law,"](#) Co-Author, Snell & Wilmer Legal Alert (December 7, 2020)

- "Safe Workplaces and OSHA Compliance," Co-Presenter, Cal/OSHA Emergency COVID-19 Regulation Webinar (December 1, 2020)
- "[Cal-OSHA Emergency COVID-19 Regulation](#)," Co-Author, Snell & Wilmer Legal Alert (November 23, 2020)
- "Safe Workplaces and OSHA Compliance," Co-Presenter, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 3: Even More Issues for All Employers (November 16, 2020)
- "Cal/OSHA: New California Statutes and Standards Related to COVID-19," Co-Presenter, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 2: California-Specific Issues (November 12, 2020)
- "[Remote Work Considerations for Employers](#)," Episode Host, CalCurrent Podcast (September 17, 2020)
- "[Litigation Risks for Employers Related to COVID-19](#)," Episode Host, CalCurrent Podcast (August 06, 2020)
- "[Colorado Enacts the 'Healthy Families and Workplace Act'](#)," Co-Author, Snell & Wilmer Legal Alert (July 23, 2020)
- "[Handling Employees with COVID-19](#)," Episode Host, CalCurrent Podcast (July 16, 2020)
- "[COVID-19: Employment Squalls Likely to Hit Employers](#)," Co-Author, Snell & Wilmer Legal Alert (July 14, 2020)
- "[Employer Considerations for Facial Coverings and Masks](#)," Episode Host, CalCurrent Podcast (July 09, 2020)
- "[Reopening or Resuming Business During a Pandemic - What Employers Need to Know \(Denver\)](#)," Co-Presenter, Snell & Wilmer Live Webinar (May 7, 2020)
- "[Updated EEOC Guidance for Employers Permits Testing for COVID-19](#)," Co-Author, Snell & Wilmer Legal Alert (April 30, 2020)
- "[Managing Business Needs During a Pandemic: OSHA and Cal/OSHA Considerations](#)," Presenter, Snell & Wilmer Live Webinar to ACC SoCal (April 8, 2020)
- "[Will COVID-19 Put the Brakes on Cannabis Businesses...or Pump the Gas?](#)" Co-Author, Snell & Wilmer Legal Alert (March 31, 2020)
- "[OSHA Recordable and Reportable COVID-19 Illnesses](#)," Co-Author, Snell & Wilmer Legal Alert (March 25, 2020)
- "[Families First Coronavirus Response Act: Summary of the Employment Provisions of the New Law](#)," Co-Author, Snell & Wilmer Legal Alert (March 19, 2020)
- "[Practical Guidance for Employers Grappling with the Coronavirus Threat](#)," Co-Author, Snell & Wilmer Legal Alert (March 2, 2020)
- "Anti-Harassment Prevention Training," Speaker, Numerous in-house presentations to various clients, San Diego and San Jose, CA (2018-present)
- "Disciplining and Terminating Employees," Speaker, National Business Institute – Human Resource & Employment/Labor Law, San Diego, CA (November 6, 2019)
- "Conducting Sexual Harassment Investigations," Speaker, Law Firm Annual Employment Law Seminar, San Diego, CA (November 1, 2019)
- "2019 Employment Law Trends," Speaker, ADP, San Diego, CA (June 14, 2019)

- “Top Five Mistakes Employers Make,” Speaker, San Diego County Roofers Association, San Diego, CA (May 15, 2019)
- “Legal and Social Trends Impacting Ministries,” Speaker, National Convention for Religious Organization, San Diego, CA (November 13, 2018)
- “Legal and Administrative Best Practices,” Speaker, National Convention for Religious Organization, San Diego, CA (November 13, 2018)
- “Handling Employee Complaints When Every Complaint Is Protected,” Speaker, Annual Employment Law Seminar, San Diego, CA (November 2, 2018)
- “Legal and Administrative Best Practices,” Speaker, America's Christian Credit Union, Glendora, CA (October 16, 2018)
- "[DC Circ. Puts Union Blocking Charges On Chopping Block](#)," Co-Author, Law360 (April 18, 2018)
- "California Adopts the Sophisticated Intermediary Doctrine," Co-Author, Class Dismissed (August 1, 2016)

## Professional Recognition & Awards

- [2023 Men of Accomplishment](#), San Diego Metro (2023)
- The Best Lawyers in America®: Ones to Watch, Labor and Employment Litigation (2023-2024), Labor and Employment Management (2024)
- [2022 Men of Accomplishment](#), San Diego Metro (2022)
- Wiley W. Manuel Certificate for Pro Bono Legal Services, Recipient (2016)
- Navy Commendation Medal - Superior performance as a Marine Corps attorney (2014–2016)
- Eight Air Medals - Combat aviator during three overseas deployments (2004–2008)
- Honor Graduate – United States Naval Aviation Safety School (2005)
- FAA Commercial Pilot and Instrument Ratings – Fixed Wing and Helicopter (2003)
- Honor Graduate, United States Naval Advanced Flight Training (2003)
- President's Honor Roll, United States Marine Corps Basic Officer's Course (2002)

## Community Involvement

- Palomar Health Foundation, Board Member (2023 - Present)
- Colorado Cub Scout Pack 131, Cubmaster (Past)
- Congressional Advisory Committee for Nomination to United States Service Academies
  - United States Senator Mark Udall, Colorado (Past)
  - United States Congressman John Shadegg, Arizona (Past)
- Volunteer performance consultant to Phoenix Police Department Air Unit and Special Assignment Unit (Past)

## Previous Professional Experience

- Paul, Plevin, Sullivan & Connaughton LLP, Employment Litigation Associate (2017–2020)
- Morrison & Foerster LLP, Litigation Associate (2016–2017)
- United States District Court for the District of Colorado

- Pro Bono Judicial Law Clerk to the Hon. Marcia Krieger (2013–2014)
  - Judicial Extern to the Hon. Christine Arguello (2012)
- United States Court of Appeals for the Tenth Circuit
  - Judicial Extern to the Hon. Neil Gorsuch (2012)
- Colorado Second Judicial District
  - Judicial Extern to the Hon. Morris Hoffman (2012)
- United States Attorney's Office for the District of Colorado
  - Law Clerk (2013)

## **Bar Admissions**

- California
- Colorado

## **Court Admissions**

- Supreme Court of California
- Supreme Court of Colorado
- United States Court of Appeals, Ninth Circuit
- United States District Court, Central District of California
- United States District Court, District of Connecticut
- United States District Court, Southern District of California

## **Client News**

- Snell & Wilmer Advises Technology Food Data Company Galley Solutions as it Raised \$14.2 Million in Series A Funding