

Michael Kibbe

Shareholder

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Focus Areas

Litigation and Trials
Discrimination and Harassment
Whistleblowing, Compliance and Investigations
Healthcare
Emerging Companies and Venture Capital

Overview

Michael Kibbe is a seasoned legal professional concentrating in employment law, advising a diverse clientele on matters concerning federal and state regulatory compliance and best employment practices. His extensive legal journey showcases his commitment to delivering top-tier representation and achieving outstanding results for his clients.

Before joining Littler, Michael honed his legal practice at a boutique trial firm. There, he passionately represented both individuals and businesses in a wide spectrum of employment and business litigation cases. Michael's litigation prowess shined through as he navigated clients through every phase of the legal process, from case inception to courtroom triumph. His clientele included military service members, private individuals, small and medium-sized enterprises, as well as large national corporations. Michael's practice extended beyond the borders, defending clients not only nationwide but also on the international stage. His areas of focus encompassed employment law, wage and hour law, Uniformed Services Employment and Reemployment Rights Act (USERRA) claims, unfair competition, fraud, defamation, trade secret disputes, and comprehensive business litigation, among others.

Prior to his private practice, Michael served with honor as a judge advocate in the U.S. Marine Corps. During his tenure, he tirelessly defended over 90 service members facing federal prosecution, leading to an impressive record that includes nine trials by courts-martial. His cases involved a wide array of offenses, from sexual assaults, child abuse, drug distribution, and criminal assault to drug possession and use, as well as larceny. Remarkably, Michael continues to

serve as a judge advocate for the Marine Innovation Unit in the Marine Corps Reserves, exemplifying his unwavering dedication to public service.

Michael is highly sought after by clients to represent them in adversarial hearings of all types – whether it be arbitrations, labor charges, administrative hearings or jury trials. He is a legal advocate with a remarkable track record, unwavering dedication, and a passion for client services. His experience, both in and out of the courtroom, makes him a trusted ally for organizations seeking skillful legal representation and positive results.

Selected Matters

- Securing an acquittal for a service member facing a life sentence without parole.
- Successfully representing and acquitting three separate service members charged with possession and use of controlled substances.
- Defending a service member against multiple sexual assault charges involving three separate individuals, ultimately leading to an acquittal.
- Obtaining summary adjudication in an employment law case on behalf of a prominent institutional client.
- Skillfully quashing service of summons for multiple corporate officers of a national corporation, effectively dismissing each officer as a named defendant in the lawsuit.
- Dismissing all claims against a large institutional client through a demurrer.
- Securing a dismissal of all claims against a national corporation through terminating sanctions.
- Recovering over \$10,000 in sanctions on behalf of international clients against a national corporation and its attorney for their abuse of the discovery process.
- Crafting an appellate brief that resulted in a published opinion from the 9th Circuit Court of Appeals, which expanded the rights of public employees in California to bring claims against public entities under 42 U.S.C. 1981.
- Securing a full defense verdict on behalf of a Fortune 200 client in arbitration.
- Obtaining a favorable published opinion with the California Court of Appeal on arbitration agreements and their impact on California's Private Attorney General Act.
- Securing a complete defense verdict in an unlawful labor practice charge.
- Successfully secured favorable results for companies involved in union campaigns.

Professional and Community Affiliations

- Member, Scholarship Committee, Orange County-Oklahoma State University Alumni Association
- Member, Association for Corporate Growth in Orange County

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2021-2025
- Named, Lawyers for Warriors Veteran of the Year, *Veterans Legal Institute*, 2022

Education

J.D., St. Louis University School of Law, 2009

B.S., Oklahoma State University, 2005, *magna cum laude*

Bar Admissions

California

Missouri

Courts

U.S. Court of Appeals, 9th Circuit

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

U.S. Court of Military Appeals

Navy-Marine Corps Court of Criminal Appeals

Publications & Press

Littler Elevates 33 Attorneys to Shareholder

Littler Press Release

January 6, 2022

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

Speaking Engagements

Legal Update Series - Irvine

Irvine, CA

March 1, 2023

2021 California Virtual Regional Employer Conference

Sacramento, CA

October 28, 2021

PAGA: Practical Tips for Dealing with California's Insane Law

California HR 20 Conference

October 27-29, 2020

2019 Southern California Employer Conference

Hyatt Regency Long Beach 200 S. Pine Ave. Long Beach, CA 90802

October 23, 2019

2018 Southern California Regional Employer

Hyatt Regency Long Beach 200 S Pine Ave. Long Beach, CA 90802

October 26, 2018