NILAN JOHNSON LEWIS PA

Sheila T. Kerwin

Attorney

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Biography

Sheila's clients love working with her and can sense her enjoyment with the practice of law. She is a Shareholder, a determined advocate for her clients, and a trusted and creative problem-solver. She throws herself into the complexities of any commercial case by teaming with experts to ensure that she understands her client's industry, products involved and any related engineering and medical issues. She is able to distill complicated information and effectively translate it to a jury.

Sheila loves trying cases, so her opponents know she won't advise a client to settle a case just to avoid trial, unless that is the client's objective. And when it comes to settlement strategies, Sheila is very adept at never leaving any money on the table, putting her hard-nosed negotiation skills to work for the best deal.

During the summer, and when she is not watching her son play hockey in a freezing cold ice arena, you will find Sheila floating on Horseshoe Lake at her cabin near Turtle Lake, Wisconsin.

Education

William Mitchell College of Law, J.D., *magna cum laude*, 1991

College of St. Benedict, B.S., Social Work

Bar Admissions

Minnesota State Courts

U.S. District Court for the District of Minnesota

U.S. Court of Appeals, 8th Circuit

Pro Hac Vice Admission in most states

Key Practice Experience

- Commercial litigation for product manufacturers in multiple industries
- National product liability trial counsel for manufacturers including carbon monoxide exposure, fires, explosions, burns and wrongful death for heater, boiler and pool equipment industry
- Trucking and transportation industry defense including property damage, personal injury including catastrophic accidents and brain injuries
- Unmanned Aircraft Systems (UAS/Drones) regulatory compliance, risk analysis and avoidance, and litigation
- Catastrophic personal injury defense including complex brain and internal injuries and significant burns
- Industrial product defense on presses, aerial devices, benders, paper mill products, laminators, electrical equipment and gas valves
- Defense of farm equipment manufacturers involving combines, skid loaders, tractors, PTO's, forage harvesters, balers and other equipment
- Representation of employers in workplace safety issues including assistance with OSHA investigations and contesting citations

Key Industry Experience

- Swimming pool industry
- Heater and boiler industry

- Trucking and transportation industry
- Unmanned Aircraft Systems (UAS/Drones)
- Electrical utility and equipment industry
- Farm equipment industry

Representative Matters

- Peltz: Defense verdict obtained in product liability trial involving serious burn injury
- Foust: Jury trial on trucking case involving brain injury
- Rogers: Jury trial in wrongful death case defending manufacturer of electrical load center
- Tiffany Lounge: Jury trial in serious injury case defending premises owner
- Anderson: Jury trial resulting from significant property damage defending automobile manufacturer
- Abbey Home Health Care: Court trial regarding property damage defending medical equipment company
- Savickas: Jury trial on wrongful death case defending furnace manufacturer
- Dansky: Jury trial on significant property damage case defending pool heater manufacturer
- Thompson: Summary judgment granted for manufacturer of laminator in personal injury case
- Clewette: Summary judgment granted for manufacturer of furnace in wrongful death case
- Burkey: Summary judgment granted for manufacturer of puller machine in personal injury case
- Coogan: Summary judgment granted for manufacturer of aerial lift in wrongful death case
- Ehlers: Summary judgment granted for manufacturer of x-ray equipment
- Reckstad: Summary judgment granted for hospital in injury case
- Thach: Eighth Circuit affirmed order dismissing rice cooker manufacturer based on expiration of statute of limitations and improper Hague service in multiple wrongful death claim
- University of Vermont: Summary judgment for heater manufacturer based on successor liability doctrine in death and brain injury case
- Tarbill: Zero contribution in multi-million dollar settlement in wrongful death case representing manufacturer
- Peterson: Zero contribution in multi-million dollar settlement in paralysis case presenting manufacturer

Recognitions and Honors

- Selected in Minnesota *Rising Stars* from 1998 to 2004
- Selected by peers in Minnesota *Super Lawyers* from 2005 to present

Publications and Presentations

- “Clairvoyance in Claims Handling,” Arkansas Trucking Conference, August 2020
- “Disaster Proofing,” (risk management for commercial drone operations) *Drone360*, July/Augst 2017 (co-authored with Brian Johnson)
- TED-Style Talk on Drone Liability for Businesses, Drone Focus Conference 2017, Emerging Prairie, Fargo, ND, May 2017
- “Are Drone Operators Prepared for the Risks?“, *Directions Magazine*, November 2016
- “Compliance with New Small Drone Rules is Only One Aspect of Robust Risk Management Program for Commercial Drone Operators,” *Industry Today*, September 2016
- “A Wolf in Sheep’s Clothing – Undressing the Consumer Fraud Class Action to Reveal the Hidden Product Liability Claim,” FDCC publication, *Insights,* June 2016
- Risk Management For Commercial Drone Operations, The InterDrone International Drone Conference and Exposition, Las Vegas, Nevada, September 2016
- “Incoming! Despite Lack of ‘Ice Missile’ Laws in Some States, Trucking Companies Still Potentially Liable for Negligence,” TIDA (Trucking Industry Defense Association) 2015 Fall Newsletter, December 2015
- “Million Dollar Baby: Controlling Electronic Record Costs in Business and Litigation,” ATA, Forum for Motor Carrier General Counsel, July 2010
- “Mining Social Media for Complaints and Product Misuse,” 2011 ALFA Product Liability Practice Group Seminar, September 2011
- Minnesota Section for Compendium of Trucking and Transportation Law, ALFA Publication, March 2008
- “Compliance with New Standard for Safety Information can Assist Product Manufacturers in Defending Failure to Warn Claims,” DRI, The Voice, July 2007
- “What can Law Firms do to Increase Diversity,” Hennepin County Bar Association Diversity CLE,

February 1, 2007
- “Meeting Standards in One Country can Prompt Suits in Another,” The Product Safety Engineering Newsletter, Vol. 2, No. 2, June 2006, Republished in Cleaner Times, Nov. 2007
- Extensively Quoted in: “Effective PR, Rapid Assessment Essential for Defending Product Liability Cases,” Midwest In-House, Lawyers Weekly, March 17, 2005
- Extensively Quoted in: “Domestic-Partner Benefits Gaining Ground at Law Firms,” Minnesota Lawyer, Vol. 9, No. 7, February 14, 2005
- “FIRE! Litigating Property and Casualty Claims Caused by Fire: Electrical Fires,” Minnesota Institute of Legal Education, October 2, 1996
- “State by State Survey of the Economic Loss Doctrine in Construction Litigation,” Minnesota Section, American Bar Association, July 1996
- “Court of Appeals Clarifies Board Policies on Allowable Expenses and Fund Transfers,” Allied Charities of Minnesota, October 1995
- “Defending Forum Shopping by Foreign Plaintiffs” – BNA’s Product Safety and Liability Reporter, Bureau of National Affairs, Inc., January 20, 1995 – Toxic Law Reporter, Bureau of National Affairs, Inc., September 20, 1995
- “Document Retention and Legal Issues Arising Upon the Sale of a Business,” Product Liability International, August 1994
- “A Foreign Manufacturer’s Guide to American Products Liability Law, Trends and Prevention,” Products Liability Law Journal, August 1993, Volume 4, Issue 4

Professional Associations

- Federation of Defense and Corporate Counsel, Product Liability and Transportation Section Vice Chair
- ALFA, Products Steering Committee Member
- ALFA, Trucking and Transportation Steering Committee Member
- Minnesota Women Lawyers
- Trucking Industry Defense Association (TIDA)
- Women in Trucking