



Practice Areas

Trials
Litigation
Reputation/Brand Protection
Libel and Defamation
Product Disparagement
First Amendment
Consumer Product Safety
Regulatory Compliance
Risk Management
CPSC, FTC, FDA, NHTSA
Workplace Discrimination
Sexual Harassment and Abuse
FLSA Wage and Hour Claims

Admissions

1987 California
1989 District of Columbia
2013 U.S. Supreme Court
1987 U.S. Ct. App. - 9th Cir.
1995 U.S. Ct. App. - Fed. Cir.
1999 U.S. Ct. App. - 4th Cir.
2013 U.S. Ct. App. - 5th Cir.
2015 U.S. Ct. App.- 7th Cir.
2019 U.S. Ct. App. - 2nd Cir.
1992 U.S.D.C. - D.D.C.
1992 U.S.D.C. - D. Conn.
2013 U.S.D.C. - D. Md.
2012 U.S.D.C. - N.D. Ill.
2015 U.S.D.C.-W.D. Wisc.

KERRIE L. CAMPBELL

Kerrie L. Campbell is a seasoned trial lawyer with a national litigation practice. Recognized by her peers as a “Best Lawyer in America” for First Amendment litigation, Ms. Campbell is a fearless advocate for truth, accuracy and fairness – from the government, media, competitors and offenders of our constitutional rights.

Over the course of her career, Ms. Campbell has developed unique expertise in reputation protection, defamation and First Amendment law. Based in Washington, DC, Ms. Campbell also has over 30 years of experience helping companies navigate complex consumer product safety-related issues, risk management, regulatory compliance and related litigation involving laws administered by the U.S. Consumer Product Safety Commission (CPSC), Federal Trade Commission (FTC), Food and Drug Administration (FDA) and National Highway Traffic Safety Administration (NHTSA).

As a Washington, DC career professional, Ms. Campbell has a depth of knowledge and experience with federal regulatory agency practice and procedures that sets her apart from others outside the national capital.

Consumer Product Safety, Risk Management, Regulatory Compliance and Related Litigation

With three decades of experience, Ms. Campbell knows her way around federal regulatory agencies and procedures, including matters involving the CPSC, FTC, FDA and NHSTA. She helps global businesses solve problems and manage risks associated with the development, manufacturing, distribution, marketing and sale of consumer products and services, including evaluating warnings and instructions, ensuring compliance with CPSC, FTC, FDA and NHSTA regulatory requirements and related safety standards, analyzing reported incidents and consumer concerns to evaluate applicable reporting obligations in the U.S. and abroad, and developing strategies to minimize product liability and class action exposure.

The author of a comprehensive BNA Analysis & Perspective article, “*How Companies Can Navigate the Sweeping New Compliance and Enforcement Rules in the Consumer Product Safety Improvement Act of 2008*,” Ms. Campbell has counseled a wide variety of companies on compliance with CPSIA requirements since the law was enacted. She advises clients on compliance with mandatory standards and reporting requirements, preparing and filing Section 15(b) reports, negotiating and implementing product recalls and corrective action plans. Through many administrations, Ms. Campbell has represented global manufacturers, importers, retailers and distributors in investigation, enforcement and penalty proceedings before the CPSC, penalty matters referred by the CPSC to the U.S. Department of Justice, and administrative litigation brought by the Federal Trade Commission.

Ms. Campbell is a tireless advocate for due process, transparency, and even-handed governance of the regulated community. On behalf of her clients, Ms. Campbell insists on adherence to procedural safeguards mandated by Congress under Section 6(b) of the Consumer Product Safety Act, enacted to prevent the public disclosure of inaccurate, unfair and harmful information about a company and its product. Ms. Campbell helps companies protect their rights, respond to Freedom of Information Act (FOIA) Requests and take all necessary steps to prevent the improper disclosure of proprietary and confidential company information, or any inaccurate or misleading information that would unfairly disparage a company or its products.

Reputation Protection, Defamation and Libel Law

One of the leading reputation protection trial lawyers in the country, Ms. Campbell handles high-profile libel, defamation, product disparagement, commercial speech, Lanham Act and First Amendment cases, in both trial and appellate courts. Ms. Campbell advises businesses, public figures, political candidates, products, brands and individuals on pre- and post-publication issues and strategies to effectively refute and rectify inaccurate and misleading publications in print, broadcast and online media that unfairly harm clients' reputations.

Some of Ms. Campbell's best results are the stories that were never published.

Ms. Campbell has represented public figures, including G. Gordon Liddy, Deepak Chopra, and Mark Felt, Sr. ("Deep Throat") in high-profile cases and obtained the largest defamation jury verdict affirmed by the Virginia Supreme Court against a local news station based on a false and defamatory "I Team" investigative report.

Equality, Civil Rights and First Amendment Law

As a civil rights advocate, Ms. Campbell represented Lt. Colonel Martha McSally —the first woman to command a U.S. Air Force fighter squadron, subsequently serving in the House of Representatives (R-Tucson)— in her successful challenge of Department of Defense regulations requiring American servicewomen stationed in Saudi Arabia to wear the Islamic abaya and ride in the backseat of vehicles.

Ms. Campbell has publicly challenged systematic and entrenched gender discrimination in pay, power and promotions in the legal profession, by serving as lead plaintiff in a groundbreaking discrimination lawsuit alleging class-wide claims against a global Big Law firm. Ms. Campbell's commitment to the pursuit of equality in the workplace has been the subject of numerous national and international press reports in prominent publications including *The New York Times*, *The Wall Street Journal*, *Bloomberg Businessweek*, *The National Law Journal*, *The American Lawyer* and *Law360*.

Advocating against the government's restriction of protected speech under the First Amendment, Ms. Campbell served as lead counsel on the brief of the Cato Institute as *amicus curiae* in an appeal challenging a New Orleans law requiring tour guides to be tested and certified as an unconstitutional content-based restriction on speech.

REPRESENTATIVE MATTERS

- Represent and counsel global manufacturers of a variety of products and iconic brands regarding risk management, compliance with safety and regulatory requirements, agency investigations, enforcement and penalty proceedings and related litigation.
- Represent and counsel public figures, companies, brands and private individuals regarding reputation/brand protection, crisis management, media coverage and related litigation.
- Represent and counsel individuals subjected to unlawful discrimination, sexual harassment, assault and abuse in the workplace, including EEOC and state agency proceedings and related litigation.
- Represented Lt. Col. Martha McSally in her successful challenge of Department of Defense regulations requiring American servicewomen stationed in Saudi Arabia to wear the abaya and ride in the backseat of vehicles.
- Represented World Kitchen (the maker of Pyrex® brand glass cookware) to ensure fair and accurate reporting on Pyrex's excellent safety and performance record.
- Represented Dr. Stephen Levin in a defamation action arising from defamatory and sensational promotional advertisements and news broadcasts. The jury's verdict and unprecedented defamation award to Dr. Levin was affirmed by the Virginia Supreme Court.
- Represented G. Gordon Liddy in a libel action brought by John and Maureen Dean, alleging defamatory statements concerning the Deans' roles in the Watergate controversy. After a decade of litigation and despite Liddy's desire to proceed to trial, the Deans dismissed their claims against Liddy.

- Represented G. Gordon Liddy in a libel action brought by Ida Maxwell ("Maxie") Wells alleging defamatory statements concerning Wells' role in the Watergate controversy. The jury found in favor of Liddy.
- Represented Mark Felt, Sr. ("Deep Throat") in a breach of contract action alleging that Felt Sr. fraudulently obtained the rights to his story from his biographer before he was publicly identified as "Deep Throat." Court granted Felt, Sr.'s motion to dismiss.
- Represented Deepak Chopra in a defamation action arising from a highly disparaging and demeaning article published in the *Weekly Standard*. Chopra effectively demonstrated the falsity of the article in the discovery phase, causing the *Weekly Standard* to publish a masthead retraction and apology.
- Represented the DeCotiis, FitzPatrick & Cole law firm in a defamation action arising from a false and defamatory political campaign flyer. Within days of filing the complaint, the defendant political organization agreed to mass mail an equivalent flyer with a prominent retraction and apology to the DeCotiis firm.
- Represented Steven M. Fulop during his Jersey City mayoral campaign to successfully refute and prevent from publication a false and sensational news story ginned up to de-rail his campaign. The news outlet never ran the story and ultimately endorsed Fulop for mayor. Fulop went on to win the election, defeating the heavily favored incumbent.
- Represented Mobil Oil Corporation in a patent infringement and trade secret action involving satellite altimetry technology. Summary judgment for Mobil was affirmed on appeal.
- Represented plaintiff in an antitrust and contract action against the PGA. The jury returned a verdict in favor of plaintiff and awarded US\$2.6 million, trebled, plus US\$4.8 million in punitive damages.
- Represented an outdoor power equipment manufacturer in a CPSC civil penalty case referred to the U.S. Department of Justice in which the CPSC was seeking the maximum civil penalty. After presenting facts and evidence demonstrating that a civil penalty was unwarranted, the Department of Justice declined to prosecute and the case was closed.
- Represented a multi-billion-dollar interactive multichannel retailer in a CPSC penalty action referred to the U.S. Department of Justice alleging multiple violations and seeking maximum civil penalties. The case promptly settled for a fraction of the amount sought by CPSC and no complaint was filed.
- Represented R.J. Reynolds in administrative litigation initiated by the FTC alleging that the Joe Camel advertising campaign violated Section 5 of the FTC Act. After two weeks of trial cross-examining the government's experts and demonstrating no correlation between advertising and youth smoking uptake, the FTC dismissed its complaint against Reynolds.

HONORS

- Ms. Campbell was inducted into the Impact Fund Class 2019 Action Hall of Fame. The Impact Fund honors lead plaintiffs whose commitment and determination has led to significant advances in economic, environmental, racial and social justice. Ms Campbell championed equal pay for female attorneys employed by an internal law firm.
- Ms. Campbell is a *Senior Fellow* of the Litigation Counsel of America, a highly selective and invitation only trial lawyer honor society whose membership is limited to less than one-half of one percent of American lawyers. Fellows are selected based on excellence and accomplishment in litigation, both at the trial and appellate levels, and superior ethical reputation.
- Ms. Campbell has been recognized by the Samuel Lawrence Foundation for her "unbridled courage to brave a course for gender equality with equal pay and privilege."
- Ms. Campbell is recognized by her peers as one of The Best Lawyers in America® in First Amendment litigation.
- Ms. Campbell has earned the highest AV Preeminent® rating for lawyers by Martindale-Hubbell and a 5.0/5.0 preeminent rating by clients.
- KCampbell-Law, PLLC is recognized by US News & World Report, Best Lawyers in America® as a best law firm in America.
- Ms. Campbell has been granted two U.S. patents as inventor of an electrical safety adapter.

ACTIVITIES AND AFFILIATIONS

- Member, ABA, Litigation Section
- Member, International Consumer Product Health & Safety Organization
- Member, National Association of Women Lawyers
- Member, The National Association of Professional Women
- Member, The Newseum, Friends of the First Amendment Society

REPRESENTATIVE SPEECHES, EVENTS AND ARTICLES

- Key Note Speaker, *Alliance of Women Trial Lawyers*, Inaugural Conference, New Orleans, LA, October 28, 2018
- "Sex Discrimination in BigLaw," Panelist, Harvard Law School, Cambridge, MA, March 27, 2018
- "*Litigating the Glass Ceiling: Gender Discrimination Actions Against Big Law*," Panelist, Stanford Law School, Stanford Center on the Legal Profession, Palo Alto, CA, October 13, 2016
- "*Gender Discrimination in the Workplace*," Panelist, Lawyer to Lawyer Radio Program, Hosted by J. Craig Williams and Bob Ambrogi, October 14, 2016
- Testimony of Kerrie L. Campbell before the U.S. Consumer Product Safety Commission, "*The Need for Transparency in the Commission's Determination of Civil Penalties*," Public Hearing on the Commission's Agenda and Priorities for FY 2017 and 2018, June 15, 2016
- U.S. Consumer Product Safety Commission Filing, "*Comments on CPSC's Proposed Rule on Information Disclosure Under Section 6(b) of the CPSCA*," The Coalition for Sound Safety Solutions, by Kerrie L. Campbell and Aaron Bartell, April 28, 2014
- "*4th Circuit CPSC Ruling Won't Stop Fight for Accurate Reports*," Law360, Expert Analysis, by Kerrie L. Campbell, April 21, 2014
- "*In the Glare of the Media Spotlight: Essential Steps to Protect Your Reputation and Insist on Fairness and Accuracy in Reporting*," Presenter, National Association of Women Lawyers 8th Annual General Counsel Institute, New York, NY, November 8, 2012
- "*Communicating with the Media: Basic Steps for Insisting on Fairness and Accuracy in Reporting*," Presenter, Manatt Women's Initiative Summit, Santa Monica, CA, May 18, 2012
- "*Overview of American Regulatory Policies and How They Parallel With the CCPSA*," Panelist, Canada Consumer Product Safety Act (CCPSA) Seminar, Toronto, Canada, April 28, 2011
- "*CPSIA Public Database: Materially Inaccurate Information*," Panelist, US Consumer Product Safety Commission Public Workshop, Bethesda, MD, January 12, 2010
- "*Fairness and Accuracy in Consumer Reporting: How Do We Get There?*," Presenter, International Consumer Product Health and Safety Organization, 2009 Annual Meeting and Training Symposium, Orlando, FL, February 25, 2009
- "*Consumer Product Safety*," Presenter, PMA Promotion Marketing Law Conference, Chicago, IL, November 21, 2008
- "*New Enforcement Tools/Prohibited Acts*," The New Consumer Product Safety Improvement Act of 2008: The New World of Regulation and Enforcement—2008, Panelist, BNA Legal Edge Conference, Washington, DC, October 30, 2008
- "*Access to Information*," The New Consumer Product Safety Improvement Act of 2008: The New World of Regulation and Enforcement—2008, Panelist, BNA Legal Edge Conference, Washington, DC, October 30, 2008
- "*The Consumer Product Safety Improvement Act of 2008 and You*," Presenter, Electronic Retailing Association Webinar, October 2, 2008
- "*How Companies Can Navigate the Sweeping New Compliance and Enforcement Rules in the Consumer Product Safety Improvement Act of 2008*," Analysis & Perspective Article, by Kerrie L. Campbell, Product Safety & Liability Reporter, Vol. 36, No. 37, September 22, 2008, pp. 908-917 (The Bureau of National Affairs, Inc.)

EDUCATION

George Mason University, B.A., with distinction, 1984

American University, Washington College of Law, J.D., *cum laude*, 1987

PROFESSIONAL BACKGROUND

Founder and CEO, KCAMPBELL-LAW, PLLC, Washington, DC

Litigation Partner, Chadbourne & Parke, PLLC, Washington, DC

Litigation Partner and Chair of Consumer Product Safety Group, Manatt, Phelps & Phillips, LLP, Washington, DC

Litigation Partner and Chair of Consumer Product Safety Group, Collier, Shannon, Scott, LLP, Washington, DC

Litigation Associate, Sedgwick, Detert, Moran & Arnold, San Francisco, CA