



Jacqueline V. McCalla

Associate

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Jacqueline McCalla is an associate in Newmeyer Dillion's Walnut Creek office. Growing up in the Bay Area, Jacqueline takes pride in assisting local businesses and entrepreneurs as well as Fortune 500 companies with all aspects of litigation, from inception through trial. She also enjoys being able to apply her collaborative spirit to the practice of law in order to attack complex problems with innovative solutions in an efficient manner, without sacrificing quality for her clients.

A trained litigator, Jacqueline's practice ranges across business, construction defect, employment and insurance disputes. Whether it's gathering discovery insight, with almost 120 depositions completed to date, or arguing motions in court, she helps ND's legal team uncover, identify and find potential solutions for the firm's clients. She also brings a wealth of knowledge in the insurance sector, advocating for both carriers and insureds. Now at the firm, she helps companies better understand their policies to stay protected.

Commercial and Business Litigation

Jacqueline's practice also consists of assisting and/or defending a wide variety of commercial entities, including property managers, retail establishments, commercial trucking companies, and landlords in personal injury, civil rights, and premises liability matters, as well as various contract disputes.

Construction

Jacqueline's practice includes providing a vigorous defense to developers, builders, and contractors in complex, multi-party disputes, involving a variety of residential, commercial, and mixed use properties. She focuses on all aspects of construction litigation including delay claims, defect litigation claims, ADA claims, construction site injury, and construction contract disputes. Jacqueline's experience ranges from early resolution efforts, through pre-trial discovery, motion practice, and trial preparation.

Property Management and Landlord-Tenant Litigation

Jacqueline also has significant experience resolving habitability and landlord-tenant claims in San Francisco, Alameda, and other jurisdictions with tough rent ordinances. Additionally Jacqueline has defended premises owners and property managers in personal injury and habitability litigation resulting from exposure to airborne mold spores.

Services

- Business Litigation
- Business Transactions
- Construction Litigation
- Coverage & Bad Faith Litigation
- Labor & Employment
- Real Estate Litigation
- Real Estate Transactions

Awards & Recognition

- CALI Award of Excellence for the Future, Remedies and Comparative Law

Admissions

- California, 2015
- U.S. District Court, Eastern District of California, 2019
- U.S. District Court, Northern District of California, 2017
- U.S. District Court, Central District of California, 2020

Education

- University of San Francisco School of Law (*J.D., magna cum laude, 2015*)
 - Law Review Articles Editor, USF Law Review, Volume 49
 - Business Law Certificate with Honors
- University of California, Berkeley (*B.A., 2011*)
 - Legal Studies

Successes

Successfully Negotiated Overstated HOA Defect Claims With No Developer Contribution

After the homeowners' association made claims for allegedly widespread construction defects, Jacqueline conducted a detailed investigation, involved key trades, and negotiated with insurers. Through her ability to juggle multiple aspects of the negotiations simultaneously, Jacqueline negotiated a substantially reduced settlement with the HOA for *millions* less than claimed, funded primarily by the trade contractors coverage and entirely by insurance coverage.

Assisted With OSHA Compliance and Injury Prevention Protocols

On a high end construction project in the Marina District of San Francisco, Jacqueline's client faced numerous risks and needed to navigate OSHA compliance and reporting. Teaming up with the client, consultants, and OSHA Compliance Assistance Specialists, Jacqueline helped the client steer through administrative hurdles and liability issues to assist in the successful construction project.

Successful resolution of misrepresentation claim in connection with real estate listing.

Jacqueline's client faced unusual claims by a would-be buyer, who contended that she had sustained a major economic loss because of an alleged misrepresentation of the square footage of home in a real estate listing. Jacqueline dug deep on the facts and causation analysis and maneuvered the case to a favorable resolution of the claim, with no non-insurance funds paid by the client.

Successfully Negotiated settlement of catastrophic injury case on construction project

In this matter, the claimant was a young construction worker who suffered serious electrocution related injuries. Working on behalf of a developer client, through nuanced understanding of venue, jury pool, and defense arguments to liability, Jacqueline managed to persuade Plaintiff to take a massively reduced settlement funded by insurance.

Successful Motion for Summary Judgment for a public entity in a wrongful death action

In the wrongful death case posing a very sympathetic pattern of facts and a highly reputable Plaintiffs' counsel, Jacqueline prepared and successfully argued a Motion for Summary Judgment in response to an unfavorable tentative ruling from the Court. The Motion went to the issue of causation and Plaintiffs' inability to prove same against a public entity with careful and strategic use of expert testimony and reliance on case precedents for dangerous conditions on publicly maintained sidewalks.

Victory for therapist client in contentious defamation action.

In a business case in which a former client asserted defamation, Jacqueline achieved a positive defense result of a dismissal from all claims brought by a pro-per plaintiff for defamation and other intentional tort claims following highly contested motion practice. Jacqueline also recovered costs for her client in light of the baseless claims and motion practice required to obtain a dismissal.