

J. Scott Donald, Shareholder

COMPLEX LITIGATION AND INVESTIGATIONS

Scott Donald has been an attorney with Spinelli, Donald & Nott for over 27 years and a partner since 1999. He has successfully tried numerous matters before juries, judges, arbitrators and administrative bodies in venues throughout the entire state and he is AV Rated by Martindale-Hubbell, its highest rating.

COMPLEX LITIGATION

Scott's practice emphasizes complex civil litigation with an emphasis on commercial liability and the defense of public entities, particularly with respect to education. His practice includes extensive residential and commercial construction defect litigation, contract disputes and coverage actions involving virtually all subcontractor trades as well as general contractors, developers, architects and engineers. Scott also handles litigation matters for the California Interscholastic Federation, the state's governing body for high school athletics, in numerous administrative and court proceedings. In addition, he represents school districts throughout Northern California in a wide array of cases. Scott provides thoughtful client representation through all phases of a lawsuit, including pre-litigation consultation, all aspects of litigation and resolution, whether through settlement, dispositive motion or trial.

INVESTIGATIONS

Scott's legal experience includes extensive work in the field of education with a particular emphasis on high school and junior college athletics. He also conducts employment investigations for large and small employers. Scott has represented the California Interscholastic Federation and its Sections in numerous disputes and has conducted, coordinated and supervised investigations into high school and junior college programs. Scott conducts well-planned, efficient and thorough investigations with thoughtful analysis on a wide range of matters including employment, education, and compliance.

Areas of Practice

- Construction Disputes & Defect Litigation
- Real Estate
- Administrative Law
- Business Litigation
- Government Entity Representation

- Conducts prompt, thorough and impartial Workplace, Title IX & Athletic Program Investigations

[+button] Representative Investigations

- Industrial corporation allegations of workplace sexual harassment and workers' compensation fraud.
- Large school district and board member accused of harassment and retaliation.
- Employee of a nonprofit organization alleged sexual harassment in the workplace and failure of the employer to take adequate and appropriate measures to address the alleged conduct.
- Employee alleged that his coworkers and supervisors bullied and harassed him based on his sexual orientation.
- Conducted extensive investigation of Northern California high school program's violations of applicable State Bylaws pertaining to the recruitment of athletes from American Samoa.
- Southern California high school athletic program accused of utilizing ineligible players.
- Northern California high school athletic program accused of utilizing ineligible player.
- Junior College athletic program accused of violating applicable Bylaws.

[+button] Representative Matters

Scott's most recent jury trial was on behalf of an HVAC and sheet metal contractor over alleged defects at a hotel in Vacaville. Although plaintiff obtained a seven-figure judgment, Scott obtained a defense verdict on behalf of his client and was awarded over \$100,000.00 in attorneys' fees and costs.

- *In re American Samoa High School Athletes* – formulated investigation plan which uncovered high school sports recruiting scandal involving student athletes from American Samoa. The investigation was followed by successful prosecution of claim in favor of governing body against those involved with scandal.
- *SFC v. Greystone* – jury verdict in favor of client/project architect in construction defect jury trial involving 160 apartment units. Obtained special defense verdict for client following six week trial and recovered costs for client in post-trial proceedings.
- *Vela v. Prime Equipment Sales* – defense jury verdict in favor of contractor for construction site injury where plaintiff sustained verifiable closed head injury and multiple fractures after falling from scissor lift.
- *Cirby Hills HOA v. Cirby Hills Development* – represented developer in large HOA defect litigation ultimately obtaining sufficient contribution from subcontractors and

carriers as well as a compromise from Plaintiff HOA to resolve case under terms favorable to developer clients.

- *In re California Energy Litigation* – represented energy supplier in industry-wide claim by State of California involving claims of energy market supply and price manipulation.
- *Pro-Exteriors, Inc. v. Tran* – represented Plaintiff framing subcontractor in bench trial seeking payment of \$130,000 owed under commercial subcontract. General contractor alleged that framing work was defective and the project was delayed by client. After defeating the general contractor’s claims, the Court awarded the full amount owed to client plus attorneys fees and costs.

Education and Training

- In 2016, Scott attended a three-day T9 Mastered Training regarding Title IX investigations on college campuses, completing over 19 hours of training, including trauma-informed training.
- Scott obtained his Juris Doctor from California Western School of Law in 1991. He obtained his Bachelor of Arts from the University of California at Davis in 1987.

Admissions

- California State Bar
- United States District Court, Eastern District of California
- United States District Court, Southern District and Central District
- California Supreme Court

Recognitions

- Martindale-Hubbell “AV” rated
- American Board of Trial Advocates, member

Affiliations and Engagements

- Association of Workplace Investigators, member
- Association of Defense Counsel of Northern California, board member.
- Board of Directors of the Association of Defense Counsel of Northern California and Nevada
- El Dorado County Superior Court, Judge pro tem
- Sacramento County Bar Association, member