



Justina L. Tate

Partner

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Justina Tate has extensive experience representing businesses and individuals through all phases of civil litigation. Her practice primarily focuses on defending against claims of personal injury, professional liability, business torts and sexual torts.

Before joining Wilson Elser, Tina led a team of insurance defense attorneys at a top-tier civil litigation firm, where she defended her clients against diverse high-exposure claims. Tina's litigation background also includes pursuing subrogation recoveries on behalf of insurance carriers, and she capitalizes on that plaintiffs' advocacy experience to judiciously evaluate the unique strengths and weaknesses of each case. Tina crafts targeted litigation plans to strategically and efficiently obtain the evidence necessary to enhance resolution opportunities. Recognizing the importance of ongoing communication to the forward progress of each case, Tina places a high value on building a solid rapport with her clients and with opposing counsel.

While in law school, Tina traveled to Hong Kong to participate in the Willem C. Vis East International Commercial Arbitration Moot competition as a member of USD's Vis Moot International Arbitration Team.

Complex Tort & General Casualty

Tina has defended individuals and businesses named in claims involving assault and battery, slip and falls, dog bites and other casualty litigation. She is skilled at differentiating matters with early resolution potential from those that require thorough discovery and motion practice. As a result, Tina is able to provide her clients with meaningful evaluations so they may make cost-effective and informed litigation decisions.

Premises Liability

Tina has defended owners of homes, nightclubs, beauty salons, school districts and other businesses in lawsuits arising from injuries alleged to have been caused by a dangerous

Services

- Complex Tort & General Casualty
- Product Liability, Prevention & Government Compliance
- Professional Liability & Services
- Lawyers' Liability
- Transportation

condition on a property. She has frequently leveraged dispositive motions to secure early and favorable resolutions.

Transportation

Tina has handled car and motorcycle cases where injuries ranged from soft-tissue damages to traumatic brain injuries and other catastrophic injuries.

Professional Liability

Tina has defended attorneys and law firms against claims of professional negligence.

Education

- University of San Diego School of Law (J.D., 2008)
 - CALI Excellence for the Future Award
- Vassar College (B.A. in Sociology, B.A. in Religion, 2000)

Bar Admissions

- Oregon
- California

Court Admissions

- Supreme Court of California
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California

Representative Matters

Obtained a dismissal in a multivehicle collision lawsuit consequent to arguments of co-defendant's sole liability.

Obtained a dismissal in a business torts matter within 60 days of case assignment based on anti-SLAPP arguments.

Resolved a gangrene/amputation lawsuit for a nominal amount based on causation arguments.

Resolved a slip-and-fall matter for a nominal amount days after filing an MSJ premised on absence of notice.

Resolved a multiparty vehicle collision lawsuit for a nominal amount consequent to filing an MSJ based on absence of causation.

Successfully opposed an MSJ concerning catastrophic damage to real property, lending toward substantial recovery for client.

Client Wins

Golub and Tate Obtain Pivotal Motion for Summary Judgment Victory for Major Client

San Diego, California, partners Beth Golub and Justina Tate prevailed on a motion for summary judgment on behalf of a major client of the firm based on evidence of no causation for the alleged wrongful death of a 19-year-old female college student. While the death was undeniably tragic, Beth and Justina established as a matter of law that the plaintiff could not prevail on any of her seven causes of action and the firm defendants were not the legal or proximate cause of the death. The decedent who was intoxicated was struck by two vehicles while walking across freeway lanes in San Diego at approximately 1:30 a.m. The death took place 30 minutes after and more than 4.5 miles from the location where the decedent had any interaction with the firm's client. The court therefore found there was no proximate cause for her death, and the client was dismissed from the case two months before trial and facing a seven-figure demand. This case was hard-fought and contentious from the beginning and involved a motion to change venue from San Francisco to San Diego, which required a writ to the Court of Appeal. There were prior motions that successfully eliminated two misrepresentation causes of action and punitive damages. The press reported heavily on this matter throughout.