

Kimbley A. Kearney

Kimbley A. Kearney is a senior partner with Clausen Miller P.C. who concentrates her practice in the areas of admiralty and maritime law, appellate law and insurance coverage litigation. She received her Bachelor of Arts degree from St. Mary's College in 1980 and, in 1984, received a Master of Business Administration degree and a Juris Doctor degree, cum laude, from Tulane University.

Ms. Kearney is a Proctor in Admiralty and the head of the firm's Admiralty and Maritime Practice Group. She is admitted to practice before the state courts of Louisiana and Illinois, as well as to the United States District Court for the Northern District of Illinois, the Northern District of Indiana, all District Courts of Louisiana, the Courts of Appeals for the Fifth, Sixth, Seventh and Eleventh Circuits and the Supreme Court of the United States.

Ms. Kearney has litigated cases involving ocean marine casualty and property loss, class actions, mass toxic tort, employment discrimination, insurance and reinsurance coverage disputes and commercial disputes in numerous jurisdictions in the United States. A significant part of her practice is now devoted to monitoring the trial of high profile cases, including trial motion practice post-trial and appellate litigation nationwide. On the appellate level, Ms. Kearney's victories include *Domar v. M/V Andrew Martin*, in which she persuaded the federal Fifth Circuit Court of Appeals to recognize one of the only exceptions to the Robins Dry Dock rule, *Hatch v. Durocher*, a case of first impression in the Sixth Circuit Court of Appeals resulting in the denial of seaman status to a marine construction worker and *Howard v. So. Ill. Riverboat Casino*, a case of first impression in which she persuaded the Seventh Circuit Court of Appeals that indefinitely moored vessels are not "vessels in navigation" within the meaning of the Jones Act.

Ms. Kearney is a member of the Maritime Law Association of the United States and Chair of its Uniformity of U.S. Maritime Law Committee. Ms. Kearney is also actively involved in the Marine Insurance and Recreational Boating Committees of the MLA. She is also a member of the Federal Trial Bar, the Propeller Club of the United States, the Average Adjusters Association and the Chicago Ocean Marine Association.