

Kristen M.J. Johnson

Of Counsel

Certified Mediator

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PRACTICE EXPERIENCE

Kristen MJ Johnson is Of Counsel at Taylor Nelson PL. In 2020, Kristen was the only private practice attorney selected as a Top Woman to Watch in Transportation by the Women in Trucking Association. She is licensed to practice in Florida, California, and DC, and the nature of her transportation practice spans the United States and often internationally. Kristen focuses on business litigation, arbitration, appeals, and government investigations within the trucking and logistics arenas. She regularly handles freight claims under the Carmack Amendment, complex civil disputes, product and warranty claims, and contract disputes.

Kristen's practice originated at a major Washington, DC law firm, where she represented large corporate interests, sovereign governments, and high-stakes individual matters. Kristen spent part of her career in Doha, Qatar, where she advised on domestic and international disputes, construction claims, risk prevention, data protection, and corporate investigations. Her appellate work includes submissions before the U.S. Supreme Court, the U.S. Court of Appeals for the First, Fourth, and Eleventh Circuits, and state courts of appeals.

Kristen directly advises clients on risk management, case and witness preparation, investigations response and compliance programs, and critical strategy. She manages legal teams, streamlines budgets, and oversees deadlines. She is experienced as lead attorney at trials, hearings, depositions, and settlement negotiations.

Before entering the law, Kristen was a recipient of a U.S. Fulbright Fellowship to Japan, where she researched labor and civil rights issues. As a thought leader, Kristen is active in the industry and community. She is a member of Women in Trucking, the Transportation Lawyers Association, and the Conference of Freight Counsel. Her other passion is humanitarian aid and children's rights. She is on the Board of Directors for Friends of the Children, Tampa Bay, and she is the co-founder of Pretrial Rights International. Kristen lives in Safety Harbor, Florida, with her husband, three sons, and adorable puppy dog.

BAR ADMISSIONS

- Florida
- California
- District of Columbia

COURT ADMISSIONS

- U.S. District Court, Middle, Northern, and Southern Districts of Florida
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Central District of California

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Eleventh Circuit

EDUCATION

- American University, Washington College of Law (J.D., 2007)
 - Top 5% of graduating class, magna cum laude, Order of the Coif
 - Administrative Law Review (ABA Administrative Law & Regulatory Practice Section, 2005-2007)
- American University, School of International Service (M.A., International Relations, 2007), magna cum laude
- Fulbright Fellowship, Doshisha University, Kyoto, Japan (2002-2003)
- Michigan State University, Honors College (B.A., 2002), magna cum laude, Phi Beta Kappa

AFFILIATIONS

- Transportation Lawyers Association, Executive Committee Member and Co-Chair of the Young Lawyers Committee
- Women in Trucking, Member of the Advisory Council (2020-2022)
- American Trucking Associations
- Conference of Freight Counsel
- California Trucking Association
- National Home Delivery Association
- International Chamber of Commerce Young Arbitrators Forum; Regional Director, MENA (2014-2016)

PUBLICATIONS AND PRESENTATIONS

- Frequent speaker and author at industry events, including at Accelerate! Women in Trucking annual convention, the Transportation Lawyers Association, the American Trucking Associations, and insurance associations
- Co-author, Commercial Carrier Journal, Lessons From Tipped Beef: Florida Court Provides Major Guidance on Cargo Claim Issues (September 2021)
- Speaker, American Trucking Associations, “Who Wins? A Debate on Developments and Challenges in Trucking Contracts” (July 2021)
- Speaker, MadGaines Live, Sketchy Lease ‘Programs’ (July 2021)
- Speaker, Transportation Lawyers Association, “Freight Claims Committee Panel” (June 2021)
- Co-author, TLA Feature Articles and Case Notes, Sealing the Deal: Ensuring a Shipper Has Agreed to Liability (October 2020)
- Co-author, California Court Decision on Uber/Lyft Drivers as Employees: Impact and Forecast on Trucking (September 2, 2020)
- Co-author, TLA Feature Articles and Case Notes, Florida Courts in the National Spotlight: Motor Carriers May Rely on Third-Party Repair Facilities (April 2020)
- Author, OpenForce, COVID-19: Five Things to Look for in Your Independent Contractor Agreements (April 2020)

- Co-author, Commercial Carrier Journal, COVID-19 Springs Driver Misclassification Traps for Carriers — Here’s How to Avoid Them (March 2020)
- Speaker, Women in Trucking Accelerate! Conference, “Don’t Cut and Paste: Best Practices in Contracts” (September 2019)
- Speaker, Motor Carrier Insurance Education Foundation Annual Conference, “Plaintiff’s Litigation Requests: Preserving Evidence After a Crash” (October 2019)
- Co-Author, New SAE EDGE Research Report on Autonomous Vehicles: Unsettled Topics Concerning Automated Driving Systems and the Transportation Ecosystem (November 2019)
- Author, The Common Ground, Brakes On? SCOTUS Rules on Arbitration Agreements in Employment and Transportation Contracts (Spring 2019)
- Co-author, TLA Feature Articles and Case Notes, “Texas Shock Verdicts: Blake v. Werner Enterprises and Patterson v. FTS International LLC” (October 2018)
- Speaker, International Arbitration Conference on Energy Disputes (February 2016)
- Contributor, Qatar University College of Law International Law Review (2014-2016)
- Contributor, World Bank Group Doing Business Series (2014-2015)
- Contributor, Global Arbitration Review Investment Treaty Arbitration Know-How (2015)
- Co-author, International Litigation Client Alert, “Kiobel: Major U.S. Jurisdictional Limitation for Overseas Actions” (April 2013)
- Speaker, ABA Section of International Law 2011 Spring Meeting, “Forget the iPad, A Washington, DC Lawyer Is the New Must-Have: A Primer on Washington Lawyers and Why No One Outside the Beltway Can Afford to Be Without” (April 2011)
- Co-author, Business Law Brief American University Washington College of Law, “Guiding Foreign Governments Through the Complex Intersection of Business, Law, and Foreign Policy: The Rising Importance of Washington Counsel” (April 2010)
- Author, Administrative Law Review, “Fearing the United States: Rethinking Mandatory Detention of Asylum Seekers” (Fall 2007)
- Speaker, Administrative Law Review Annual Symposium (March 2007)

REPRESENTATIVE WORK

Litigation

- United States District Court, Middle District of Florida, Jacksonville Division. Aspen American Insurance Company, Tessco Technologies Inc., v. Landstar Ranger, Inc. Case 3:21-cv-00578-BJD-LLL, 3 Feb. 2022.
- United States District Court, Middle District of Florida, Fort Myers Division. Scotlynn USA Division, Inc., v. Titan Trans Corporation. Case 2:18-cv-00521-JLB-NPM, 20 Aug. 2021.
- Defended an action alleging Florida Deceptive and Unfair Trade Practices, trademark dilution, common law trademark infringement, unfair competition, and civil conspiracy by a supplement manufacturer and seller against a pharmaceutical developer and producer. Defense included federal court remand proceedings. Matter was dismissed with prejudice.
- Defended a Carmack Amendment and breach of contract claim by a supplier against a motor carrier where supplier failed to accurately count product departing warehouse.
- Provided third party subpoena responses, objections, and defense for carrier whose former employee was involved in a motor vehicle accident.
- Defeated motion to dismiss and proceeded to represent plaintiff in claims for fraudulent misrepresentation by used and refurbished truck sales center.

- Argued and won motion to dismiss claims by California trailer equipment lessor against Florida country club for lack of personal jurisdiction in California.
- Obtained \$3.2 million judgment in favor of transportation broker who was defrauded by freight forwarder and shipper's agent.
- Defeated motion to dismiss on statute of limitations and continued to proceed in rem on mortgage foreclosure in longstanding multi-venue action.
- Argued that additional defendants should pay the judgment as alter egos of the defendant and recipients of improper transfer. Received grant of additional discovery and evidentiary hearing.
- Defended and settled contract and specific performance action against a self-insured carrier by an excess insurer and claims handler.
- Defended and settled contract, fraud, and unfair and deceptive trade practices claim in staffing arrangement, procuring insurance coverage despite delayed claim reporting.
- Defended and settled multijurisdictional counterclaims between parties under the Truth in Lending Act and the Florida Unfair and Deceptive Trade Practices Act, including procuring full return of tractor and trailer equipment to owner.

Claims Handling

- Defended a claim for successor liability against a large carrier.
- Defended and settled sexual harassment, Americans with Disabilities Act, and gender discrimination claims by former employees for large transportation carrier. Facilitated mediation, including post-mediation negotiations that led to resolution of the dispute.
- Pursued and recovered on claims by a logistics company and an industry service provider who made false representations and breached a contract for performance of equipment upgrades, fleet services, and warranties.
- Defended and settled a contested freight claim involving enforcement of a major carrier's limitation of liability through its tariff after significant federal court briefing and oral argument.
- Negotiated and settled multi-party valuation dispute over destroyed second-hand freight claim of \$2.3 million.
- Negotiated and resolved time sensitive cargo claims involving tow yards and salvaged goods in multiple states.

Regulatory Compliance

- Responded to U.S. Department of Transportation audit and investigation, prompted by a regulatory complaint by a disgruntled former employee. Ensured full compliance while protecting client interests, advised on preservation of evidence, and counseled in preparing response to DOT agent.
- Conducted an internal wages and hours audit for a large carrier to ensure compliance with state and federal regulations and adequate pay and recordkeeping for all employees and independent contractors.
- Prepared a complete Safety Management Plan for the FMCSA to seek a safety rating upgrade based upon corrective actions under 49 C.F.R. § 385.147. The Safety Management Plan provided concrete improvements relating to qualifications of drivers; hours of service of drivers; inspection, repair, and maintenance of vehicles; and the out of service rate. This Safety Management Plan and upgrade request followed a U.S. Department of Transportation onsite compliance review and evaluation of safety fitness.

Corporate & Transactions

- Reassigned a citation wrongfully issued by the Florida Department of Transportation against our client.
- Represented global manufacturing client in negotiations with its ERP software provider to clarify new terms of service that would have prevented third party access to the software.

Employment Law

- Defended and settled a wage and hours claim against large motor carrier regarding overtime allegations for a salaried, exempt employee.
- Negotiated with several former employees of a motor carrier to enforce non-compete and non-disparagement provisions in employment agreements.