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Representative Cases

Business / Commercial

- Dispute involving alleged breach of contract between hotel group and company hired to upgrade its website. Both parties made monetary claims against the other. Case was complicated by acquisition of original website development company by another company. Issues included whether successor company became a party to the original contract, quantum meruit for work performed by successor company, and appropriate remedies under theories of recovery.
- Dispute involving joint venture to develop raw land. Issues included obligations and remedies of parties following capital call, accounting and breach of fiduciary duty of managing member, and measure of damages for breach of fiduciary duties.
- Dispute between franchisor and franchisee over terms of contract, including franchisee's claim that that franchisor granted rights to competing company in franchisee's exclusive geographical territory and franchisor's claim for accounting and additional payment of franchise fees.
- Dispute involving misappropriation of intellectual property rights and trade secrets by former employees who left employer to start competing business and allegedly took proprietary information, customer lists, and unique customer requirements. Issues included whether information was proprietary, proof, and measure of damages.
- Dispute involving dissolution of general partnership involving complex accounting and tax questions, division of partnership property, marshalling of partnership assets, and balancing the capital accounts of the individual partners.
- Dispute involving security fraud case in which the investor purchased shares of stock of privately-held corporation based upon allegedly inaccurate financial statements provided by the corporation and some of its officers.
- Disputed involving claim of unfair competition between commercial real estate brokers competing in niche market of commercial tenant leases in specific geographical region. Plaintiff claimed defendant had acquired some of its proprietary information through former real estate licensee who had left employment by plaintiff to work for defendant. Plaintiff also alleged defendant was violating Business and Professions Code Section 17200 by making material misrepresentations in its advertising to clients sought by both firms.

- Dispute involving breach of contract claim by construction project manager hired by large construction company to manage project in San Diego County. Manager claimed he had been underpaid bonuses due under the contract. The company claimed that the manager's performance caused the project to run over-budget thereby negating any bonus payment. The mediation was complicated by the fact that both parties introduced different versions of the written contract that supported different interpretations of the bonus requirements.
- Dispute involving claim by egg wholesaler against egg supplier for allegedly defective product -- some lots included eggs that were not as fresh as warranted. Issues included value of stale eggs, and cost to cover so that wholesaler could provide retail customers with fresh eggs pursuant to contracts wholesaler had with those customers.
- Dispute involving sale of dry cleaning business. Buyer alleged that seller failed to disclose the presence of ground-water contamination. Issues included seller's knowledge, buyer's potential liability exposure to state and federal enforcement agencies, and conflicting expert testimony regarding likely cleanup protocols that could be imposed.