

# MusickPeeler

Lynn A. O'Leary  
Gregory J. Patterson  
Barbora Pulmanova  
Jacqueline A. Robinson  
Shireen B. Rogers  
Giorgio A. Sassine  
Daniel Taylor  
John Paul Teague  
Juan A. Torres  
Ron Torres  
Jane Ellison Usher  
Sonia S. Waisman  
Robert G. Warshaw  
Daniel J. Woods  
Natasha M. Wu

## **Related Practice Groups**

Business Litigation

## **Litigation**

Musick Peeler's Litigation Group is the firm's largest and most diverse practice area, covering virtually every aspect of civil and general business litigation. Musick Peeler's litigators appear at all levels of state and federal courts in several states.

The Litigation Group has an active trial practice with an enviable success rate, trying cases ranging from simple tort matters to the most complex business and commercial disputes. In addition, the Group's attorneys are experienced in handling major matters in arbitration, mediation and other forms of alternative dispute resolution.

### **Business & Commercial Litigation**

Musick Peeler's litigation attorneys have been preeminent in California for decades. The Litigation Group represents clients in a wide variety of business and corporate litigation matters, ranging from simple contract disputes to class-action defense and other complex, multi-party commercial disputes. Musick Peeler's litigators have successfully represented local, national and international corporations in lengthy jury trials, involving the full spectrum of tort and contract theories. In addition to actively litigating cases, our litigation attorneys counsel clients regarding strategies for avoidance of liability in these areas.

Our Litigation Group represents business and commercial clients in numerous key industries, including construction, communications and media, education, financial services, health care, information systems, insurance, manufacturing, oil and gas, real estate, technology, transportation, and professional services.

### **Class Action Defense**

The Litigation Group possesses extensive experience in defending class actions in both state and federal courts. Our experience includes defending claims alleging consumer fraud and many other substantive areas of law. We defend cases in a variety of fields, including construction, education, electronics, financial services, health care, mass torts, products liability, securities, and title insurance. We also work with our employment lawyers in defending wage and hour and other employment-related class actions. Recognizing that the key to successfully defending class actions is to win early, we often employ aggressive measures at the initial stages of a case to achieve desirable results for our clients.

### **Casualty & Property Litigation**

Musick Peeler's litigators have extensive experience in representing clients on a wide array of casualty and property loss claims. Matters handled often involve significant injury and wrongful death, as well as catastrophic property loss caused by fire, earthquake and other causes.

### **Professional Liability & Insurance**

The Litigation Group has counseled and represented a wide range of professionals from solo practitioners to national firms. Musick Peeler's litigators are known for their successful trial and appellate results in the professional liability area.

The Litigation Group is recognized for its experience in defending insured professionals, including lawyers, accountants, physicians, directors and officers, real estate professionals, insurance brokers and agents, architects and engineers, securities brokers and dealers, and fiduciaries and trustees.

Musick Peeler's coverage litigation and arbitration practice emphasizes the representation of clients in contract and bad faith actions, coverage matters involving multiple insurers, environmental coverage issues, and the resolution of excess and reinsurance disputes. The Group's litigators also serve as supervisory counsel in monitoring litigation and negotiating coverage disputes.

The firm's appellate lawyers are responsible for a number of important legal precedents upholding the enforceability of clients' policies, and defining and limiting potential liabilities of Musick Peeler's professional and commercial clients.

## **Construction & Real Estate**

In conjunction with the Construction and Real Estate Groups, our litigators handle many significant construction and real estate cases both in arbitration and in the state and federal courts. We represent owners, contractors and design professionals in connection with an array of claims pertaining to construction, engineering and architectural issues, including disputes over construction of commercial buildings, as well as residential real estate tracts.

## **Public Law & Environment**

In conjunction with the Environmental & Public Law Group, the Litigation Group provides comprehensive litigation and counseling services in all areas of environmental law, including criminal and civil environmental litigation, federal and state environmental counseling, administrative advocacy and regulatory compliance, and toxic environmental torts, including water contamination, property remediation and air pollution. Musick Peeler represents public entities including cities, school districts and water districts, and multinational corporations and small businesses throughout California.

## **Antitrust**

Musick Peeler's Litigation Group has earned a national reputation for success in the antitrust field, especially regarding health care matters. The firm's litigators have also handled terminated dealer cases and copyright infringement cases, defense of unfair competition claims, trademark and franchise disputes, and computer law and trade libel. The Litigation Group advises clients regarding the *qui tam* provisions of the federal False Claims Act and works with the Corporate & Securities and Health Care Groups in counseling Musick Peeler's clients regarding potential antitrust risks.

In addition, our attorneys practice in Bankruptcy Court in connection with creditors' claims and the representation of debtors-in-possession. The Litigation Group also represents clients in matters involving various forms of business reorganization.

## **Products Liability/Toxic Tort**

The Litigation Group regularly represents companies based at home and abroad, including product manufacturers, distributors and retailers in individual and class action litigation matters. Our attorneys have the experience to successfully defend actions involving products which have allegedly caused physical injury, an increased risk of cancer, immunological disorders, DNA damage and/or birth defects.

Products liability and toxic tort cases often involve numerous parties who have little, if any, involvement in the allegations of the suit. In each case, the Litigation Group's goal is to obtain a dismissal, or otherwise promptly resolve, the action against those clients bearing no responsibility and/or those clients who have been sued only because of a tangential connection to other parties in the action.

Finally, Musick Peeler's attorneys get to know their clients' operations and stay abreast of regulatory changes to partner with their clients in mitigating risk and avoiding expensive litigation costs.

## **Alternative Dispute Resolution**

While Musick Peeler's attorneys have a reputation for aggressive and honest advocacy on their clients' behalf, they are also committed to utilizing appropriate alternative dispute resolution strategies, including mediation and arbitration, which are often more cost efficient for their clients than litigation.

## **Professional Education**

Members of the Litigation Group serve as instructors at the National Institute of Trial Advocacy, lecture and write on issues related to litigation and civil procedure in state and federal courts. Musick Peeler also offers private seminars designed to teach litigation techniques, negotiation skills, trial and appellate procedure, and alternative dispute resolutions.

## **Trucking**

Musick Peeler attorneys bring valued experience to the practice of defending motor vehicle accidents involving tractor/trailers. We represent self-insured trucking companies, their insurers and their drivers. Our group has employed a 24-hour Accident Investigation Team for emergency response to accidents in which our clients' vehicles are involved. As a result, our lawyers are on call and ready at any time to visit the accident scene with expert consultants in order to ensure a careful investigation and vigorous claim defense.

Today's trucking cases require knowledge of common law negligence, current trucking case law wrongful death and tort reform statutes, as well as experience with the Federal Motor Carrier Safety Regulations, hours of service issues, and many other facets of the trucking industry and regulatory environment. Musick Peeler handles complex litigation in defense of trucking companies in a wide array of areas, including catastrophic personal injury and wrongful death claims, commercial litigation, freight/property claims and regulatory compliance.

Our clients include interstate trucking companies and independent contractors who are involved in transporting goods. We are select counsel for national carriers and/or transportation companies, and are approved counsel for various insurance companies who specialize in transportation cases.