

PRACTICE GROUP
LEADER

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ATTORNEYS

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BUSINESS LITIGATION

Business owners and principals trust Weintraub Tobin with litigation that involves their most valued and important asset – their businesses.

Weintraub litigators work hard to resolve disputes in the most practical and effective way possible, and sometimes that resolution is best obtained in the courtroom. Weintraub litigators have a strong track record of successful representation in bench and jury trials in both state and federal courts.

Weintraub business litigators assist clients with the broad array of matters that can arise in all aspects of conducting business, including management disputes, operations, growth or expansion, sale or transition of a business. Our attorneys work with the client to assess the client's needs and provide a uniquely tailored strategy for their case from start to finish.

Weintraub attorneys have acquired deep industry experience by working closely with long-term clients in the manufacturing, real estate, agribusiness, banking, renewable energy, personal and professional services, technology, and hospitality sectors. That industry involvement and awareness allows our attorneys to help clients identify sources of potential litigation so that as laws and regulations change, companies can make proactive changes to protect themselves.

REPRESENTATIVE MATTERS

- Representing a defendant that was accused of conspiring and plotting to raid a former employer's employees. In this case, the plaintiff sought damages in excess of \$25 million, as well as punitive damages for misappropriation of trade secrets, intentional interference with contract, and prospective economic advantage.
- Representing a brewing company in an IP dispute against a restaurant operator that was infringing on their property.
- Counseling a franchise operator in connection with disposition of almost a dozen national pizza chain franchises throughout California.



- Represented client who sold its business subject to an earn-out provision in the contract. Buyer refused to honor the earn-out obligation, resulting in a year-long trial and a \$24 million verdict in favor of our client. After reversal in the court of appeal, a second eight-month trial was resolved by a substantial confidential settlement.(trials&Arb)
- Represented former shareholders seeking a multi-million dollar earn-out payment against a Fortune 500 company due under a stock purchase agreement. The dispute was arbitrated under a mandatory arbitration provision, resulting in a complete verdict on behalf of our clients for the full amount of the earn-out payment plus attorneys' fees and costs. (trials&Arb)
- We represented our client, a former owner of a graphics company, in a multi-million dollar breach of executive employment contract against the graphics company and various related entities, including a venture capital company that invested heavily in the employer company and sought to protect its investment by taking total control of the company away from our client. The case settled before trial for \$9.1 million.
- Represented a national bank in an accounting malpractice trial for damages suffered as a result of a failed audit of the bank's borrower. Jury returned a verdict on behalf of our client against the Big Four accounting firm in an amount in excess of \$3 million, with factual findings entitling our bank client to punitive damages. (trials&Arb)
- Represented foreign and national banks in \$250 million media investment fund for Chinese element media projects.
- Represented national public transportation management company in action against the members of a bankrupt public interest corporation for unpaid services provided to the corporation. Prevailed over many motions to dismiss and other legal challenges presented by the members in the bankruptcy court. Thereafter, the members settled the case, resulting in a multi-million dollar recovery for the client.
- Obtained summary judgment for California Fair Political Practices Commission in an abuse of process action brought by a Nevada "robo-caller" alleged to have assisted local candidates with violations of California's political campaign laws (Las Vegas, Nevada).
- Prosecuted numerous cases involving breach of distributorship contracts against non-complying and wayward distributors.

- Represented numerous businesses challenging state and local public contract bid procedures and awards.
- Obtained dismissal of former executive of Canadian roofing tile company from warranty class action who was accused under an alter ego theory (Eastern District of California).
- Successfully defended mining operator against claims brought by air quality management district seeking civil penalties exceeding \$91 million for alleged violations of state and local air quality laws. After taking or defending over 30 depositions and defeating the district's motion for summary adjudication regarding clients' civil rights cross-complaint, the parties agreed to a mutual release of claims. David's client paid nothing as part of the settlement.
- Represented minority shareholders in action seeking involuntary dissolution of corporation based on alleged misfeasance by controlling shareholder. Obtained fair value for clients' ownership interest through settlement after controlling shareholder sought buy-out under Section 2000 of the Corporations Code.

