



Litigation

Our experienced trial lawyers bring a history of success, cost-effective case management and business-oriented problem solving through litigation and strategic commercial counseling. We litigate nearly all aspects of business disputes, having represented both privately and publicly owned American and foreign businesses in litigation involving local, national and international disputes. We have tried cases in state and federal courts and before arbitrators. Our lawyers have also successfully argued cases in state and federal appeals courts, including the California Supreme Court. We have litigated disputes involving amounts in excess of a billion dollars. Regardless of the size of the dispute, we bring the same result-oriented commitment to all of our clients. In addition to business client representations, we have represented major American law firms, prominent federal and state judges, public officials and statewide office holders, including Governor Arnold Schwarzenegger, state and local governments, nationally important public charitable organizations and institutions of higher learning.

Our objective is to achieve the most favorable result attainable in the least amount of time for the lowest possible cost. To do this, we work hand-in-hand with the client to analyze alternatives, assess risks, minimize costs, and develop a litigation plan that works in the context of the client's larger business objectives. We manage litigation efficiently, whether in a bet-the-company lawsuit, a steady stream of similar litigation for an institutional client, or an unusual dispute demanding lawyers who can think creatively and litigate aggressively.

Representative Matters

We designed our litigation practice to have the capacity for large nine-figure cases as well as the ability to efficiently manage those smaller matters that are still vitally important to our clients. Below is a sample of just a few of the large and small litigation matters we have handled in recent years:

Some Larger Cases

Pharmaceutical Research and Manufacturers of America, et al. v. County of Alameda – We successfully defended Alameda County in a landmark case brought by the pharmaceutical industry (with the support of the U.S. Chamber of Commerce) challenging a first-in-the-nation regulation requiring drug companies to provide for disposal of all unused prescription drugs sold in the county. The case was won in federal district court and upheld on appeal by the Ninth Circuit; following briefing by both sides, the United States Supreme Court declined to grant review. After the conclusion of the litigation, a number of counties in California adopted similar legislation.

In re Qualcomm Sanctions Proceedings, Southern District of California – We represented numerous attorneys in high-profile sanctions proceeding that received national attention due to findings in the underlying case that important evidence had been withheld in discovery. The firm was successful in exonerating all of the attorneys who were subject to potential sanctions, demonstrating that the attorneys conducted a reasonable investigation, acted in good faith, and appropriately relied on the representations and assurances made by their client.

We successfully represented the defendant in a multi-million dollar patent infringement trial between two software companies. The plaintiffs originally asserted infringement of three patents. Two of the patents were found not infringed on summary judgment. The infringement and validity of the third patent were successfully tried to a jury in Delaware district court, with the jury returning a verdict of both non-infringement of the patent and invalidity of several of the asserted claims.

Robertson, et al., v. Princeton University, et. al. – We served as lead counsel for the Robertson family in their closely followed lawsuit against Princeton University, which sought to recover funds that were gifted to the school but spent in violation of the terms of the gift. Ultimately, the litigation settled with Princeton University agreeing to pay more than \$90 million.

GSI Technology, Inc. v. Cypress Semiconductor Corporation – We represented GSI in a Sherman Act Section 1

restraint of trade claim arising out of the exclusion of GSI from a consortium of SRAM manufacturers. The case was settled following GSI's defeat of Cypress' comprehensive motion for summary judgment.

JY Industries v. Liu – We were lead trial counsel for plaintiff and cross-defendants in a complicated case involving claims of conversion, breach of trust, breach of partnership agreement, and wrongful termination, among others. \$23+ million jury verdict and judgment, collected in full.

Eshelman, et al, v. Orthorclear Holdings, Inc. – We successfully defended a securities class action against a manufacturer that was accused of misleading investors about the prospects of patent litigation brought by its major competitor that was eventually settled on unfavorable terms. Representing the company, directors and officers, we succeeded in winning a motion to dismiss all claims without leave to amend. The case was featured in *The Recorder*: "Suit over lost patent trial rejected."

Madrid v. Tilton – We represented then-Governor Arnold Schwarzenegger in a federal court proceeding in which a court-appointed Special Master sought authority to conduct a public investigation of the Governor's Office in connection with prison reform matters. Shartsis Friese, on behalf of the Governor, successfully resisted the Special Master's proposed investigation.

Some Smaller Cases

We successfully defeated a claim by a predatory promoter for \$43 million of casino revenues on behalf of a Native American tribe after two month arbitration presided over by three of JAM's most experienced retired judges.

We won a \$3 Million jury verdict plus attorneys' fees on behalf of real estate brokers who were owed a commission on a high-tech campus transaction, while defeating claims of fraud and breach of fiduciary duty against those brokers.

We obtained a \$1.5 million judgment (the full amount sought) and an award of \$350,000 in attorneys' fees in a dispute between joint venturers in a renewable energy project.

We represented a Bay Area family foundation, the charitable remainder beneficiary of a trust, in an action to compel two individuals to acknowledge their removal as trustees and transfer all trust assets to the foundation. Despite being initially intransigent, the former trustees acceded to the relief sought by the foundation shortly after a lawsuit was filed.

We secured a walk-away agreement for an employee accused of misappropriating trade secrets.

We represented a Napa Valley wine producer in a trademark and trade dress infringement case against a photographer and a Sonoma wine producer attempting to introduce wine products using the image and likeness of Marilyn Monroe in violation of the client's trade dress rights in such images. We successfully obtained preliminary injunctive relief on behalf of the client in a case-of-first-impression decision by the federal district court holding that images of celebrities may constitute valid and protectable trademarks and trade dress.

We defended a broker-dealer and underwriter from securities law claims in U.S. District Court for the Northern District of California.

We secured favorable settlements in a series of breach of contract disputes for a client in the construction industry.

We successfully protected a start-up company's trademark after receipt of a cease-and-desist letter from an established competitor.

We represented numerous wineries in recovering fair valuations of wine lost or damaged in a warehouse fire.

News & Insights

1.1.16 / Press Releases

Shartsis Friese Elevates Stein to Partnership

Shartsis Friese LLP is pleased to announce that JJ Stein has been promoted to partner...

9.11.15 / Press Releases

Shartsis Friese Successfully Defends Patent Infringement Action Through Jury Trial

Helios Software, et al. v. SpectorSoft Corp., Civ. No. 12-081-LPS (Delaware District Court). The firm...

7.21.15 / Articles

Breaking Up Is Hard to Do: A Primer on “Business Divorce” Litigation for Transactional Lawyers

INTRODUCTION Breaking up a business in California can be difficult, in some ways not unlike dissolving...

California Business Law Practitioner

5.26.15 / Media

Shartsis Friese Helps Alameda County Defend Rx Drug Disposal Law

On May 26, 2015 the U.S. Supreme Court declined to consider the pharmaceutical industry’s challenge...

4.3.15 / Media

Firms Make It Hard for Partners to Say Goodbye

Quitting a law firm partnership can feel like leaping over a pit while dodging a...

Patience Haggin, The Recorder

10.3.14 / Press Releases

Ninth Circuit Upholds Alameda County’s Pioneering Prescription Drug Disposal Ordinance

The Ninth Circuit ruled in favor of Alameda County on September 30, 2014 in a...

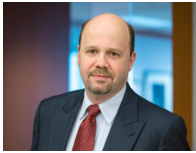
10.5.12 / Media

Jury finds Hitachi owes \$3M to brokers

SAN JOSE - Former CPS brokers Joe Moriarty, Greg Davies and Eric Fox claimed they...

Nathan Donato-Weinstein, San Jose Business Journal

Attorneys



Frank A. Cialone

PARTNER

fcialone@sflaw.com



Felicia A. Draper

ASSOCIATE

fdraper@sflaw.com



Sanjeet Ganjam

ASSOCIATE

sganjam@sflaw.com



Erick C. Howard

PARTNER

ehoward@sflaw.com



Anthony B. Leuin

PARTNER

aleuin@sflaw.com



Joseph V. Mauch

PARTNER

jmauch@sflaw.com



Larisa A. Meisenheimer

PARTNER

lmeisenheimer@sflaw.com



Kajsa M. Minor

PARTNER

kminor@sflaw.com



Richard F. Munzinger

PARTNER

rmunzinger@sflaw.com



Suzy Orza
ASSOCIATE
sorza@sflaw.com



Daniel M. Poniatowski
ASSOCIATE
dponiatowski@sflaw.com



Roey Rahmil
ASSOCIATE
rrahmil@sflaw.com



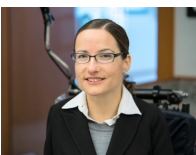
Jahan P. Raissi
PARTNER
jraissi@sflaw.com



Charles R. Rice
SENIOR COUNSEL
crice@sflaw.com



Paul J. Riehle
PARTNER
priehle@sflaw.com



Cristina N. Rubke
COUNSEL
crubke@sflaw.com



Arthur J. Shartsis
PARTNER
ashartsis@sflaw.com



Mary Jo Shartsis
PARTNER
mshartsis@sflaw.com



John J. Stein

PARTNER

jstein@sflaw.com



Robert Charles Ward

PARTNER

rward@sflaw.com



Miles S. Winder

ASSOCIATE

mwinder@sflaw.com



Joel Zeldin

PARTNER

jzeldin@sflaw.com