



**Brian C. Lysaght**  
PARTNER

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#### EDUCATION

University of California Law School - J.D.  
Johns Hopkins University - M.A. Liberal Arts  
Towson University - B.A. Political Science & History

#### PRACTICE AREAS

##### Litigation

- Business Litigation
- Intellectual Property

#### BIOGRAPHY

Former federal prosecutor, litigation partner, and well-respected trial lawyer Brian C. Lysaght, specializes in complex civil and criminal commercial litigation on both the plaintiff and defense side. Over the course of the past two decades, Mr. Lysaght has achieved over \$77 million in jury awards for his clients and several hundred million in settlements. On the defense side, he has tried cases for such diverse entities as Lockheed Martin Corporation and Republic Industries, resulting in directed verdicts and zero award verdicts, as well as settling cases on the defense side for a small fraction of damages sought.

As a former law clerk to Associate Justice Stanley Mosk of the California Supreme Court, Mr. Lysaght is intimately familiar with the appellate process and has participated in high stakes appellate matters before the Ninth Circuit, the Tenth Circuit, the D.C. Circuit, the Nevada Supreme Court and appellate courts in California. Also, as a former federal prosecutor with the Antitrust Division of the U.S. Justice Department, he is intimately familiar with the federal criminal justice system. He has handled and tried numerous criminal and quasi-criminal white collar matters resulting in acquittals, directed verdicts, summary judgments as well as low and no time negotiated settlements.

Mr. Lysaght received his Bachelor of Arts degree in Political Science and History from Towson University and received his Juris Doctorate from the University of California at Davis Law School. He also received his Masters in Liberal Arts from Johns Hopkins University.

Mr. Lysaght is a member of the Author's Guild and in 2002 and 2003, he was on the Board of Governors for the Association of Business Trial Lawyers.

Mr. Lysaght has been included on the list of Southern California Super Lawyers since the list's inception and included on the list

of Best Lawyers in America for 15 consecutive years. Also, he has been listed in Marquis Who's Who in American Law and Who's Who Among Students In American Colleges and Universities. Additionally, he is a recipient of the American Jurisprudence Award for Outstanding Legal Writing.

## **REPRESENTATIVE MATTERS**

### **Antitrust**

- Represented numerous Northern California cities in civil actions against major electrical contractors for bid rigging on traffic signal jobs in Silicon Valley; obtained an eight figure settlement.
- Lead prosecutor in successfully criminally prosecuting major steel companies operating in Colorado for bid rigging the airport and university as part of a nationwide post-tension concrete bid rigging conspiracy.

### **Banking**

- Represented the Chairman and 100% owner of failed savings and loan against 18-count federal indictment alleging mail fraud, wire fraud and racketeering. After full trial, client was acquitted on all 18 counts.
- Represented failed bank owner in civil penalties action under FIRREA brought by United States Attorneys' Office in Los Angeles. On eve of trial, obtained summary judgment in client's favor resulting in dismissal of all charges.
- Represented member of Board of Directors of failed bank in federal civil penalties action. Obtained summary judgment and dismissal of charges.
- Represented owner of failed bank in federal civil prosecution. After conclusion of government's case at trial successfully moved for directed verdict resulting in dismissal of all charges.
- Obtained \$65 million summary judgment against bank and bank official arising out of American Diversified bank scandal.

### **Real Estate**

- Successfully obtained \$42.5 million jury verdict against Irvine Company in property dispute. This was the fourth largest California verdict in 1994.
- Successfully obtained \$11.5 million jury verdict in property dispute in Westlake, California; top 10 in California verdicts.
- Represented Summa Corporation and successors Rouse Corporation and General Growth Partners in dispute over Nevada gold mining royalties.
- Successfully obtained defense verdict in trial against client for millions in construction defect case.

### **Entertainment**

- Represented producer/writer/director Ron Shelton against Twentieth Century Fox in jury trial involving back-end profits dispute on the film *White Men Can't Jump*. Obtained \$9.88 million jury verdict, top 10 California verdict for 1997.
- Successfully obtained favorable eight-figure confidential settlement against studio over back-end profits dispute on major motion picture.
- Successfully obtained nine-figure confidential eve of trial settlement over dispute re: syndication royalties owed on network television series.
- Obtaining favorable monetary settlement and ancillary rights on behalf of producer allowing major motion picture based on well known children's property to be produced and distributed.
- Represented special visual effects company in dispute with Fox involving the film *Alien II*, also known as *Aliens*. Obtained favorable settlement ultimately leading to client winning Academy Award for special visual effects.
- Successfully obtained seven figure cash payment plus ongoing participation in ancillary rights for eight motion pictures on behalf of actor.

**Aerospace and Military**

- Obtained directed verdict for Lockheed in jury trial in Baltimore, Maryland, as against plaintiff claim for \$200 million in damages for interference with rights to transponder time on Russian Louth satellites.
- During jury deliberations in federal court in New York, obtained high eight figure settlement in trade secret dispute re: battlefield computers.

**Environmental**

- Obtaining eight figure settlement from oil companies on behalf of property owner for CERCLA cleanup at Carson, California site, formerly projected home of NFL franchise.
- Represented National Resources Defense Council on pro bono basis in proceedings before New Mexico Federal District Court, Tenth Circuit and D.C. Circuit Court re: application of NEPA to uranium mill mining in New Mexico. Obtained settlement applying NEPA to uranium mining.

**Securities**

- Represented defendant Republic Industries in federal court trial in Los Angeles against claim of \$30 million for breach of merger agreement; obtained zero damages verdict for client.
- Obtained \$5 million jury award in Los Angeles federal court for claim of securities fraud.

**Information Technology**

- Representing defendant KPMG in dispute over defective software for call centers. Costs of defense settlement on eve of trial.

**Trusts, Estates, Family Law**

- Successfully obtaining \$250,000 surcharge against special administrator in trial in Los Angeles Superior Court on behalf of widow of film producer. Obtained verdict for widow and grant of rights to the film *Gone in Sixty Seconds* in three separate trials involving will contests brought by family members of decedent.
- Successfully obtained 2009 defense verdict in trial for US Bank as trustee as against \$30 million surcharge claim by beneficiary.
- Obtaining defense verdict after trial on behalf of client in palimony/contract case seeking in excess of \$35 million.