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A. Howard Matz

Senior Counsel

hmatz@birdmarella.com

310.201.2100

Judge A. Howard Matz (Ret.) is Senior Counsel at Bird Marella. After serving on the bench of the United States District Court for the Central District of California for nearly 15 years, in 2013 he rejoined the firm he helped launch in 1983, then known as Bird Marella Boxer Wolpert & Matz P.C. During his 15 years with the firm, he was one of the first attorneys listed in The Best Lawyers in America®. Judge Matz is a Fellow of the American College of Trial Lawyers and of the College of Commercial Arbitrators.

Judge Matz was nominated to the federal bench by President Clinton and received his commission in June 1998. He presided over numerous noteworthy cases and several of his decisions were ultimately adjudicated by the Supreme Court. Judge Matz served on many judicial committees, including the Ninth Circuit Model Jury Instructions Committee. He chaired the District Court's Pro Bono/Pro Se Committee and under his leadership, the Committee established the nation's first walk-in Pro Se Clinic, which received widespread recognition. Additionally, Judge Matz was the first recipient of the "Vanguard Award" bestowed by the California State Bar for his contributions to intellectual property jurisprudence. Upon his retirement from the Bench, the Federal Bar Association sponsored a special Dinner Tribute for Judge Matz in recognition of his judicial service.

Education & Admissions

- Harvard Law School, J.D., 1968
- Columbia University, A.B., cum laude, 1965

- New York, 1970
- California, 1973

Notable Matters

Among Judge Matz's precedent-setting decisions are the following:

Became the first judge in the country to rule on challenges to the detention of alleged terrorists at Guantanamo Bay.

Ruled that under CERCLA, various California water districts were entitled to recover costs from a military weapons manufacturer for cleaning up perchlorate-contaminated aquifers.

Enjoined real estate magnate and former Los Angeles Clippers owner Donald Sterling from using the word "Korean" (as opposed to "Koreatown") in the names of some of his apartment buildings, finding that such practices violated the Fair Housing Act.

Held for the first time that the "sublicensing rule" from copyright and patent law should be extended to the licensing of trademark and related publicity rights. The Ninth Circuit affirmed that ruling by attaching Judge Matz's decision as an appendix.

Issued precedent-setting rulings construing the Digital Millennium Copyright Act in highly publicized cases, including those brought against Google by softcore pornography publisher Perfect 10 and against Veoh by music recording giant Universal Music Group.

Ruled that the term "foreign official" in the Foreign Corrupt Practices Act encompasses high-ranking executives of state-owned enterprises.

Ruled that Dick Clark Productions had the right to produce the Golden Globes award show under its contract with the Hollywood Foreign Press Association.

JUDGE MATZ'S ARBITRATION AND MEDIATION PRACTICE

In the brief period since he returned to the private sector, Judge Matz has been designated as a mediator or arbitrator in dozens of matters. They include:

Arbitration Matters

Patent infringement claims involving devices used for video games.

Disputes over the scope of arbitration clauses.

Dispute over whether arbitration agreement permits class-wide arbitration in case involving for-profit higher educational institutions and their students.

Dispute over alleged breach of contract involving alternative electric power supply in matter regulated by the California Public Utilities Commission.

Antitrust claims about computer products arbitrated in Japan.

Dispute over claimed breach of “affiliation agreement” between a national television broadcaster and a major producer of televised content.

Antitrust dispute between auto manufacturer and parts suppliers.

Contract dispute involving fiber optic cable systems installations.

Dispute among insurance companies over reinsurance obligations.

Dispute over development of for-profit housing.

Several disputes about the employment status of certain “gig workers.”

Breach of agreement for exclusive international distribution of packaging for telecommunication devices.

Breach of contract claims against manufacturer of turbines for wind power projects.

Breach of contract claims against co-venturer brought by developer of web-based medical services.

Patent infringement dispute between oil drilling titans.

Contract dispute arising out of reorganization of major healthcare insurer.

Mediation Matters

Intra-family dispute over administration of trusts and allocation of assets.

Trademark infringement claims involving competing garment manufacturers.

Business and Professions Code § 17200 action against bank brought by governmental prosecuting office.

Securities fraud claims against bank for its role in alleged immigration fraud.

Multiple patent infringement disputes between software developer and prominent consumer-oriented businesses.

Breach of contract and invasion of privacy claims involving giant social media enterprise.

Breach of merchandising contract involving major professional sports league.

Copyright and trademark claims involving competing jewelry manufacturers.

Breach of contract claims involving rights to acquire telecommunications franchise in African nation.

Breach of contract claims involving distribution of aircraft components in Brazil.

Dispute over confirmation of arbitration award arising out of a supply and distribution agreement for supply of industrial energy.

Dispute over ownership rights to valuable artwork seized by the Third Reich.

Dispute over use of copyrighted music between estate of famous recording artist and popular performers.

False advertising claim against manufacturer of nutrition products.

Breach of contract claims arising out of commercial fleet vehicle leases.

Dispute among competitors over validity of former employee’s non-compete clauses.

Putative class actions against national restaurant chain brought under “FACTA” statute.

Breach of contract action over failed ventures in China involving internationally-famed brand.

Putative consumer class actions against manufacturer of artesian-branded bottled water.

Trademark infringement claims between famous manufacturers of high-energy supplement products.

Claimed infringement of copyrighted adult entertainment brought against developer of software for content delivery on internet.

Dispute between competing software developers over trade name.

Trade secret theft and breach of fiduciary duty involving firm providing international transportation of freight and cargo.

Action by government agency against major oil company for groundwater contamination (MBTE; TBA).

Putative class action against several firms for alleged violations of False Claims Act; Trafficking Victims Act; and FLSA, resulting from employment of foreign workers.

Putative class action against pet food manufacturer for false advertising.

Dispute over status and rights of independent distributors in a MLM (multi-level marketing) enterprise.

A released inmate's Section 1983 civil rights claim against a California county and several deputy sheriffs for having been wrongfully imprisoned for 12 years.

In addition to the above "ADR" matters, Judge Matz has represented certain private and pro bono clients as an advocate, in state and federal court; functioned as a Special Master in a precedent-setting civil case pending in the Central District of California; served as an expert witness in several engagements; presided over moot court presentations for several firms about to argue cases in appellate courts or try cases at the district court level; and spoken as a panelist at several professional conferences. He also enjoys mentoring younger lawyers in the firm.

Awards & Recognitions

- College of Commercial Arbitrators, 2019
- American College of Trial Lawyers, 2017-present

Articles & Publications

- Featured, "Even Handed," Daily Journal: ADR Profiles, 2021
- Interviewee, "Eagerly Engaged," Daily Journal: Verdicts and Settlements, 2015