BIRD MARELLA LLP

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Terry W. Bird

Partner

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Practices:

Internal Investigations, Fraud, Qui Tam, Civil RICO, Employment, Complex Business Litigation, Class Actions

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Terry Bird has been litigating, trying, and winning complicated civil and white collar criminal cases for more than 40 years. He started his trial experience as a federal prosecutor in the Los Angeles U.S. Attorney's Office.

Before that, he clerked for Justices Lynn "Buck" Compton and Robert Thompson at the California Court of Appeal. His extensive and successful trial experience in commercial business litigation and white collar criminal prosecutions has been recognized by his election to the American College of Trial Lawyers and his selection as one of the top 100 lawyers in Southern California.

As a civil litigator, Terry has represented some of the largest corporations in the country, as well as their top executives. He has litigated for and against some of the largest Fortune 500 corporations. He has represented municipalities like Santa Monica and Hermosa Beach in high stakes litigation with oil companies. His civil practice centers on the defense of all forms of commercial litigation and class actions including contract, fraud, RICO, employment, unfair competition, shareholder derivative suits, false claim act violations, and breach of warranty matters.

As a white collar defense attorney, Terry has concentrated in securities, mail fraud, tax, customs, and government fraud cases. His clients have included executives at internet, telecommunications and power and energy companies, as well as key participants in IPO securities investigations. Recently he successfully secured a dismissal of all charges brought against a former Executive of a large Chinese agri-business conglomerate by the Department of Justice in a major trade secret prosecution. Terry has headed several corporate internal investigations to aid prominent companies (Broadcom, Yahoo) and/or their boards of directors in the exercise of their fiduciary duties to their shareholders.

Throughout his career, Terry has maintained a close relationship with the courts and judiciary. He served on President George W. Bush's Judicial Advisory Committee and as such was one of six lawyers responsible for selecting candidates for the Central District of California's federal bench and its United States Attorney. He has twice served as Chairman of the Central District of

California Lawyer Representatives to the Ninth Circuit Judicial Conference and once as Chairman of the Lawyer Representatives Coordinating Committee for the entire Circuit. He served as one of 10 lawyers on the Ninth Circuit Advisory Board and then served as Chair of the Advisory Board.

Education & Admissions

- University of California, Los Angeles School of Law, J.D., 1970
- Stanford University, B.A., 1967

- California, 1970

Notable Matters

Obtained preliminary injunction in a pro bono class action lawsuit against federal prison over the inefficient measures taken by prison officials to prevent the spread of COVID-19, in violation of the Eighth Amendment prohibition against cruel and unusual punishment. Successfully convinced the court to require prison officials to consider all medically vulnerable, non-violent prisoners and those over the age of 50 for home confinement.

Represented the Special Litigation Committee of Broadcom Corporation's Board of Directors for investigation and litigation of derivative claims related to allegations of back-dated stock options.

Represented Western Digital Corporation in successful trial defense of securities and contract claims.

Represented CFOs of Qwest International, Homestore, Inc. and New Century Financial Corp. in civil litigation, SEC, and U.S. Attorney's Office investigations.

Represented the City of Hermosa Beach in a breach of lease and contract litigation involving claims for more than $700 million in damages.

Represented Canon USA and Nokia, Inc. in separate unrelated class actions, each of which involved claims of defective products.

Represented Purex Corporation at trial in coverage litigation involving environmental claims.

Represented the Alaska Public Utilities Commission in cost overrun hearings related to construction of the Trans-Alaska Pipeline System (TAPS).

Represented City of Santa Monica in a successful resolution of litigation with petroleum companies.

Associations

- Chairman, Board of Directors of People Assisting the Homeless (P.A.T.H.)
- Member, St. Matthews Episcopal Church Vestry

Awards & Recognitions

- American College of Trial Lawyers, 1995-present
- The *Lawdragon* Hall of Fame, Inducted 2025
- Leading Litigators in America, *Lawdragon*, 2023-present
- "Senior Statespeople" Trial Lawyer, Chambers and Partners USA, 2011-2021
- "Senior Statesman" Trial Lawyer, Chambers and Partners USA – Nationwide, 2014-2019
- Leaders of Influence: Litigators and Trial Attorneys, *Los Angeles Business Journal*, 2022
- Humanitarian Award, American Civil Liberties Union, 2021
- Southern California Super Lawyers, *Super Lawyers Magazine*, 2005-present
- "Lily Award," Voice for the Animals Foundation, 2017
- Top 100 Lawyers, Los Angeles Business Journal, 2009
- Best Lawyers in America, Commercial Litigation; Criminal Defense: General Practice; Criminal Defense: White-Collar, Best Lawyers®, 1995-present
- Listed, The 25 Best White Collar Crime Attorneys in California, The Client's Guide to America's Leading Lawyers for Business, Chambers and Partners USA
- Top 100 Southern California Lawyers, *Los Angeles Magazine*

Articles & Publications

- Interviewee, "Trial Pros: Bird Marella's Terry Bird," Law360, March 2016
- Author, "Budget Cuts, ADR Could Undermine State's Judicial System," Daily Journal, October 2004
- Author: "Shooting Holes in the Shell Game with Expert Testimony," Association of Business Trial Lawyers Report, Vol. 16, No. 2, February 1994