

Korea Practice

Bird Marella is recognized as one of the top trial and litigation boutiques in the U.S. It has seen wide-ranging commercial success in complex business disputes as well as white-collar criminal matters, garnering it a Chambers USA designation as Elite for Litigation: General Commercial, Media and Entertainment: Litigation, and a Band 1 ranking in White-Collar Crime and Governmental Investigations.

Due to its Korea Practice Group—which is comprised of an all-star bench of Korean fluent native speakers and trial lawyers—Bird Marella has become the go-to firm for Korean companies seeking to resolve their U.S.-facing disputes, particularly trials. Its recent successes in this area include a complete defense verdict on behalf of Samsung Electronics in a \$50 million (USD) federal jury trial and a dismissal with prejudice of copyright claims in a federal lawsuit against global stars BTS and HYBE Corporation.

Bird Marella's Korea Practice Group co-chairs Ekwon Rhow and Timothy Yoo were recognized by The Legal Times, Korea's foremost legal ranking source, in its directory of the "Best Law Firms in Korea" for Korean companies. Bird Marella was the only trial boutique firm on the list. The profile—headlined "Making U.S. Litigation a Home Game"—touted Bird Marella's recent wins on behalf of prominent Korean companies.

Some of Bird Marella's public clients include Fortune 500, industry-leading companies, and high-profile figures including:

- **Hyundai Motor Company**
- **BTS**
- **HYBE Corporation**
- **Huobi Korea**
- Seegene, Inc.
- LG UPlus

- **Samsung**
- DoubleDown Interactive
- **CJ Entertainment & Media**
- ICure Pharmaceutical
- GeneMedicine
- Pacific Coast Co., Ltd.

- SK hynix
- TV Chosun Corporation
- CJ Logistics
- Kakao Entertainment
- Humax
- MBC Corporation

The firm has been recognized nationally by its peers, clients, and legal publications and has received numerous awards, notices of distinction, and accolades. Chambers and Partners, internationally regarded as one of the primary arbiters of achievement in the legal profession, has consistently recognized Bird Marella as a premier law firm in Chambers USA. **The firm has earned practice rankings in the selective Litigation: General Commercial: The Elite category and in the Band 1 group of Litigation: White-Collar Crime & Government Investigations.**

Various media outlets have also sought out Bird Marella's expertise on Korean business culture and the global landscape. Most notably, Mr. Yoo authored the article "K-Pop to Parasite – Navigating South Korean Business Culture" in Bloomberg Law, and associate Christopher Jumin Lee was interviewed on the South Korean current affairs radio show, "This Morning," and published the book " ("Why Anti-Discrimination Law?") with Book Journalism.

Experience

Won copyright-infringement lawsuit on behalf of international K-pop sensation BTS and its label, HYBE Corporation. The plaintiff alleged that the idea for CJ E&M and HYBE's reality show I-Land was stolen from a written treatment for his original television series idea. The district court granted the firm's motion to dismiss – in a rare occurrence, without leave to amend – and dismissed the entire case with prejudice. In addition, Bird Marella handled several cease-and-desist/takedown notices for BTS against various entities improperly exploiting BTS trademarks or implying false endorsements.

Complete defense verdict in \$175 million trial for Global Fortune 500 semiconductor company, SK hynix. After a four-week trial, Bird Marella convinced a federal court jury in Seattle to find for SK hynix against claims brought by Microsoft. Microsoft alleged that SK hynix breached a semiconductor chip supply contract and jeopardized the launch of its Xbox One gaming console. The jury sided with Bird Marella and determined that SK hynix had not committed any wrongdoing and denied all of Microsoft's damages claims.

Won federal class action on behalf of Hyundai Motor America, continuing a string of victories for the global automobile manufacturer. The original complaint, filed on behalf of a nationwide class, alleged that Hyundai sold vehicles with defective wheels. The action included claims of breach of

warranty, violations of various state consumer protection laws, and unjust enrichment.

Won copyright-infringement lawsuit in favor of a joint defense group comprised of some of South Korea's largest media companies – Kakao Entertainment, Genie Music, NHN Bugs, TJ Media, Keum Young, MBC, and TV Chosun – concerning the works of South Korean composer Jae-Ho Lee. Successfully prevailed on successive motions to dismiss, securing a dismissal with prejudice.

Won a unanimous jury verdict on behalf of Samsung Electronics Co., Ltd. in the Central District of California. The plaintiff sought over \$50 million in damages for Samsung's purported breach of contract from an agreement that the two companies had entered.

Completely defended a \$50-million copyright-infringement lawsuit on behalf of CJ Entertainment & Media, Korea's largest media conglomerate, concerning the distribution of "K-pop" songs in the U.S. over the Beats Music platform. Prior to the commencement of extensive international discovery, Bird Marella successfully got the case dismissed in its entirety based on the doctrine of forum non conveniens, which the Ninth Circuit has noted is an "exceptional" remedy that is rarely to be used.

As lead counsel, represented one of Asia's leading social gaming companies headquartered in Korea in a national class action brought under Washington's Recovery of Money Lost at Gambling Act (RMLGA). The case presented cutting-edge legal issues involving the proper interpretation of the RMLGA and involved potential damages of over \$2 billion.

Representing Galaxia Electronics, an LED-display manufacturer and subsidiary of Hyosung Corporation, in a breach of contract matter that has been pending in the Central District of California since 2016. Bird Marella was able to recover millions of U.S. dollars from the client's bankruptcy estates after the firm obtained pre-judgment writs of attachment, forcing two of the main defendants to declare bankruptcy.

Obtained TRO in multimillion-dollar breach of contract suit on behalf of large-cap company, ICure Pharmaceutical. Successfully impelled the defendant to arbitrate the case before the ICC.

Represented South Korean blockchain-based “decentralized finance (DeFi)” company Pacific Coast Co., Ltd. against its former Chief Technology Officer, who hacked smart contracts to embezzle customer funds.

Obtained a favorable settlement on behalf of Huobi Korea, the Korean branch of an international cryptocurrency exchange, in a case adverse to a NY-based investment fund, involving the management of Huobi’s cryptocurrency trust account.

Representing South Korean consumer electronics company Humax in a subpoena against multiple cable companies, including AT&T and Comcast, involving a patent-infringement action related to cable boxes.

Represented Seegene Technologies, Inc. in an international arbitration matter. Additionally, with the city of Los Angeles facing an increasingly growing demand for testing at the onset of the COVID-19 pandemic in 2020, principal Ekwon Rhoo worked alongside Seegene and Los Angeles Councilman David Ryu to fulfill agreements to produce 100,000 testing kits per week for Los Angeles County. The initiative provided much-needed aid for county health officials and residents, allowing for faster diagnosis and treatment.

Defended one of the largest South Korean companies in tort and contract claims related to a \$100 million resort development in Guam and claiming damages in excess of \$100 million. The firm achieved a walk-away settlement that was favorable to the client.

Obtained dismissal of consumer class action lawsuits on behalf of Hyundai and Kia Motors without leave to amend. The class action suits were filed against almost all of the major automotive manufacturers, alleging that the keyless entry system in vehicles was inherently dangerous and potentially could lead to monoxide poisoning.

Successfully defended Hanmi Bank (an American community bank focusing on the Korean American community) and its parent company, Hanmi Financial Corporation, against claims of fraudulent and negligent misrepresentation brought by its former Chairman and largest individual shareholder.

Defended South Korean pop star Rain (Jung Ji-hoon) in concert-related litigation.

Consulted for an e-sports management firm in Korea and assisted with demand letters to various U.S.-based e-sports teams and their operating entities regarding the purported inducement of several players and coaches to breach their contracts and move to the U.S.

Advised a South Korean medical devices manufacturer on patent infringement risks with the company's strategic move into the United States market.

Media and Publications

- Cover Story, "Bird Marella: Specializing in U.S. Trials for Korean Companies," *The Legal Times*, July 2023
- Interviewee (Christopher Jumin Lee), "This Morning with Henry Shinn," TBS eFM 101.3, January 2022
- Featured, "Best Law Firms in Korea for Korean companies," *The Legal Times*, November 2022
- Author (Christopher Jumin Lee), " " ("Why Anti-Discrimination Law?"), Book Journalism, May 2021
- Featured, "Settlement of TikTok class action lawsuit led by a Korean lawyer," *Korea Daily*, March 2021
- Author, (Timothy B. Yoo): "K-Pop to Parasite – Navigating South Korean Business Culture," Bloomberg Law, May 2020
- Featured, "SK Hynix dismisses all 200 billion won in hand compensation paid by Microsoft," *The Legal Times*, April 2019
- Featured, "Second generation Korean lawyers win \$175 million lawsuit against Microsoft," Radio Seoul, April 2019

Affiliations

- Korean American Bar Association
- Korean Commercial Arbitration Board, Panel of International Arbitrators
- Korean American Coalition
- International Association of Korean Lawyers
- Korean American League for Civic Action
- Adjunct Board of Advisors to the US-Korea Law Foundation, University of California Irvine Law School

- Network of Korean American Leaders (NETKAL), University of Southern California
- Council of Korean Americans
- US-Korea Law Foundation
- Korean Community Lawyers Association (KCLA)



Media



Thank You

Thank you for contacting us.



About the Firm

History

In 1981, we started as a small group of attorneys, who understand that the best way to resolve a dispute is to be prepared to take the case to trial. In a profession that often encourages expansion at the expense of

commitment to culture, we have developed an uncommon bond among our colleagues. This common purpose is reflected in the development of four generations of excellent trial lawyers, a commitment to ethics and professionalism, and a dedication to continually supporting each other's efforts both inside and outside the courtroom.

The firm's civil and white collar experience spans virtually every contentious commercial issue to arise in the past 40 years, from antitrust, insider trading, RICO, healthcare, and environmental matters to consumer class actions, entertainment royalty disputes, intellectual property, and Internet commerce litigation.

From representing the Alaska Public Utilities Commission in a multi-year investigation in the early 1980s to successfully defending the intellectual property rights of global K-pop sensation BTS in the early 2020s, Bird Marella has and continues to take on some of the most complex and high-stakes litigation and investigations in the country.



About the Firm

Pro Bono

"Well-known intellectual firepower...known for their...insistence upon the integrity of the criminal justice system."

— *ACLU Southern California Chief Legal Counsel*

Bird Marella's pro bono practice and civil rights advocacy have been an integral component of the firm since its founding in 1981 — built on the understanding that serving others is a significant part of a lawyer's civic and professional duty. The firm is unwavering in its commitment to strengthening communities, supporting civil liberties and civil rights, and enhancing the lives of those affected by

disadvantaged circumstances.

One of the firm's founding partners chaired the U.S. District Court's Pro Bono/Pro Se Committee. Under his leadership, the Committee established the nation's widely recognized first walk-in Pro Se Clinic. The clinic has served countless pro bono litigants and as a model for other jurisdictions.

The firm's attorneys and paralegals have contributed over 23,100 hours of pro bono legal work in the past decade. Bird Marella has been proud of its pattern of increasing its total hours of pro bono service year after year.

The firm is honored to have received numerous recognition from various legal and service organizations for its decades-long dedication to pro bono work. Notably, the State Bar of California previously recognized Bird Marella with the President's Pro Bono Service Award for its victories in impact litigation that improved working conditions in the garment industry. Additionally, the American Civil Liberties Union (ACLU) also honored the firm with its Pro Bono and Humanitarian Awards for its achievements affecting the criminal justice system.

In partnership with Bird Marella's Diversity Committee, the firm's Pro Bono Committee identifies and partners with organizations to address systemic issues of inequality and support organizations committed to advancing marginalized communities. All attorneys and staff are eligible to receive billable credit for time devoted to volunteering with charitable organizations with racial justice or diversity goals or at public interest organizations that benefit underserved groups or communities. Through this social justice initiative, Bird Marella solidifies its commitment to pro bono service and encourages its staff to give back at any opportunity.



Experience

Won pro bono asylum case in Immigration Court that allowed the client to remain with his family in the United States.

With the Los Angeles Center for Law and Justice (LACLJ), helped an immigrant survivor of domestic violence protect her family from separation by securing termination of her three children's removal proceedings, and ultimately obtaining Special Immigrant Juvenile Status approvals for the children to stay in the United States.

Filed two highly-publicized class action lawsuits with co-counsel, the American Civil Liberties Union (ACLU) and Prison Law Office (PLO), against federal prisons to challenge inefficient measures to prevent the spread of COVID-19, in violation of the Eighth Amendment prohibition against cruel and unusual punishment. Both prisons are now at under 100% capacity, whereas they had been overcrowded at 130% capacity, and over 340 prisoners were transferred to home confinement, granted compassionate release, or transferred to residential reentry centers. The ACLU awarded the Bird Marella pro bono team with the 2021 Humanitarian Award for their extraordinary efforts

and achievements in the *Wilson v. Ponce* and *Torres v. Milusnic* cases.

Drafted the *amicus curiae* brief for the NAACP Legal Defense Fund in *Rojo v. Kliger*, a landmark case in which the California Supreme Court adopted the Defense Fund's analysis in holding that victims of workplace sexual harassment could bring common law tort claims against their abusers.

Lead counsel for the plaintiffs in the El Monte Thai Worker Slavery Case, in which the firm represented over 100 undocumented clients who had been held in virtual slavery at a garment factory. In addition to preventing their deportation, Bird Marella secured an unprecedented settlement of over \$4 million on behalf of the workers. The case also set a precedent concerning clothing companies' responsibility for their subcontractors' conduct. In recognition of these successful efforts, the California Bar Journal awarded the firm the 2004 State Bar President's Pro Bono Service Award.

As court-appointed counsel, represented a client in connection with their federal habeas corpus petition from the trial court to a decision by the United States Supreme Court.

Represented garment workers in successive class and mass actions against clothing manufacturers and factories to recover unpaid wages, overtime, and benefits.

Secured in-home nursing care from health insurance companies for critically ill, intubated newborn infants who needed round-the-clock monitoring at home to avoid being separated from their parents and institutionalized.

Obtained the release (on bail) of a pro bono client charged in a high-profile and internationally publicized extradition case -- the client, a U.S. Marine Corps veteran, had been detained pending extradition to Spain based on allegations relating to an incident at the North Korean embassy in Madrid.

Achieved a multi-million dollar settlement for 50 displaced residents plagued by housing code violations in South Los Angeles. The residents, many of whom were children, lived in substandard conditions for years and were exposed to several health and safety hazards while enduring

harassment, discrimination, and retaliation from the landlords. Residents were ultimately forced out so the owners could demolish the building and build new condominiums. After several months of mediation, working with the Inner City Law Center, the firm secured over \$2 million in damages and relocation benefits.

Worked with the Voice for the Animals Foundation to convince the City of Los Angeles to allow Billy the Elephant to be removed from the Los Angeles Zoo and re-homed in a sanctuary to live out the remainder of his life in a much more healthy, humane, and natural environment. In a parallel case, successfully removing Ruby the Elephant from the Los Angeles Zoo to an animal sanctuary in Tennessee.

In a groundbreaking ruling, obtained declaratory and injunctive relief for three Death Row inmates at the Louisiana State Penitentiary in Angola after convincing the court that the excessive summer heat conditions of confinement constituted cruel and unusual punishment in violation of the Eighth Amendment. The complaint against the Louisiana Department of Public Safety and Corrections alleged heat indexes as high as 195 degrees Fahrenheit during the humid Louisiana summer.

Obtained victory on behalf of former U.S. Marine who served in a combat deployment in Iraq. As the client lived with Post Traumatic Stress Disorder, the Marine Corps discharged the client with a less than honorable discharge status, depriving him of veteran's benefits. Bird Marella argued the client's appeal before the Naval Discharge Review Board and convinced the Board to shift from a 3-2 decision (by an earlier panel against the client) to a unanimous 5-0 decision in his favor. The client's discharge was upgraded to General Under Honorable Conditions, restoring his pride in showing his military discharge paperwork for employment, housing, and school purposes. Previously won a six-figure award in retroactive and ongoing monthly benefits in an initial appeal of the Veteran Affairs' denial of the client's claim for disability benefits based on his discharge status.

Stopped foreclosure by California Attorney General's office on Casa Del Mexicano in Boyle Heights, a cultural center for fundraisers and programs aimed to support the local immigrant community.

Persuaded the Court of Appeal to reverse judgment for an LAUSD campus aid who was harassed and fired based on her race, age, and gender, and retaliated against for her efforts to call out misconduct on campus.

Secured a complete victory against the California Department of Social Services (CDSS) for a client seeking compensation for in-home supportive services he provided to an elderly woman. Successfully obtained writ of mandate from Los Angeles County Superior Court ordering CDSS to issue a new decision that authorizes full payment of back wages with interest. The writ further ordered CDSS to rescind a statewide policy that the agency has repeatedly relied on to deny benefits to IHSS recipients and their caretakers.

Won over \$100,000 in back wages and commissions, along with liquidated damages and interest, for client following a multi-day hearing before the California Labor Commissioner regarding years of withheld salary after termination.

On appeal, obtained a victory on behalf of a homeless mother who was convicted of driving with a suspended license and ordered to pay the court a total of \$220 in court fees and fines. Bird Marella argued that the court's imposition of fees and fines without considering the client's inability to pay violated her equal protection and due process rights. The court's landmark opinion states that California courts must now conduct an ability-to-pay hearing before imposing court fees and fines.

Won a permanent writ of mandate against a motel owner's Costa Mesa luxury housing project, which would have affected several impoverished long-term residents of a Costa Mesa motel who could not find affordable housing. Previously won preliminary injunction to stop the property owner's proposal for luxury apartments replacing the residents' existing homes, which was said to violate multiple state law provisions and the California Relocation Assistance Act.

As court-appointed counsel, represented a criminal defendant in a watershed prosecutorial misconduct case at trial and before the Ninth Circuit Court of Appeals. On remand, the district court dismissed the indictment with prejudice as a sanction for the government's misconduct.

Awards & Recognition

- President's Pro Bono Service Award, Midsize Firm, The State Bar of California
- Pro Bono Award, Public Counsel
- Humanitarian Award, American Civil Liberties Union (ACLU) of Southern California
- Pro Bono Criminal Justice Award, *Douglas v. Cooley*, American Civil Liberties Union (ACLU) of Southern California

- Lily Award, Voice of the Animals Foundation
- Katherine Krause Award for Public Service, Inner City Law Center
- Mock Trial Attorney of the Year – Private Sector (Dorothy Wolpert), Constitutional Rights Foundation

Organizations We Support

Since the firm's inception, Bird Marella and its attorneys and staff have worked closely with organizations committed to improving diversity and social equality and providing leadership and mentoring opportunities for minorities. The firm has also contributed to civic and charitable organizations devoted to strengthening communities, supporting human rights, and enhancing the lives of underprivileged children. Many of the firm's partners serve or have served in prominent leadership roles for these organizations, such as President or President's Council Members, (Chair of the) Board of Directors, Board of Governors, Board Members, and more.

- American Civil Liberties Union (ACLU)
- American Constitution Society
- American Jewish Committee
- Asian Americans Advancing Justice – Southern California (AJ SoCal)
- Asian Pacific American Women Lawyers Alliance (APAWLA)
- Bet Tzedek
- California Minority Counsel Program (CMCP)
- Constitutional Rights Foundation (CRF)
- Council of Korean Americans
- Disability Rights Legal Center
- Hispanic National Bar Association
- Homeless Health Care Los Angeles
- Inner City Law Center
- International Association of Korean Lawyers (IAKL)
- Korean American Bar Association (KABA)
- Korean American Coalition (KAC)
- Korean American League for Civic Action
- Korean Commercial Arbitration Board (KCAB)
- Korean Community Lawyers Association (KCLA)
- Lambda Legal
- Lamp Community
- Leadership Council on Legal Diversity (LCLD)
- Lennox Educational Advancement Foundation
- LGBTQ+ Lawyers Association of Los Angeles
- Los Angeles Center for Law and Justice
- Mexican American Bar Association (MABA)
- National Asian Pacific Bar Association (NAPABA)
- National Association for the Advancement of Colored People (NAACP)

- Network of Korean American Leaders (NETKAL)
- One Justice
- People Assisting the Homeless (PATH)
- Public Counsel
- South Asian Bar Association of Southern California (SABA-SC)
- Southern California Chinese Lawyers Association (SCCLA)
- St. Matthew's Episcopal Church Vestry
- The Jewish Foundation
- US-Korea Law Foundation
- Verbum Dei High School
- Western Center on Law & Poverty
- Women's White Collar Defense Association (WWCDA)



About the Firm

Diversity & Inclusion

Promoting diversity, equity, and inclusion has been one of Bird Marella's priorities for over four decades. We understand that diversity is essential to creating a dynamic firm culture that is informed by differing perspectives, and to our ability to provide our clients with the highest level of legal service.

A Culture of Inclusion

Bird Marella takes pride in its diversity and is constantly striving to reinforce our inclusive, collegial, and multigenerational culture. With 35% of our partners, 45% of our associates and counsel, and 57% of our support staff identifying as minorities, we value the unique perspectives and backgrounds of our diverse attorneys and staff.

Diversity Committee

Our Diversity Committee, comprised of partners, associates and staff members, works to support diversity and inclusion both within the firm and the community through service, advocacy, and education. Among its many initiatives are efforts to promote and support local organizations focused on diversity issues, in addition to supporting BIPOC-owned local businesses.

The Diversity Committee also works with our Pro Bono Committee to identify and partner with organizations to address systemic issues of inequality and support organizations committed to the advancement of marginalized communities.

All attorneys and staff are eligible to receive billable credit for time devoted to volunteering with charitable organizations with racial justice or diversity and inclusion initiatives, or public interest organizations that benefit underserved groups or communities.

Leadership Counsel on Legal Diversity

Bird Marella has partnered with the Leadership Council on Legal Diversity (LCLD) to serve as the Los Angeles Lead for the LCLD's Success in Law School Mentoring Program. The LCLD is a 320-member national organization consisting of general counsels and managing partners of law firms devoted to creating a more diverse legal profession in the United States.

The Success in Law School Mentoring Program serves first-year law students from diverse backgrounds, matching them with mentors from local LCLD Member Organizations who provide guidance and strategies for success in law school and beyond. Through a combination of individual and group mentoring, LCLD gives talented law students the mentoring they need to reach their full potential.

As the City Lead for Los Angeles, Bird Marella has assumed primary responsibility for coordinating with law firms and law schools throughout Los Angeles to facilitate the program's individual and group mentorship to local 1L law students.

Honors

We have been recognized by national legal publications as one of the best law firms for minorities in the country, and our lawyers are consistently recognized as among the top women and minority lawyers in Los Angeles and California.

- Best Law Firms for Minority Attorneys, *Law360*
- Most Influential Women Lawyers, *Los Angeles Business Journal*
- Most Influential Minority Attorneys, *Los Angeles Business Journal*
- Top 100 Women Lawyers, *Daily Journal*
- Top 50 Women Lawyers, *Daily Journal*

- Trailblazer Award, Southern California Chinese Lawyers Association
- Impact Lawyer of the Year, Asian Pacific American Legal Center
- Women's Summit Nominee, *Los Angeles Business Journal*
- Law Firm Diversity Award, National Asian Pacific Bar Association
- Compass Award, Leadership Council on Legal Diversity

Affiliate Organizations

Since the firm's inception, Bird Marella and its attorneys and staff have worked closely with organizations committed to improving diversity and social equality and providing leadership and mentoring opportunities for minorities.

- American Civil Liberties Union (ACLU)
- American Constitution Society
- American Friends of the Hebrew University
- American Jewish Committee
- Asian Americans Advancing Justice – Southern California (AJ SoCal)
- Asian Pacific American Women Lawyers Alliance (APAWLA)
- Bet Tzedek
- California Minority Counsel Program (CMCP)
- Council of Korean Americans
- Disability Rights Legal Center
- Hispanic National Bar Association
- Homeless Health Care Los Angeles
- Inner City Law Center
- International Association of Korean Lawyers (IAKL)
- The Jewish Foundation
- Korean American Bar Association (KABA)
- Korean American Coalition (KAC)
- Korean American League for Civic Action
- Korean Commercial Arbitration Board (KCAB)
- Korean Community Lawyers Association (KCLA)
- Lambda Legal
- Leadership Council on Legal Diversity (LCLD)
- Lennox Educational Advancement Foundation
- LGBTQ+ Lawyers Association of Los Angeles
- Mexican American Bar Association (MABA)
- National Association for the Advancement of Colored People (NAACP)
- National Asian Pacific Bar Association (NAPABA)
- Network of Korean American Leaders (NETKAL)
- One Justice
- People Assisting the Homeless (PATH)
- Public Counsel

- South Asian Bar Association of Southern California (SABA-SC)
- Southern California Chinese Lawyers Association (SCCLA)
- St. Matthew's Episcopal Church Vestry
- Teach Democracy
- US-Korea Law Foundation
- Verbum Dei High School
- Western Center on Law & Poverty
- Women's White Collar Defense Association (WWCDA)



About the Firm

Reputation

Our firm has garnered recognition from a variety of publications, media outlets, and organizations including *Chambers USA*, *National Law Journal*, *Forbes*, *Daily Journal*, and *Law360*.

The firm's ratings as preeminent lawyers by leading legal publications are matched by our prominence as leaders in national and local Bar organizations, as well as our selection to federal and state Bench-Bar committees. Many Bird Marella attorneys are members of the American College of Trial Lawyers. The firm's professional renown helps us achieve our clients' goals in the courtroom and facilitates prompt, just, and favorable pretrial settlements without the expense of a trial. Ultimately, the results we obtain for our clients are the source of our firm's reputation. While Bird Marella has had its share of headline-grabbing cases, many of our victories are achieved by under-the-radar resolutions because that is how our clients want it.

Some of the more notable accolades and awards the firm has been honored with include:

Chambers
AND PARTNERS

Top Ranked in *Chambers and Partners USA*, referring to us as “one of the best litigation firms in the state of California... one of the best in the country.”

The firm earned rankings in **Band 1** of **Litigation: White-Collar Crime & Government Investigations** and among the top firms in **Litigation: General Commercial: The Elite** and **Media & Entertainment: Litigation**.

THE NATIONAL LAW JOURNAL

Recognized as one of the nation’s top ten litigation boutiques in *National Law Journal’s* “Litigation Boutique Hot List”.



Listed as one of the “10 Boutiques Giving Big Firms A Run For Their Money” and named among “The Best Law Firms for Minority Attorneys” by *Law360*.

Forbes

Listed among America's Top 200 Lawyers by *Forbes*.

THE
AMERICAN LAWYER

Named a finalist for the National Boutique/Specialty Litigation Firm of the Year award.



Listed as one of "The Best Litigation Boutique Law Firms" and a "Top 150 Under 150" law firm by Vault.

Daily Journal

Recognized as one of only nine litigation boutiques in the inaugural issue of the *Daily Journal's* "Top Boutiques," honoring firms that embody the concept of "doing one thing and doing it exceptionally well."

Named to *Daily Journal's* "Top Verdicts" and "Top Defense Results."



Recognized as a "Highly Recommended" Litigation Law Firm in California, the Securities Litigation Firm of the Year, and was awarded Impact Case of the Year by *Benchmark Litigation*. Shortlisted as California Firm of the Year and Entertainment Firm of the Year for the 2025 U.S. Awards.



Partners of the firm are frequently inducted as Fellows of the American College of Trial Lawyers – one of the greatest honors for trial lawyers practicing in North America.

Best Lawyers



Super Lawyers

Bird Marella is consistently ranked among “Best Law Firms” by *U.S. News – Best Lawyers®*, reaching Tier 1 in Los Angeles for Commercial Litigation, Criminal Defense: White-Collar, Health Care Law, and Securities Litigation. The firm’s attorneys have received more individual rankings within the Commercial and White-Collar categories than any law firm in the Los Angeles metro area. In addition to its rankings in *The Best Lawyers in America®*, Bird Marella regularly receives top rankings from *Martindale-Hubbell* and *Super Lawyers*.

LOS ANGELES BUSINESS JOURNAL

Named among the Most Admired Law Firms: LA’s Top Firms to Work For.



Recognized by LexisNexis® Martindale-Hubbell® as a “Top Ranked Law Firm”.



Awarded the National Asian Pacific American Bar’s Law Firm Diversity Award.



Awarded the American Civil Liberties Union’s Pro Bono Award and Humanitarian Award.

Legal Times

Featured as the July 2023 cover story and named among the "Best Law Firms" for Korean companies in the *Legal Times*, Korea's top legal newspaper.

VARIETY

*THE
Hollywood
REPORTER*

Named in *Variety's* Legal Impact Report: Hollywood's Top Entertainment Dealmakers and Litigators and *The Hollywood Reporter's* Legal Legends and Power Lawyers: Hollywood's Top 100 Attorneys List.

**BIRD
MARELLA**^{LLP}
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Disclaimer

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Securities Fraud and Insider Trading

The post-financial crisis / Dodd-Frank era has ushered in reinvigorated regulatory enforcement from both the SEC and the Department of Justice. Bird Marella regularly represents clients, both individuals and corporations, who find themselves under government investigation for criminal securities fraud, insider trading, and a range of investment violations.

Overview

We provide dual criminal and civil securities representation in cases involving concurrent investigations and private litigation. Many of these cases commence under the specter of enormous personal and professional risks and attract the media's glare. We work discreetly and assume control from the onset to contain threats to our client's reputation and livelihood.

Our depth of experience defending criminal securities cases is unparalleled. Prior to joining Bird Marella, several of our attorneys served as Assistant United States Attorneys who handled white collar fraud and securities matters. We are well known and respected by the federal and state judiciaries. *Chambers USA* consistently ranks and recognizes our attorneys as senior statesmen in white collar crime and government investigations law.

In addition, we have served on several Bar-Bench committees for the Ninth Circuit, we have repeatedly served as leaders of the ABA's National White Collar Crime Committee and frequently speak and comment on securities law enforcement topics.

High-Profile Securities Cases

Over the past 30 years, our securities litigation team has achieved numerous favorable results for our clients.

For example, Bird Marella represented a former bank president in a landmark mortgage/securities fraud investigation connected to the financial crisis of the late 2000's. We resolved the matter, including the grand jury investigation, and achieved no liability for our client.

In addition to securing declinations of charges from the SEC and DOJ, we have repeatedly reached civil settlements in options backdating, insider trading and revenue recognition claims. This includes in a \$2 billion fraud case and a wave of insider trading actions brought in the past decade against telecommunications and *Fortune 500* companies and their officers and directors.

Experience

Attained No Criminal Charge in \$2B False Claims Case, Settled Civil Claim: We successfully represented the co-president and COO of the second largest publicly traded health care company against allegations of \$2 billion in False Claims Act violations, and securities and health care fraud claims. In the DOJ criminal investigation, no charges were ever filed, and we achieved a favorable civil settlement with the SEC.

Attained Civil Fraud Settlement, Criminal Defense Proceeds for Tech CFO: In our defense of the former CFO of a technology company, we achieved a settlement on civil fraud charges related to revenue recognition and options. Our representation continues in the U.S. District Court for the Southern District of New York on criminal charges of securities fraud, falsifying corporate records, and conspiracy.

Convinced Government to Not File Criminal Charges Against Bank President in Mortgage Fraud Investigation: We represented the former president of a bank considered by the media to be a “poster child” for the national mortgage crisis. Our client was investigated for mortgage / securities fraud and we resolved the matter, including the grand jury investigation, and achieved no liability for our client.

Resolved Federal and State Fraud and Class Actions for CFO: We represented the former CFO of a “Baby Bell” telephone company in criminal, SEC and civil litigation relating to revenue recognition and accounting fraud issues. We obtained a favorable resolution on these matters for our client.

Defending Investor in SEC and USAO Insider Trading Investigation: We serve as lead counsel for a highly successful, private investor in connection with a current, high-profile insider trading case under investigation by the SEC and Department of Justice.

Defending Prominent Investor in SEC Investment Fraud Charges: We are representing a high-profile Persian-American financial services client in federal criminal charges related to an alleged affinity investment fraud.

Advising Executive in FCPA Investigation: We are representing the CEO of a North American unit of a global company during an extensive Foreign Corrupt Practices Act investigation involving a government contractor.

Cleared GC in Company's Securities Fraud Action: Our client was the general counsel of a publicly traded company in a securities fraud action. We persuaded the government to decline to prosecute our client and the case was resolved with a company-only settlement.

Persuaded DOJ Not to Prosecute Securities Broker: We obtained a declination of criminal prosecution and a non-fraud settlement for our stock broker clients. We achieved this against the backdrop of numerous others being charged by the DOJ and SEC with fraud and criminal convictions.

Counseling Hedge Fund in Parallel Grand Jury-SEC Investigations: We represent a hedge fund and its owner / operator in connection with a pending SEC case and parallel grand jury investigation.

Defended CFO on Misstatement Allegations, No Charge Result: In our representation of a chief financial officer under investigation for alleged misstatements on corporate financial statements, we persuaded the government to decline to bring charges.

Averted Criminal Fraud Charges in SEC Investigation of CEO: We represented the chief executive officer of a prominent department store chain in a criminal securities fraud investigation. The government declined to bring charges after first indicating it intended to do so.



Internal Investigations

Bird Marella is frequently retained to conduct internal investigations for clients involved in government contracting, healthcare, technology, aerospace, financial services, education and a host of other industries.

Overview

We represent top executives and corporate officers, as well as corporations and special committees, in investigations commonly triggered by government scrutiny, civil litigation or whistle blowers. Our attorneys are fully conversant in the endgame liabilities – including criminal charges and high stakes litigation and effectively guide investigations to best protect our clients' interests.

Investigations Led By White Collar Criminal Defense Lawyers

Several of our attorneys are former Assistant United States Attorneys and are widely respected federal trial attorneys in complex commercial litigation and white collar criminal defense. Our prosecutorial backgrounds have proven particularly effective when negotiating with the

government. We have successfully represented our clients in investigations involving:

- United States Department of Justice
- United States Department of Commerce
- United States Department of the Treasury
- United States Department of Homeland Security
- United States Department of State
- U.S. Securities and Exchange Commission
- Internal Revenue Service
- Federal Bureau of Investigation
- Naval Criminal Investigative Services

Bird Marella attorneys investigate efficiently, meticulously and discreetly, while preserving clients' relationships with valued employees and business partners. Investigations include appropriate levels of inquiry, interviews and document review. We may identify red flags, examine the suitability of voluntary disclosures, and consider the need for separate counsel for related individuals.

Our post-investigation reports carry great weight with government investigators and finders of fact, while also delivering critical assurances to clients. Numerous investigations have concluded with non-prosecution decisions by the government, as well as recommended legal frameworks for changes in operational practices and procedures.

Experience

Prevented OSHA Lockout-Tagout Felony Charges Against CEO: We represented the new CEO of a duck farm in which one employee had died inside a feather dryer mistakenly activated by another employee. The CEO had recently joined the company and faced felony manslaughter charges connected to violating Cal-OSHA lockout-tagout regulations. We conducted an internal investigation and presented a detailed analysis of the facts of the incident. We eventually persuaded government regulators that our client had not violated any statutes and the case was resolved without any charges filed against our client.

Reversed Government Decision to Indict Aerospace Manufacturer: We conducted a wide-ranging investigation focused on the export practices of the Orange County unit of a global aerospace consortium. In the course of the international inquiry, we managed the joint defense team for several individuals facing criminal allegations. Bird Marella led negotiations with the FBI, DOJ, NCIS,

IRS, the State Department and other government agencies. Following numerous oral and written presentations to these agencies, we persuaded the government to not indict our client.

Defending CEO of Multinational Tech Company During Internal Investigation: Our firm is representing the CEO of a multinational technology company in a global investigation of potential violations of the Foreign Corrupt Practices Act.

Advised Cancer Center in Internal Investigations: We advised and represented a major cancer hospital in an internal investigation triggered by billing practices of a doctor. Our findings of “sloppy” but non-criminal behavior prompted our recommendations to change practices, which the health care provider followed and avoided future litigation.

Investigated Health Network’s Funding Practices: On behalf of a large managed health care network, we conducted an internal investigation into its funding of seats on boards of directors.

Represented a chain of nursing homes in a California Attorney General investigation of various alleged violations including one supposedly leading to a patient death. Bird Marella conducted a comprehensive internal investigation and subsequently obtained a complete dismissal of all charges against the company and all individuals.

Represented hospital company in connection with criminal investigation of violation of mandatory reporting statutes prosecuted by the California Attorney General's Office. Bird Marella conducted a comprehensive internal investigation and subsequently convinced the office to dismiss all charges.

Represented a durable-medical-equipment supplier in a California Attorney General investigation of alleged overbilling to state programs. Bird Marella conducted a comprehensive internal investigation and subsequently obtained dismissal of all charges.

Ongoing Counsel on Investigations to Government Contractor: The firm provides continuing counsel to an international government contractor connected to inquiries made by Homeland Security and other agencies concerning vendor sales to sanctioned parties, FCPA violations, fraud and other allegations of wrongdoing.

Represented office equipment company involved in "grey market" counterfeiting investigation by California Attorney General's Office. Bird Marella conducted a comprehensive internal investigation and subsequently obtained a dismissal of all charges.

Represented recycling firm in a California Attorney General investigation of fraud in connection with recycling programs. Bird Marella conducted a comprehensive internal investigation and subsequently obtained a dismissal of all felony and misdemeanor charges.

Health Care Fraud and Regulatory Enforcement

Bird Marella represents health care providers facing criminal investigations and enforcement. Our practice extends beyond classic reimbursement matters to claims involving fraud, medical standards, and state and federal regulatory enforcement.

Overview

We have achieved victories spanning from prosecutors declining to charge our clients to complete trial acquittals affirmed on appeal. Our diverse clients range from world renowned cancer centers to sole practitioner clinics, and from the president of one of the country's largest hospital groups to individual employees.

In addition to fraud, we regularly represent providers on substantive health care issues, such as quality of care, validity of prescriptions, compliance with regulations, and similar matters.

The professional and personal stakes are high for many health care clients. We are keenly aware that how we resolve allegations, and the discretion we maintain, carries ramifications for our clients' freedom, reputations, and future livelihoods.

Criminal and Civil Health Care Legal Defense

We protect clients on all fronts. The firm's experience in both criminal and civil health care matters is invaluable in the parallel proceedings common in health care litigation.

Several attorneys are former Assistant United States Attorneys, and all are respected trial attorneys. Governing authorities and judicial bodies view us as credible and persuasive. Our representative matters illustrate Bird Marella's track record in effectively avoiding government charges against our clients.

Experience

FRAUD

Averted \$2 Billion Medicare Fraud Prosecution: The government threatened to charge our client, the president of the country's second largest publicly traded hospital chain, with an alleged \$2 billion Medicare fraud. After a thorough investigation and multiple presentations to prosecutors in Los Angeles and Washington, D.C., we convinced the government that our client had not committed any fraud and the government dropped the matter.

Earned Trial Acquittal for Doctor Accused of Medicare Billing Fraud: Our client was one of several doctors charged with Medicare fraud in connection with mobile respiratory therapy. While the other physicians other pled guilty, we took the matter to trial and achieved his complete acquittal on all counts.

Achieved Post-Trial Dismissal and Civil Settlement for Doctor: We represented a doctor in a seven-week, four-defendant health care fraud trial. After the jury hung 10-2 in favor of acquittal, we persuaded the U.S. Attorney's office to drop the criminal case and settled the civil case on a non-fraud basis for a tiny percentage of the alleged dollar amount.

Obtained Dismissal of \$4M Medi-Cal Fraud Claim and Settled Misdemeanor Charges: Our client, a durable medical equipment provider, was arrested and charged with defrauding Medi-Cal out of more than \$4 million. In our presentations to the prosecutors, we argued that our client's conduct was within regulations. Based on these arguments, the prosecutors dismissed the fraud charges

and allowed the client to settle a non-health-care-related misdemeanor and time payments of less than a tenth of the amount at issue.

Defended Qui Tam Action Successfully for Renal Care Centers: We successfully represented a chain of kidney dialysis centers against qui tam allegations that the chain overcharged Medicare for drugs.

Thwarted Charges Against Reimbursement Consultant: We represented a cost report consultant threatened with criminal felony prosecution for alleged improper suppression of overpayment data. After a thorough factual and legal investigation, we had several contentious meetings with the government in which we argued that the consultant's conduct was not illegal. The government reversed its intent to charge our client with several felonies and dropped the matter. We also persuaded the government not to name our client as a defendant in a parallel civil False Claims Act suit.

MEDICAL STANDARDS

Defended Validity of Internet / Non-Face-To-Face Rx, Eliminated Felony Threat: In one of the country's first internet prescribing cases, we represented the country's largest internet pharmacy service provider. The government announced its intent to charge our client with 83 felony drug trafficking counts, which carried decades of prison time. We made several persuasive presentations showing that the government's theory was legally defective. The government dropped the threat and we were able to resolve the matter for a single strict-liability misdemeanor and some community service. Afterwards, the National Federation of State Boards of Pharmacy and several government groups invited our lawyers to give this same presentation to them.

Represented California's Most Prolific Opiate Prescriber: In another matter implicating the validity of prescriptions, we successfully defended a doctor charged with drug trafficking arising from his alleged prolific prescribing of opiate pain medicine. The sentence imposed was a fraction of what the government demanded and was criticized for its leniency by the *Los Angeles Times*. The government was so upset by the sentence that, in an exceedingly rare move, it appealed our result.

Achieved Dismissal / Declination of Standards-of-Care Allegations: We have represented numerous providers in connection with threatened criminal charges arising from alleged violations of standards of care. These include conditions in skilled nursing facilities, care provided at cosmetic surgery centers, improper supervision of medical staff, and others. We have successfully convinced numerous agencies to decline to charge such cases or even to dismiss those already charged.

FEDERAL REGULATORY ENFORCEMENT

Successfully Defended "Most Wanted" Physicians in Criminal Fraud: We have defended many doctors facing various fraud allegations, including several "most wanted" targets of California and federal regulators. Our representation has included investigations and charges related to allegations of kickbacks, unnecessary medical services, and drug trafficking.

Secured Dismissal of Anti-Kickback Charges Against Hospital Executive: Our client, a hospital executive, was the subject of a criminal investigation and prosecution of Anti-Kickback Act violations. We persuaded the government to decline charges against our client, while the government proceeded with charges against others.

Convinced Multiple Prosecutors Not to Prosecute Hospital CEO: We represented a CEO of a psychiatric hospital who was a target in multiple jurisdictions. We persuaded the prosecutors in each jurisdiction to reverse their initial decisions and not to charge our client.

Defending Newspaper in HIPPA Violations Involving Celebrity: We are criminal counsel to a national publication alleged to have violated HIPPA regulations in its reporting of a celebrity death.

Achieved “No Charge” Result for Hospital in False Cost Reports: Our client, a hospital, was the subject of a federal investigation concerning false cost reports in connection with the Medicare program. We persuaded the government to decline bringing civil or criminal charges against our client.

Prevailed in Hospital-Doctors Group Business Arbitration: We arbitrated on behalf of a hospital in a dispute revolving around the hospital’s termination of its agreements with a radiology group. The bases for termination included provider-based rules, licensing and other fraud and abuse concerns. The hospital’s right to terminate the agreements for cause was upheld by the arbitrator.

Defended Fraud Claims Successfully for Home Health Agencies: We provide ongoing defense counsel to several health care providers in fraud charges related to kickbacks, services not rendered, and unlicensed professionals.

Advised Cancer Center in Internal Investigations: We advised and represented a major cancer hospital in an internal investigation triggered by billing practices of a doctor.

Resolved Parallel-Civil Charges for Medical Researcher: A senior scientist at a major pharmaceutical company faced parallel civil and criminal actions involving alleged violations of the federal Computer Fraud and Abuse Act and the Economic Espionage Act. In our representation of him, we obtained a “no charge” decision in the criminal investigation and the civil action settled on favorable terms thereafter.

Defended Pharmacists on Prescribing Standards Violations: The firm represents numerous pharmacists and pharmacies, operating online and brick and mortar shops, in charges of violating federal statutes governing controlled substances.

REGULATORY ENFORCEMENT

Preserved Oncologist’s Practice at Trial on Unapproved Medication Use: We represented an oncologist charged with using unapproved medication. The government declined to offer a reasonable settlement and demanded our client receive eight years in prison. We took the case to trial and achieved an outcome of straight probation with no cessation of practice. The doctor’s story is in development for a Hollywood movie.

Cleared Nursing Home Worker of Responsibility, Set New Law: We defended one of several nursing home employees charged by the state with violating certain nursing home regulations. During our

representation, we achieved a ruling from the appellate court establishing new law that individual employees cannot be charged with violating these regulations. This caused the entire case to be dismissed.

Persuaded AG to Dismiss Felony Case Against Cardiologist: The firm defended a cardiologist who, along with several other defendants, was charged with multiple felonies by the California State Attorney General's Office. Just prior to the preliminary hearing, and after several presentations to the prosecutor, we convinced the AG's office to dismiss all charges against our client. The criminal case against all of the other defendants proceeded.

Defending Hospitals in Skid Row / Patient Dumping Claims: We represent several hospitals and executives in claims of patient dumping onto skid row, as well as claims of paying indigents to become hospital patients.

Defeated Nursing Home Patient Death Claims and Kickback Investigations: In our representation of several nursing homes, we have defended administrators and facilities in various claims. These include defeating claims in connection with patient deaths and investigations into claims of kickbacks from vendors.

Settled Plastic Surgeon's Unlicensed Practice Charges: We defended a Beverly Hills plastic surgeon in charges connected to the unlicensed practice of medicine. We achieved a satisfactory resolution of the claim.

Defended Claims of Unlicensed and Unapproved Products / Medications: Our firm defends oncologists, dermatologists, cardiologists and other medical specialists against claims of using unlicensed products, including generic Botox, Viagra, and other non-FDA certified products.



Environmental

Bird Marella defends corporations and individuals against allegations of violating environmental and safety laws at the federal, state, and local levels.

Overview

California's stringent and extensive environmental and workplace regulations present unique challenges for our clients. In the more than 50 criminal cases that we have handled in this area, no client has ever been sentenced to a day in prison. Our attorneys include several former Assistant United States Attorneys. We regularly represent clients before the U.S. Department of Justice, California Attorney General, and county District Attorney offices. Bird Marella counsels at every stage, from initial inquiry and grand jury investigation to settlement negotiations, trial and appellate advocacy. In numerous cases, we have persuaded government authorities to reverse charging decisions, to decline to file criminal charges, or to structure civil settlements. Typically, we conduct our own fact-finding investigations into alleged violations. These reports often present critical facts that prosecutors either missed or misunderstood and they often provide the basis for a favorable disposition of our clients' cases.

Environmental and Safety Crimes Law Leadership

Bird Marella has a prominent national profile in criminal environmental law. One of our attorneys edited an American Bar Association treatise on environmental crimes, and also chaired the ABA's

environmental crimes subcommittee.

Beyond the criminal and financial risks, environmental and safety cases often have attendant political and publicity concerns. We have successfully represented high-profile and controversial cases involving military grade nuclear waste, exotic animals, and media-savvy environmental activists. Bird Marella acts credibly and discreetly before federal, state and local regulators and enforcement agencies, and has earned a reputation for effective management of volatile issues involving environmental and political interests, endangered species and Cal-OSHA violations.

Experience

ENVIRONMENTAL

Settled Endangered Species Claims Favorably for Major Developer: Our client, a major real estate developer of one of the largest undeveloped land parcels remaining in Los Angeles County, was stymied by the District Attorney's allegation that the developer had illegally destroyed an endangered flower. We defended our client in Endangered Species Act allegations and on the eve of trial, we reached a favorable civil settlement with the district attorney's office.

Averted Government Charges Against Handler of Nuclear Waste: We represented a prominent handler of military grade nuclear waste in a case involving novel applications of federal environmental statutes and the Atomic Energy Act. The firm persuaded the government to decline charges even though the grand jury wished to return an indictment.

Obtained Dismissal of Endangered Species Charges Against Restaurant: In a highly publicized case, the U.S. Attorney filed criminal Endangered Species Act charges against our clients, a restaurant and its chef. We achieved a dismissal of claims against our clients and instead, charges were filed against the wholesaler of the exotic food item in question.

Cleared Individuals in Corporate Settlement of Waste Storage Charge: We defended a corporation and individual clients in an investigation concerning the illegal storage of hazardous waste. We resolved the case by way of a corporate-only settlement.

Defended Chino Dairymen in CWA Investigation: We represented dairymen throughout the Chino Valley in Clean Water Act investigations related to the release of runoff water. Through creative and aggressive defense strategies, we have favorably resolved each of these cases.

Settled Hazardous Waste Claims for Defense Contractor: We defended a major defense contractor in a case involving the purported burning of hazardous waste at a corporate facility. The firm obtained a favorable settlement.

Averted Prosecution Of Lacey Act Allegations: We represented a large pet dealer in connection with allegations that it had illegally imported certain birds. After the government executed a search warrant, we mounted an aggressive defense and the matter was never charged.

SAFETY

Prevented OSHA Lockout-Tagout Felony Charges Against CEO: We represented the new CEO of a duck farm in which one employee had died inside a feather dryer mistakenly activated by another employee. The CEO had recently joined the company and faced felony manslaughter charges

connected to violating Cal-OSHA lockout-tagout regulations. We conducted an internal investigation and presented a detailed analysis of the facts of the incident. We eventually persuaded government regulators that our client had not violated any statutes and the case was resolved without any charges filed against our client.

Reversed DA Decision to Indict Company for Employee Death: Our corporate clients were under grand jury investigation related to an occupational involuntary manslaughter case arising from an employee fatality. We persuaded the district attorney to reverse his earlier decision to indict, and he declined prosecution.

Averted Cal-OSHA Charges in Toy Factory Explosion: In our representation of a corporation and individual clients in a state occupational safety investigation connected to an explosion at a toy factory, we convinced state prosecutors to decline to bring charges.