



#### CONTACT

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#### EDUCATION

- Harvard Law School, J.D., *magna cum laude*, Harvard Civil Rights Civil Liberties Law Review, 1981
- Cornell University, College of Arts & Sciences, A.B., *cum laude*, Phi Beta Kappa, 1978

#### ADMITTED TO PRACTICE

- California, 1986
- District of Columbia, 1981

## MARK T. DROOKS

### PRINCIPAL

Mark Dooks focuses his practice on civil litigation and arbitration. He has been lead counsel in more than 50 civil trials and arbitrations that have been litigated to final decision. He has argued several appeals in state and federal courts, including the California Supreme Court and the United States Court of Appeals for the Ninth Circuit.

Mr. Dooks has substantial experience representing clients in breach of contract and business tort cases arising out of complex business transactions. He often represents co-owners of businesses in partnership disputes. He has frequently represented lawyers and other professionals in connection with partnership breakups, ethical issues and malpractice claims. He has represented defendants in several consumer protection class action cases.

Securities matters are an area of particular expertise for Mr. Dooks. He has represented broker-dealers, investment advisers and investors in both individual and class actions. He has represented broker-dealers in various lawsuits and in more than 200 customer dispute arbitrations.

## EXPERIENCE

- Defended one of the nation's largest homebuilders in federal court litigation and arbitration arising out of \$500 million land acquisition and financing transaction.
- Established at trial, on behalf of a departing law firm principal, the lawyer's right to share of law firm accounts receivables. The decision was affirmed on appeal.
- Represented at trial a partnership comprised of doctors in dispute over ownership interest in a hospital. Prevailed in first phase of bifurcated trial, resulting in a favorable settlement.
- Represented publicly traded company through final arbitration hearing in a multi-million dollar accounting malpractice case.
- Successfully obtained dismissal with prejudice on behalf of two British agencies that regulate the practice of law in the United Kingdom against broad-ranging RICO, defamation, and other claims brought by two disbarred British solicitors in federal court. The decision was affirmed on appeal.
- Successfully moved a federal district court to dismiss the complaint filed against an international law firm in a putative class action arising out of a tax shelter investment.
- Obtained final approval of a class action settlement on behalf of a major multinational nutritional and personal care product corporation, defeating objections made collectively by several class members, as well as a motion for reconsideration brought by these same objectors.
- Defended a multinational cell phone manufacturer in a putative class action involving product liability allegations. Successfully enforced arbitration clause and class action waiver, leading to favorable resolution of the individual claim.
- Represented the special litigation committee of a Fortune 500 semiconductor company in resolution of a derivative action for stock options backdating claims.
- Represented co-president and COO of a large, publicly traded health care company in government investigations arising out of alleged submission of false claims for government reimbursement and related securities claims. Litigated and eventually reached a favorable settlement of securities class action and shareholder derivative litigation.
- Defended a national law firm in a malicious prosecution lawsuit arising from a copyright infringement matter. Obtained dismissal of all claims and award of attorney's fees on anti-SLAPP motion; dismissal was upheld on appeal.
- Represented the special litigation committee of a hospital chain in class action arising out of a going private transaction.
- Served as lead counsel for a major on-line brokerage firm in more than a hundred binding arbitrations before the NASD and FINRA.
- Represented multi-national law firms in claims arising out of their representation of clients in securities matters.
- Represented individuals at trial in action against a bank over forged check endorsements, reaching favorable settlement before case went to jury.

## AFFILIATIONS

- Member, United States District Court Merit Selection Panel for Magistrate Judges, Central District of California, 2012 - present
- Chairman, Bet Tzedek Legal Services, Board of Directors, 2005; Member, Board of Directors, 1996 - present
- Member, Executive Committee, Litigation Section, Los Angeles County Bar Association, 2009 - 2012
- FINRA, Panel of Public Arbitrators, 1990 - 2001, Panel of Industry Arbitrators, 2001 - present
- Securities Industry Association, 1999 - present, Member, Compliance & Legal Division

## FORMER POSITIONS

- Law Clerk, Hon. Pierre N. Leval, U.S. District Court, Southern District of New York, 1981-1982

## AWARDS/RECOGNITION

- Named among the “Elite Boutique Trailblazers” by the National Law Journal, 2018
- Listed in Best Lawyers in America, Commercial Litigation, 2016 – present
- Named a “Southern California Super Lawyer” by Los Angeles Magazine, 2004 – 2018

## PUBLICATIONS

- Co-Author, “Calif. Ruling Dings Engagement Letter Arbitration Clauses,” *Law360*, (November 26, 2018)
  - Co-Author, “Judicial Discretion Advised: A Critique of California’s Per Se Disqualification Rule in Concurrent Representation Cases,” *California Litigation*, (November 1, 2013)
  - Co-Author, “Summary of Online Brokerage Awards in Internet Trading,” 1996-2001, presented at the Fifth Annual National Institute on Securities Trading on the Internet, New York, New York (September 2001)
  - “Environmental Liability, Concurrent Causation and Insurance Coverage: Some Practical Experience,” *Mealey’s Litigation Reports*, (December 1, 1993)
  - Co-Author: “Preserving Confidentiality in Corporate Internal Investigations,” *Corporate Criminal Liability Reporter*, Vol. 1, No. 2, Spring, 1987
- “Amending the Federal Tort Claims Act,”  
17 *Harvard J. Legis.* 357, 1980