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MANAGING PRINCIPAL MESSAGE

Paul S. Chan Managing Principal



We are pleased to present to you our 2020 Year in Review.

2020 proved to be one of the most challenging years in most of our lifetimes. The unprecedented events of last year led to dramatic changes in virtually all aspects of society, in our nation and around the world. During these challenging times, the firm found strength in our exceptional staff and its commitment to our clients and the community. While we had continued success on behalf of all of our clients, this Year in Review highlights the outstanding work performed by our attorneys and staff on behalf of community and public interest organizations in this year of crisis.

At the onset of the coronavirus pandemic, the firm seamlessly transitioned to working remotely, avoiding disruption in daily operations, and maintaining consistent communication with clients while monitoring official guidance from federal, state, and local authorities. Our ability to litigate complex matters at the highest levels, and defend our clients' interests vis-à-vis other private parties and government entities, continued apace. Bird Marella also remained committed to the well-being of its staff, avoiding furloughs and layoffs throughout the entire year.

While we continued to serve our clients remotely, we sought out several opportunities to provide support and aid to the local community through pro bono work and community service. Our attorneys worked closely with clients and city officials to provide COVID-19 testing for Los Angeles County, partnered with nonprofit organizations to save displaced tenants from homelessness, co-counseled with civil rights organizations to improve coronavirus safety measures in federal prisons, and joined city-wide initiatives to provide legal assistance for Angelenos. By the conclusion of 2020, the firm had achieved a 62% increase in pro bono hours over the previous year, with an average rate of 116 pro bono hours per attorney.

The urgency of the social justice movement also prompted new initiatives. To provide solutions and prompt action, firm leadership held virtual meetings to identify organizations with whom Bird Marella could partner to help bring about social reform, and spearheaded a new program to provide mentorship for law students from diverse backgrounds. These efforts remain a central focus of Bird Marella, and we will continue to build on these accomplishments in the new year and beyond.

While 2020 saw significant changes in how the courts administer and try cases, delivering outstanding litigation results for our clients remained a top priority. We obtained high profile trial victories for prominent tech companies and leading manufacturers; successfully transitioned to virtual litigation proceedings and achieved favorable results for financial institutions and automotive makers; and successfully defended national law firms, major league sports teams, foreign entities, high level executives and medical professionals in complex business disputes and government investigations.

For the past 40 years, our firm has thrived by solving complex problems and finding creative solutions for our clients. That experience, coupled with the unwavering spirit and commitment of our staff, helped us continue to deliver results for both our clients and those most in need throughout one of the most turbulent years in recent memory. Although the challenges of 2020 may linger, Bird Marella will continue to rely on the strength and resiliency of its attorneys and staff to overcome them together.

Sincerely,

Paul S. Chan Managing Principal

FOUNDING PRINCIPAL MESSAGE

Terry W. Bird Founding Principal



2020 will forever be remembered for what we lost and gained together.

When I was growing up, "2020" was always synonymous with perfect vision. And, while the past year was far from perfect, it did provide greater insight on what we shared as colleagues and friends as we endured the many challenges and obstacles 2020 presented.

We lost our sense of comfort and safety as we learned to mask ourselves against an unseen virus that took friends and family. We lost our professional home and the traditional ways of working with each other. We lost the ability to share the visceral joy of communicating through physical presence. We lost touch with friends and colleagues as we tightened and reduced our circles of life. We watched our children and grandchildren suffer the loss of close, personal contact with their schools, teachers, and friends. And at times, we lost some measure of the ability to share joy and sadness with others.

So, what did we gain? My Mother always said that everything works out for the best. She did not experience 2020 and was too young to remember the Spanish Flu, but at a minimum, she was right about looking for something in every experience from which we can learn.

Surely, we developed new appreciation for our families and those friends who helped us find our way. Most importantly, the firm took necessary steps to maintain jobs and our commitment to top quality service to our clients. We learned how quickly we were able to adapt and find effective solutions for unforeseen challenges and new responsibilities. Who knew that Zoom could provide us with a meaningful alternative to time consuming travel to meetings?

Of course, the firm garnered its share of professional success in 2020. For example, we prevailed at trial for tech companies and

global leading manufacturers. We helped international clients end long and trying battles. We won great victories in trade secrets cases and even developed new precedent in eminent domain law. The firm also defended and fought for people and businesses affected by the coronavirus, working closely with several nonprofits to help those in need.

One incredibly positive impact of 2020 has been the heightened awareness of the need for equity and justice throughout our communities. The national protests about institutionalized injustice have prompted us to develop new and constructive ways to lend the firm's energy and influence in efforts to learn about and eradicate racism. The firm and its individual members have always supported this work but 2020's events further solidified and focused those efforts. Now, the challenge is to make sure that these commitments are not forgotten and remain at the forefront.

So how do we summarize and "review" 2020? Simple, it wasn't perfect but the common experiences we shared will make us stronger and even more appreciative of what we built and have, in both our professional and personal lives. Others may understandably elect to forget 2020 in its entirety, but I will remember the year for what we accomplished working together while remaining committed to each other.

Sincerely,

Terry W. Bird

Founding Principal

The Year at a Glance

3,875

Total pro bono hours served

116

Average number of pro bono hours per attorney

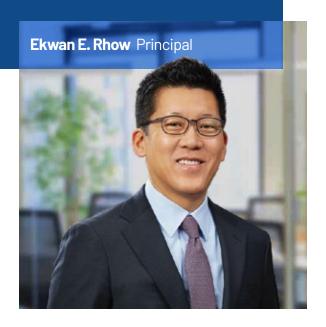
\$2M

Total monetary value of pro bono hours contributed

62%

Increase in pro bono hours from previous year

COVID-19 Testing for L.A. County





With the city of Los Angeles facing an increasingly growing demand for testing at the onset of the coronavirus pandemic, principal Ekwan Rhow worked alongside his client Seegene Technologies, Inc., a South Korean biotech company, and L.A. Councilman David Ryu to fulfill agreements to produce testing kits for L.A. County.

Seegene committed to producing 100,000 tests per week for L.A. County with the first 20,000 kits designated to first responders and medical professionals. The initiative provided much needed aid for county health officials and residents, allowing for faster diagnosis and treatment.

100K

Testing kits provided to Los Angeles County per week

20K

Testing kits designated to first responders and medical professionals

Support for Los Angeles Displaced Tenants

Dorothy Wolpert Principal



INNER

CITY

LAW

CENTER

In a case spanning two years, principal Dorothy Wolpert and attorneys from the Inner City Law Center (ICLC) obtained a favorable settlement on behalf of 50 tenants displaced from a South Los Angeles apartment building plagued by housing code violations.

The plaintiffs, many of whom were children, were living in substandard conditions for years and exposed to rodent infestation, fire and electrical safety issues, and gang activity while residing in the building. The tenants also endured harassment, discrimination, and retaliation from the building's management and were ultimately forced out so the owners could demolish the building and build new condominiums.

After several months of mediations, Wolpert and the ICLC secured over \$2 million in damages and relocation benefits as part of the settlement, allowing the plaintiffs to transition to safer housing.

The Inner City Law Center is a nonprofit organization that has advocated for housing policies and provided legal services to prevent and end homelessness in Los Angeles for over 40 years. Wolpert, who has been involved with the organization since 1999, is a former president and currently serves as a board member.

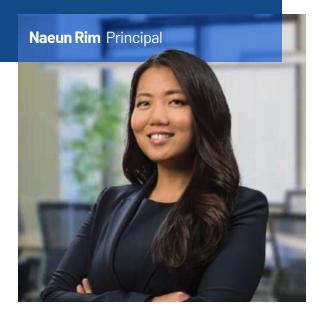


\$2M

In damages and relocation benefits secured to assist with transition to safer housing

BIRD MARFLLA | THE YEAR IN REVIEW 2020

Improved Conditions for Federal Prisoners Amid Pandemic



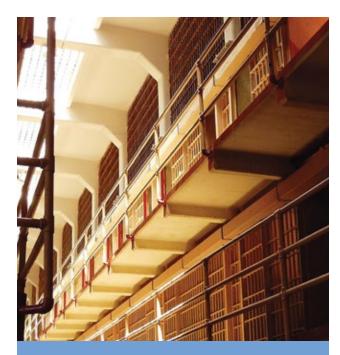


Bird Marella and co-counsel American Civil Liberties Union (ACLU) partnered with the Prison Law Office to file two class action lawsuits against California federal prisons, Terminal Island and Lompoc, concerning the inefficient measures of prison officials to prevent the spread of coronavirus in both facilities.

Filed on behalf of several prisoners, the lawsuits detailed how overcrowding, unsanitary environments, and lack of preventative measures led to thousands of infections and several deaths, violating the Eighth Amendment prohibition against cruel and unusual punishment. Furthermore, both prisons failed to exercise authority under the CARES Act to transfer high-risk inmates to home confinement to save lives and reduce infections.

In July 2020, Bird Marella obtained a preliminary injunction in the Lompoc class action resulting in the home confinement, compassionate release, or residential reentry center transfer of over 300 prisoners. In the Terminal Island suit, the court made a preliminary finding that serious constitutional violations had been alleged and ordered an expert to conduct an onsite inspection of the prison. The site report confirmed numerous deficiencies in Terminal Island's COVID-19 policies and provided crucial evidentiary support for compassionate release motions brought by individual defendants across the country.

The Bird Marella team was led by principals Naeun Rim, Terry Bird and Dorothy Wolpert, counsel Shoshana Bannett, associates Kate Shin, Christopher Lee, Oliver Rocos, Jimmy Threatt, and lead paralegal Sharon Grisham.



342

Number of prisoners granted home confinement, compassionate release, or transfer to residential reentry centers

DIVERSITY, EQUITY & INCLUSION

Nicole R. Van Dyk Principal



Our Commitment

Bird Marella has always been committed to maintaining a positive work environment that values diverse backgrounds and perspectives. With more than half of our attorney staff identifying as minorities, and spanning four generations, our unique group of trial specialists and litigators exemplify a multigenerational, inclusive, and collegial firm culture.

As the social justice movements unfolded across the country in 2020, Bird Marella not only refocused its internal efforts of promoting a diverse firm culture within, but also further allocated time and resources to support the local community. The firm and its members continued to provide aid and support to nonprofit and social justice organizations, many of which our attorneys serve leadership roles in, to help improve social reform and provide leadership and mentoring opportunities for minorities.

Our Diversity Committee

Led by principals Nicole Rodriguez Van Dyk and Timothy Yoo, the firm's Diversity Committee, consisting of attorneys and support staff, played an integral role in implementing Bird Marella's mission of combating racial injustice and inequality.

In 2020, the committee worked to identify and partner with organizations to address systemic issues of racism and other forms of discrimination and supported organizations committed to the advancement of marginalized communities.

35%

Percentage of principals identifying as minorities

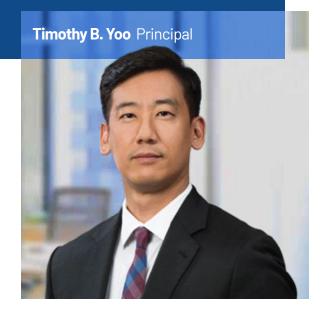
45%

Percentage of associates and counsel identifying as minorities

57%

Percentage of support staff identifying as minorities

DIVERSITY, EQUITY & INCLUSION



Our Diversity Committee (Continued)

Among its many initiatives were efforts to promote and support local programs focused on improving racial relations and supporting Black, indigenous, people of color (BIPOC)-owned local businesses. In addition, the committee worked alongside firm leadership to create an interactive digital library accessible for all attorneys and staff consisting of educational resources on antiracism, activism, and mental health. Through service, advocacy and education, the Bird Marella Diversity Committee continues to work towards a more equitable society and support reform for those often unheard and underrepresented.

Leadership Council on Legal Diversity

Bird Marella partnered with the Leadership Council on Legal Diversity (LCLD) to serve as the Los Angeles Lead for the organization's Success in Law School Mentoring Program. The LCLD is an organization consisting of more than 350 corporate chief legal officers and law firm managing partners working to build a more open and diverse legal profession. Its Success in Law School Mentoring Program serves hundreds of first-year law students from diverse backgrounds, connecting them with mentors from local LCLD Member Organizations who provide guidance and strategies to help the students prosper in law school and beyond. Through a combination of individual and group mentoring, the program provides talented law students invaluable mentorship to reach their full potential. In 2020, over a hundred local law students were paired with mentors.

Social Justice Initiative

Among the many initiatives of the firm's Diversity Committee was the implementation of the Social Justice Initiative. Launched in September 2020, the ongoing firmwide program allows firm members to identify and volunteer at charitable organizations focused on promoting diversity, advocacy and equality, with the firm providing billable credit for time devoted to volunteering.

ELEVATIONS AND NEW ADDITIONS

80%

Percentage of women and minority elevations to principal in the last five years

BIRD MARELLA | THE YEAR IN REVIEW 2020

NEW ELEVATION

Gopi K. Panchapakesan Principal



Bird Marella announced the elevation of Gopi K. Panchapakesan to principal on January 1, 2020. Since joining the firm as an associate in 2014, Gopi has established a successful practice focused on the litigation and arbitration of complex business disputes. He has particular expertise defending clients in civil RICO and class action matters and has represented clients involved in a wide variety of industries, including apparel, consumer products, multi-level marketing, pharmaceuticals, real estate, and technology. Gopi serves as the Co-President of the South Asian Bar Association of Southern California (SABA-SC) and is a Fellow of the National Asian Pacific American Bar Association (NAPABA) Leadership Advancement Program. He has been recognized as a Southern California Rising Star since 2018.

NEW ADDITIONS

Steven E. Zipperstein Senior Counsel



Steven E. Zipperstein joined Bird Marella as Senior Counsel in July 2020. Steven has over 35 years of legal experience providing strategic advice and counseling to corporations and businesses on a broad range of civil, regulatory, government and congressional investigations, and other non-litigation, business-related matters. Prior to joining the firm, Steven was General Counsel for Verizon Wireless and the Chief Legal Officer and General Counsel of BlackBerry Ltd. He has served in several prestigious positions with the United States Department of Justice, including the Chief of Appeals and the Chief Assistant United States Attorney in Los Angeles, Special Counsel to former Criminal Division Chief Robert S. Mueller III, and Counselor to Attorney General Janet Reno. Steven serves on the faculty of UCLA's Department of Public Policy, UCLA's Global Studies program, UC Santa Barbara's Department of History, and is a visiting Professor of Tel Aviv University Law School.

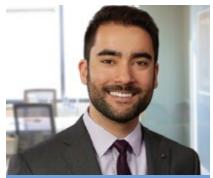
NEW ADDITIONS

Our Associates



Martha Leticia (Letty)
Camarillo

Bilingual in English and Spanish and knowledgeable in basic Hebrew, Letty earned her J.D. from the University of California, Berkeley, School of Law, where she received Certificates of Specialization in Environmental Law and Public Interest & Social Justice. She has extensive experience in a variety of litigation matters including securities and environmental law. Prior to joining Bird Marella, Letty was an associate at Morrison & Foerster LLP in San Francisco.



Cameron R. Partovi

A former associate of Gibson, Dunn & Crutcher LLP, Cameron earned his J.D. from Harvard Law School where he received the Dean's Scholar Prize for Environmental Law and served as Managing Editor for the Harvard Environmental Law Review. He has represented clients in a wide array of litigation matters, including law firm defense, antitrust, and construction matters.



Darren L. Patrick

Darren specializes in litigation and bankruptcy matters including complex commercial disputes, debtor and creditor representation, corporate finance, real estate, intellectual property, and civil rights pro bono matters. He is a graduate of the University of California, Berkeley, School of Law, where he earned the American Jurisprudence Award for Bankruptcy Law. Prior to joining the firm, he practiced as an associate at O'Melveny & Myers LLP.

VICTORIES

Select Highlights



Prevailed at Trial on Behalf of Tech Company in Multimillion-Dollar Breach of Contract Suit

Gary S. Lincenberg | Nicole Rodriguez Van Dyk | Ashley D. Bowman | Jonathan M. Jackson

Won a federal bench trial, securing a multimillion-dollar judgment against a global aerospace company in a breach of contract and implied covenant of good faith and fair dealing suit involving unpaid fees for equipment provided by client.

Won Judgment as a Matter of Law in High-Profile False Claims Act Case

Paul S. Chan | Ekwan E. Rhow | Marc E. Masters | Shoshana E. Bannett | Kate S. Shin

After two lengthy trials, achieved defense judgment on behalf of the world's largest plastic pipe manufacturer in a False Claims Act lawsuit involving 45 intervening government plaintiffs and over \$1 billion in claims. Successfully moved for judgment as a matter of law, establishing that the plaintiffs' evidence was insufficient to support an award of damages by any reasonable jury.

Obtained Complete Defense Victory for CEO in Federal Movie Fraud Case

Naeun Rim

Achieved acquittals and dismissals of all 19 counts of felony wire and mail fraud charges against the CEO of a movie financing and production company relating to allegations of defrauding investors.

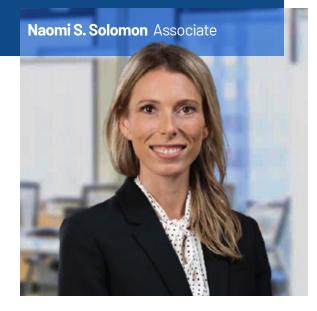
Achieved an Appellate Sweep on Behalf of British Regulators

Mark T. Drooks | Ashley D. Bowman

Secured a memorandum decision by the Ninth Circuit Court of Appeals affirming an order dismissing five former employees or associates of the Law Society of England and Wales (LSE) and the Solicitors Regulation Authority (SRA) on grounds of sovereign immunity in a case involving broad-ranging RICO, defamation, and other claims brought by two disbarred solicitors. Writ of Certiorari was denied.

VICTORIES

Select Highlights



Won Appeal of Defense Judgment in Trade Secrets Action

Ekwan E. Rhow | Grace W. Kang

Prevailed in the defense of a trade secret action involving claims of misappropriation of trade secrets, breach of fiduciary duty, and unfair competition relating to a dispute between competing technology companies.

Prevailed on Motion to Quash for Lack of Personal Jurisdiction on Behalf of National Law Firm

Mark T. Drooks | Sharon Ben-Shahar Mayer

Successfully quashed service on a national law firm in a case alleging aiding and abetting securities fraud, breach of fiduciary duty, and professional negligence in connection with a purported billion-dollar Ponzi scheme.

Protected Client's Constitutional Rights to a Jury Trial in Breach of Fiduciary Duty Suit

Ekwan E. Rhow | Kate S. Shin

Obtained ruling ensuring client's constitutional rights to a jury trial by invalidating contractual forum selection clauses designating the Delaware Court of Chancery. The ruling calls into question continued enforceability by California courts in actions at law of provisions that designate forums without trials by jury.

Won Multimillion-Dollar Issue for Multinational Automotive Manufacturer in Eminent Domain Case

Thomas R. Freeman | Terry W. Bird | Naomi S. Solomon

Secured an eminent domain victory for client following the governmental taking of a portion of the property housing the client's U.S. headquarters for a freeway expansion project. Successfully convinced trial court that client was entitled to a jury trial on whether the market value of the untaken portion of the client's property had diminished by several million dollars due to signage and fencing impairing the property's noticeability.

VICTORIES

Select Highlights



Achieved Favorable Settlement for Financial Institution in Multimillion-Dollar Commercial Loan Dispute

Ekwan E. Rhow | Kate S. Shin | Elliot C. Harvey Schatmeier

Obtained a substantial recovery for a publicly traded California-based bank, in a complex, fraudulent transfer dispute arising after several of the institution's former customers failed to repay a multimillion-dollar commercial loan.

Obtained Vacation of Multimillion-Dollar Arbitration Award for Merchant Services Provider

Benjamin N. Gluck | Shoshana E. Bannett

Secured an order vacating a \$20 million arbitration award on behalf of a merchant services provider involving a contract dispute. Successfully convinced the court that the underlying contract was illegal and plaintiffs had acted unlawfully.

Won Affirmance of Defense Verdict in Breach of Contract Suit

Ekwan E. Rhow | Kate S. Shin | Fanxi Wang

Secured affirmance of ruling on appeal following trial victory for owners of an international sports apparel company defeating fraud, breach of contract, and alter ego claims brought by their former business partners.

INSIGHTS

Thought Leadership



Bloomberg Law

K-Pop to Parasite - Navigating South Korean Business Culture

Timothy B. Yoo

Women's White Collar Defense Association

Tips and Trends: The Impact of COVID-19 on White Collar Litigation and Investigations
Naeun Rim

The Knowledge Group

False Claims Act Enforcement: Defense Strategies in 2020

Paul S. Chan

Corporate Live Wire

Strategic Compliance: The Benefit of a Results-Oriented Approach to Corporate Compliance Program Nicole R. Van Dyk

Jimmy Threatt

Women's White Collar Defense Association

Federal Courts in the Time of COVID

Naeun Rim

Federal Arbitration (FedArb)

Southern California Webinar on Best Practices for Video Mediation

A. Howard Matz

South Asian Bar Association

Recent Trends in Class Action
Practice: Perspectives from Both
Sides of the V

Gopi K. Panchapakesan

Federal Bar Association

Federal Bar AseraCare and the Future of Medical Necessity Cases

Paul S. Chan

Association of Corporate Counsel

Mediation Strategies & Effective Negotiation Approaches

Mark T. Drooks A. Howard Matz

Daily Journal

Proliferation of Streaming Video
Services Could Lead to
Increased Regulations and Taxes
on OTT Providers

Timothy B. Yoo

California Lawyers Association

Showing Lack of Probable Cause:
Plaintiff's Burden of Proof in Opposing
an Anti-SLAPP Motion Attacking a
Malicious Prosecution Claim

Mark T. Drooks

Sharon Ben-Shahar Mayer

American Bar Association

May It Please the Court: Best Practices for a Young Attorney Taking the Podium

Julia B. Cherlow

Daily Journal

Here Comes a Wave of Data Privacy Litigation

Gary S. Lincenberg Steve E. Zipperstein Darren L. Patrick

Law360

3 Ways Defendants Can Nip Civil RICO Claims In The Bud

Gopi K. Panchapakesan

Korean American Bar Association

Bringing Your Best to a Virtual Interview

Naeun Rim

RECOGNITION

Honors & Awards



Chambers & Partners USA

Litigation: White Collar Crime & Government Investigations

Firm (Band 2)
Terry W. Bird
Benjamin N. Gluck
Gary S. Lincenberg (Band 1)
Ariel A. Neuman

Litigation: General Commercial

Firm (Band 4) Mark T. Drooks Ekwan E. Rhow

Litigation: Entertainment & Media Ronald J. Nessim

Litigation: Trial Lawyers USA Global Terry W. Bird

Benchmark Litigation

Benchmark Litigation 2021

Firm (Highly Recommended)
Dispute Resolution (Tier 1)
Securities Litigation (Tier 1)

Under 40 Hot List

Nicole R. Van Dyk Timothy B. Yoo

California Litigation Star

Gary S. Lincenberg Ronald J. Nessim Ekwan E. Rhow Dorothy Wolpert

Top 20 Trial Lawyers

Gary S. Lincenberg (California)

2020 US Awards

Firm: Impact Case of the Year (Plains All American Pipeline)

California Attorney of the Year

Gary S. Lincenberg (White Collar) Ekwan E. Rhow (Entertainment)

Local Litigation Star

Benjamin N. Gluck Gary S. Lincenberg Ronald J. Nessim Ekwan E. Rhow Dorothy Wolpert

Lawdragon

500 Leading Lawyers

Paul S. Chan Gary S. Lincenberg Ekwan E. Rhow

Daily Journal

Top 100 Lawyers in California Gary S. Lincenberg

Top 40 Under 40 Naeun Rim

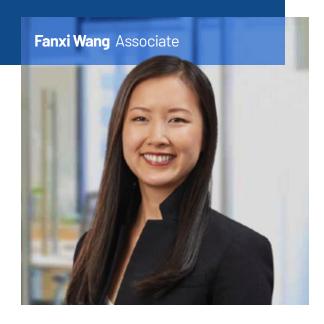
Top Healthcare Lawyers Benjamin N. Gluck

Top White Collar LawyersGary S. Lincenberg

BIRD MARELLA | THE YEAR IN REVIEW 2020

RECOGNITION

Honors & Awards



Super Lawyers

Super Lawyers

Terry W. Bird
Joel E. Boxer
Paul S. Chan
Mark T. Drooks
Thomas R. Freeman
Benjamin N. Gluck
Gary S. Lincenberg (Top 100)
Vincent J. Marella
Jeremy D. Matz
Ronald J. Nessim
Ariel A. Neuman
Thomas V. Reichert
Ekwan E. Rhow
Nicole R. Van Dyk

Rising Stars

Julia B. Cherlow Gopi K. Panchapakesan Naeun Rim Ray S. Seilie Fanxi Wang

Los Angeles Business Journal

Top Minority Attorneys

Paul S. Chan

Top Women Attorneys

Naeun Rim Nicole R. Van Dyk

National Law Journal

Criminal Law Trailblazers Naeun Rim

Intellectual Property
Trailblazers
Timothy B. Yoo

US News

Best Lawyers

Sharon Ben-Shahar Mayer Terry W. Bird Joel E. Boxer Paul S. Chan Mark T. Drooks Thomas R. Freeman Benjamin N. Gluck Gary S. Lincenberg Vincent J. Marella Jeremy D. Matz Ronald J. Nessim Ariel A. Neuman Thomas V. Reichert Ekwan E. Rhow Nicole R. Van Dyk Dorothy Wolpert

Ones To Watch

Julia B. Cherlow Naomi S. Solomon

Best Law Firms (National)

Appellate Practice Commercial Litigation Criminal Defense: White Collar Health Care Law Litigation: Securities

Best Law Firms (Metropolitan)

Commercial Litigation (Tier 1)
Criminal Defense: White Collar
(Tier 1)
Health Care Law (Tier 1)
Litigation: Securities (Tier 1)
Appellate Practice
Environmental Law
Litigation: Trust & Estates

BIRD MARELLA | THE YEAR IN REVIEW 2020



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