

Daily Journal Spotlights Haynes and Boone California Court Wins

March 1, 2018 Mark Erickson

PRACTICES Appellate, Trademark and Advertising, Intellectual Property

The *Daily Journal* in California has recognized three court wins handled by Haynes Boone lawyers among the state's top defense wins and top five appellate reversals of 2017.

The publication's annual "Top Verdicts" feature highlights California's largest and most significant wins of the prior year.

A Haynes Boone team led by Partner Kenneth Parker, chair of the Intellectual Property Litigation Practice Group, was featured for what the publication called a "rare defense summary judgment victory in a trademark infringement case." Partner Mark Erickson and Associate Christopher Maciel also worked on the case for client Phoenix Fibers Inc.

Two of the year's five biggest appellate reversals cited by the *Daily Journal* involved Haynes Boone Partner M.C. Sungaila: She and Associate Marco Pulido worked on behalf of an asylum-seeking Mexican man in a case that first yielded a published opinion and dissenting opinion, which led to en banc review and a precedent-setting ruling from the 9th U.S. Circuit Court of Appeals. Sungaila also filed an amicus brief in a dispute over a Nazi-looted painting, a lawsuit revived by a 9th Circuit decision.

"The firm's involvement in so many of the *Daily Journal's* top verdicts speaks to the skill, experience and breadth of services offered by our California lawyers and the growing strength of Haynes Boone in the state," said [Greg Michelson](#), administrative partner of Haynes Boone's Orange County office and a partner in the Intellectual Property Practice Group.

Here are details of the cases:

Sweet People Apparel Inc. v. Phoenix Fibers Inc.: Haynes Boone client Phoenix Fibers, a denim recycling business, was sued in U.S. District Court for the Central District of California on contract and trademark infringement claims by Sweet People Apparel and an affiliate company, both makers of designer jeans and other clothing. Sweet People Apparel claimed that Phoenix Fibers infringed its trademarks by reselling donated materials in bulk. With William C. O'Neill of Ross Wersching & Wolcott LLP, the Haynes Boone team obtained a summary judgment in favor of Phoenix Fibers on all claims.

To read the full article, click [here](#).

Bringas-Rodriguez v. Sessions: Sungaila and Pulido helped represent a gay Mexican citizen who sought asylum in the U.S. on grounds that he faced more sexual abuse and violence if he was deported to his home country. At one stage of the case, Pulido argued before the 9th Circuit while still a student in the University of California, Irvine School of Law Appellate Litigation Clinic, supervised by Sungaila.

Sungaila and Pulido both spent hundreds of hours on the case at the panel stage, selecting and framing the issues, preparing briefs and preparing for oral argument; their efforts resulted in a published opinion with a dissenting opinion that paved the way for a successful en banc petition and reversal. “The clinic and others like it around the state provide law students with a tremendous opportunity to gain exposure to appellate practice, and, as in this case, obtain meaningful results for clients in cases identified by the 9th Circuit itself as needing pro bono counsel,” said Sungaila, who now teaches in the Loyola Law School Ninth Circuit Appellate Clinic.

Sungaila continued working on the case after Pulido graduated. In a March 2017 victory for the client, the 9th Circuit en banc panel reversed a three-judge panel’s earlier ruling and remanded the case to the Board of Immigration Appeals. Lawyers in the case said the appeals court ruling strengthens and defends asylum for the persecuted and vulnerable, the *Daily Journal* reported.

Cassirer v. Thyssen-Bornemisza Collection Foundation: In long-running litigation, heirs to the owners of a \$30 million painting by impressionist Camille Pissarro have sought the return of the painting from a Spanish museum, claiming that the masterpiece was stolen by the Nazis. In July 2017, a 9th Circuit panel overturned a U.S. District Court ruling dismissing the plaintiffs’ claims and sent the case back for a trial.

The complex case involves interpretations of U.S., California, Spanish and Swiss law. Sungaila wrote an amicus brief for Bet Tzedek Legal Services backing the heirs.