



## Kevin Crisp

**Partner**

**Orange County**

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### PRACTICES Litigation, Trials

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Kevin Crisp is a partner in the Litigation and Trials Practice Groups in Haynes Boone's Orange County office.

Kevin's practice covers a range of commercial litigation matters, including mergers and acquisitions, securities, corporate fiduciary duty, banking and finance, and trade secret as well as all manner of business torts and contract disputes. A banker before he was a lawyer, Kevin thrives in matters involving finance and accounting.

Kevin also represents clients involved in government investigations and homeowners' association disputes.

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## QUALIFICATIONS

### EDUCATION

- J.D., University of California Los Angeles School of Law, 2008, Managing Editor, *UCLA Law Review*; member, Order of the Coif; Winner, 2008 Elliot A. Spoon National Business Law Writing Competition
- B.A., English and Economics, University of North Carolina at Chapel Hill, 2001

### ADMISSIONS

- California

### COURT ADMISSIONS

- U.S. Court of Appeals for the Ninth Circuit
  - U.S. District Court for the Central District of California
  - U.S. District Court for the Northern District of California
  - U.S. District Court for the Southern District of California
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## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “Not So Fast! Ninth Circuit Clarifies the Role of Materiality in Triggering SLUSA’s Class Action Bar,” co-author, client alert, April 16, 2021.
  - “First Diversity-Driven Derivative Suit in Facebook Case Tossed by Northern District of California,” co-author, client alert, March 31, 2021.
  - “9th Circuit Traces Limits Of Title VII Around Arbitration,” co-author, *Law 360*, Jun 17, 2015.
  - “Ninth Circuit Again Clarifies that Arbitration Is Creature of Contract: Employee's Agreement to Abide by Company Manual Is Sufficient to Send Title VII Claims to Arbitrator,” co-author, client alert, May 28, 2015.
  - “Ninth Circuit Affirms District Court’s Refusal to Enforce Arbitration Clause in Barnes & Noble’s Browsewrap Agreement—‘Without More,’ Is Insufficient,” co-author, 20 *IP Litigator* 34 (2014).
  - “New Ninth Circuit Opinion Requires Companies Seeking to Enforce Arbitration to Pay ‘Sirius’ Attention to Contract Formation,” co-author, client alert, Nov. 18, 2014.
  - “Giving Investors Short Shift: How Short Sale Constraints Decrease Market Efficiency and a Modest Proposal for Letting More Shorts Go Naked,” 8 J. Bus & Sec. L. 135 (2008).
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## PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Orange County Bar Association
  - Orange County Federal Bar Association
  - Association of Business Trial Lawyers
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## SELECTED CLIENT REPRESENTATIONS

### Merger and Acquisition Litigation

- Defense of an automobile manufacturer regarding alleged fraud and breach claims in connection with a \$3.4 billion merger with a special purpose acquisition company.
- Defense of a power management manufacturer against alleged holdback and breach claims arising out of \$1.75 billion acquisition.
- Defense of a semiconductor manufacturer as to alleged business torts and securities fraud related to a \$300 million acquisition.
- Defense of a broadcasting company regarding alleged indemnification and working capital adjustment claims with respect to \$300 million merger.
- Defense of a mortgage lender over alleged working capital adjustment and earnout claims arising out of \$200 million merger.
- Defense of an information technology company for alleged indemnification claims in connection with \$200 million acquisition.
- Defense of a biotechnology company against alleged dissenter and appraisal claims with respect to purchase of \$150 million biotechnology company.
- Defense of a registered investment advisory firm regarding alleged fraud and breach claims related to \$50 million acquisition.

### Securities Litigation

- Defense of a funeral home operator regarding class action claims related to \$1.3 billion merger.
- Defense of a mortgage lender against class action claims related to conversion of \$150 million in preferred shares.

- Defense of a pharmaceutical company as to class action claims arising from \$350 million merger.

## Corporate Fiduciary Duty Litigation

- Defense of a master plan real estate developer regarding a \$500 million case alleging breach of fiduciary duty and fraudulent transfer claims.
- Defense of a mortgage lender's senior officers against a \$400 million suit alleging breach of fiduciary duty and fraudulent transfer claims.

## Banking and Finance Litigation

- Representation of a lender in judicial foreclosure regarding \$100 million loan secured by hotel properties.
- Representation of a lender in judicial foreclosure regarding \$40 million loan secured by commercial properties.

## Trade Secret Litigation

- Defense of an industrial real estate developer as to alleged trade secret misappropriation claims.
- Defense of a registered investment advisor against alleged trade secret misappropriation claims.
- Representation of registered investment advisory firm regarding alleged \$100 million trade secret misappropriation claims.
- Representation of real estate investment firm for trade secret misappropriation claims.

## Government Investigation/False Claim Act Cases

- Defense of CEO and chairman against nationwide civil and criminal investigations conducted by various federal agencies, which included a two-year Congressional investigation and numerous related civil litigations.
- Defense of real estate investment firm against false claim act allegations.
- Defense of multinational trading and service company regarding fraud and breach claims arising out of false claim act allegations.

## Other Litigation

- Defense of mobile data technology company against a \$50 million case alleging breach of contract and option claims.
- Defense of a financial services company in a \$20 million suit alleging breach of contract and fiduciary duty claims.
- Representation of various individuals against homeowners' associations.

*Some of these representations were handled by Kevin prior to joining Haynes Boone.*

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## AWARDS AND RECOGNITIONS

- *Best Lawyers in America*®, Woodward/White, Inc., Commercial Litigation, 2023-2025
- Selected for inclusion as a Rising Star, *Southern California Super Lawyers*, Thomson Reuters, 2018