



Mark Erickson

Partner

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PRACTICES Litigation, Real Estate Litigation, Fiduciary Disputes, Media and Entertainment Litigation, Healthcare and Life Sciences

Mark Erickson has been solving business disputes through litigation, arbitration, and mediation for more than 35 years. His work for clients involves a diverse range of sophisticated commercial and real estate litigation matters, including contract, trade secret, and business governance and dissolution disputes. Mark's current client base includes a number of Fortune 500 companies, many of whom have worked with him for decades.

Clients benefit from Mark's deep experience in commercial dispute resolution. His wisdom and insight into the litigation process enable him to develop early and creative business solutions for his clients. He also helps clients advance their interests through litigation, with nearly four decades of courtroom experience that began with criminal defense work in the Army Judge Advocate General's Corps.

Mark is a leader in the local bar and an active advocate for causes in the community. In 2019, he was awarded the Marcus Kaufman Jurisprudence Award by Anti-Defamation League for his career of community service and dedication to helping those in Orange County who need help the most. Mark has led a firm impact litigation team in a housing discrimination case that resulted in meaningful affordable housing for local residents. He is the immediate past president of the Orange County Bar Foundation, which helps to make a difference in the lives of disadvantaged families.

Mark is also deeply involved in organizations related to the field of law. He is a past president of the Orange County chapter of the Association of Business Trial Lawyers, one of the most prestigious attorney bar groups in the state. He is also a past president of the board of directors for Public Law Center, Orange County's pro bono legal services organization. Within the firm, Mark holds leadership positions on a number of committees and is the hiring partner for the Orange County office.

QUALIFICATIONS

EDUCATION

- J.D., University of California Hastings College of Law, 1982
- B.A., University of California Davis, 1979

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 District of Arizona
 - U.S. District Court for the Northern District of California
 - U.S. District Court for the Southern District of California
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Board of Governors, Past President, Association of Business Trial Lawyers Orange County Chapter
 - President, Public Law Center, Orange County Pro Bono Legal Service Organization
 - President-Elect, Orange County Bar Foundation
 - Member, Business Litigation Section, Orange County Bar Association
 - Member, Litigation and Antitrust Sections, California Bar Association
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SELECTED CLIENT REPRESENTATIONS

- Obtained dismissal in District Court of noncompete claims by sales agent against service provider based on Business and Professions Code section 16600.
- Represents publicly traded data storage company in contract and business tort claims.
- Represents publicly traded manufacturer of pharmaceuticals and medical devices in commercial disputes nationwide.
- Obtained dismissal in federal court of breach of fiduciary duty claim by minority shareholder against publicly traded corporation, upheld on appeal at 9th Circuit.
- Litigated numerous corporate governance disputes of partnerships, limited liability companies, and closely-held corporations.
- Represents large Orange County developer in prosecution and defense of large scale construction defect claims.
- Represents publicly traded biomedical instrument company in Uniform Commercial Code and other contract disputes.
- Obtained successful result in jury trial of complex construction delay dispute.
- Obtained eight-figure settlement for plaintiff on eve of trial in construction defect case involving large apartment complex.
- Represented foreign window wall manufacturer in successful resolution of construction delay claims and related litigation.
- Represented insurance broker in successful defense at trial of commission claims by former employee.
- Represented REIT in successful recovery of losses from FDIC associated with breach of real estate contract.
- Represented private club/luxury hotel in successful resolution of multi-million dollar construction cost overrun claims by general contractor.
- Represented Newport Beach Country Club in summary judgment victory over member group asserting right of first refusal to purchase club. Subsequent appellate opinion affirming the judgment below is the most cited California case on parol evidence (Founding Members etc. v. Newport Beach Country Club Inc. (2003) 109 Cal.App.4th 944).
- Obtained multi-million dollar judgment at trial against golf store franchisor under California Franchise Investment Law for deceptive and misleading representations to franchisee.

- Successfully negotiated mid-trial resolution of claim for breach of stock purchase agreement in connection with sale of Orange County landmark company.
 - Represented small avionics corporation in successful resolution of antitrust and unfair competition claims in federal court against publicly traded aerospace company.
 - Obtained summary judgment for Japanese automobile manufacturer on claim by dealer for breach of dealer agreement and fraud.
 - Represented publicly traded company in successful resolution of employee claim to DFEH for retaliatory firing under Sarbanes-Oxley Act.
 - Successfully negotiated settlement of nationwide class action against business broker for use of unlicensed brokers.
 - Settled \$4 million breach of fiduciary duty claim against business broker mid-trial for less than remaining cost of defense.
 - Represented prescription benefit processing company in defense of claims for millions of dollars of unreimbursed prescriptions, resolving litigation on a reasonable basis following massive document discovery across several states.
 - Represented electrical control division of publicly traded company in successful resolution mid-trial of claim for unfair trade practices and secret rebates.
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AWARDS AND RECOGNITION

- Recognized by *Best Lawyers* as a 2022 "Lawyer of the Year" in Litigation - Real Estate in Orange County, Woodward/White, Inc.
- Selected by the Orange County/Long Beach region of the Anti-Defamation League to receive the 2019 Marcus M. Kaufman Jurisprudence Award
- Recognized in *The Best Lawyers of America*, Woodward/White, Inc., in Commercial Litigation, 2013-2020,2022, Litigation - Real Estate, 2020,2022
- Martindale Hubbell® Law Directory AV® Peer Review Rating since 1995
- Received the Wiley W. Manuel Certificate for Pro Bono Legal Services, State Bar of California, 2016