Federal Appeals

SEC v. Copeland; Receiver (Hebrank) v. Tri Tool, Inc. (9th Cir.). Represented the court-appointed receiver in Ponzi case and obtained an affirmed order for the receiver denying motion to modify stay, and denying creditor's claims as time barred.

In re Tourism Assessment Fee Litigation; Comisky v. Avis Budget Group, Inc., et al. (9th Cir.). Counsel for a defendant rental car company in anti-trust class action that challenged an assessment program under the Commerce Clause, which was dismissed and affirmed. Published.

Medifast v. Minkow, et al. (9th Cir.). Obtained an affirmed order for clients that granted anti-SLAPP motion to strike, in primary part, with an award of attorney fees and costs.

Richards v. Lloyds of London (9th Cir., En Banc). Co-counsel for over 600 "Names" against Lloyds in action questioning whether the anti-waiver provisions of US Securities Laws voided choice-of-forum and choice-of-law clauses in international contracts. Published.

Shalov v. Lane (9th Cir.). Obtained the dismissal of an appeal after judgment for client following trial of an accredited investor's failed claims against the feature-film producer of Peter Falk's (of *Columbo* fame) last movie.

Stephens v. City of Vista (9th Cir.). Judgment for clients affirmed on appeal following trial of claims for inverse condemnation and breach of settlement agreement, with an award of attorney fees and costs. Published.

Schoenberg v. Exportadora de Sal, SA de CV (9th Cir.). Denial of a motion to dismiss where foreign entity was not immune from suit under Foreign Sovereign Immunities Act in international air crash case. Published.

Zands I v. Nelson, et al. (S.D. Cal.). Summary judgment denied because leaking underground gas tanks could support a solid waste claim under federal RCRA and CERCLA statutes. Published.

Zands II v. Nelson, et al. (S.D. Cal.). Summary judgment denied where subsequent owner of gasoline-contaminated land could have contributed to the damage. Published.

Vonleh v. Yam (9th Cir.). Appeal from dismissal of action against defendant-client after removal of the case to federal court and the district court refused to remand the action to state court and dismissed it as barred by the doctrine of claim preclusion. Pending.