



**manatt**  
Litigation. Discovery. Trial.

In the end, it can simply come down to this:

# “The jury finds in favor of...”

The weight of the words that follow differs depending upon your side of the courtroom. And when the verdict goes your way, there's nothing else like it.

Exhale. The weight of the world is lifted from your shoulders. Your next breath is full and easy. The first hands you shake are those of the legal partners who have been by your side.

Manatt's trial team lives for this moment. We prepare for it from the second we meet you. Our seasoned courtroom veterans are integral members of your legal team from the outset.

Manatt trial lawyers identify the key elements of your case that will be raised if it goes to trial. Our strategy prevents excessive discovery and keeps the litigation laser-focused on the primary

task at hand, *successfully resolving your case long before a trial*. But if your case does wind up in court, a win is rooted deep in Manatt's DNA.

Some law firms pair clients with lawyers who practice inside specialty areas but do not have experience trying cases. Other firms have trial lawyers who know nothing about your business. The Manatt approach is different, it's efficient and it works. We pair our clients with a team of trial lawyers who know what it takes to win in the courtroom and Manatt lawyers with deep expertise in your business. Advertising, banking, energy, entertainment and media, healthcare, insurance, intellectual property, real estate ... other law firms claim “access” to these experts, but Manatt has them. The results speak for themselves.





Litigation. Discovery. Trial.  
**Manatt delivers.**

We do not live for the billable hour. We live for the moment. The moment you are victorious. The moment you are vindicated in everyone's eyes. The moment you walk down the courthouse steps and can once again move forward.

**Discover just a few of Manatt's most recent winning moments.**



2008 Verdict of the Year – LOS ANGELES DAILY JOURNAL

## Boeing Satellite Systems International Inc. v. ICO Global Communications

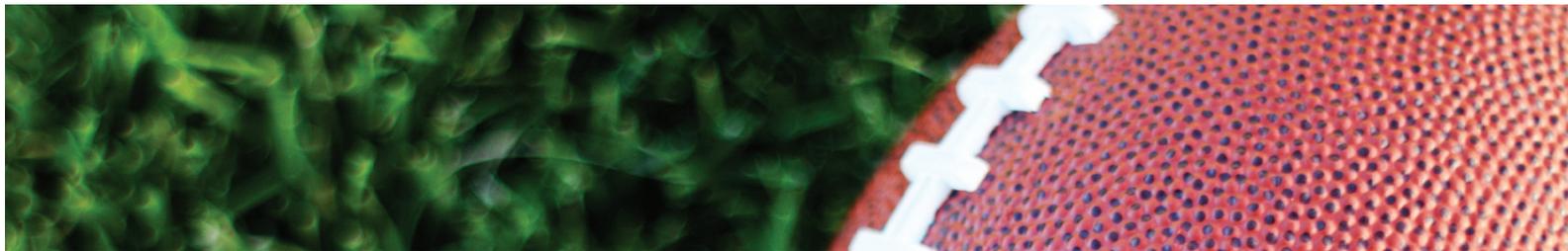
**You don't have to be a genius to appreciate the magnitude of the judgment Manatt recently won for its client: \$631 million is the largest plaintiff verdict in the United States in 2008.**

ICO Global Communications' core business isn't rocket science. The company is a leading provider of innovative voice, data and Internet services. That's why ICO contracted with Hughes Space and McDonnell Douglas to build and launch ICO's communications satellites. After Boeing acquired both McDonnell Douglas and Hughes Space, Boeing Satellite breached its contractual responsibilities to ICO and defrauded ICO by charging exorbitant sums to complete the project ICO was critically invested in.

In court, Manatt successfully argued that Boeing failed to fulfill contractual and legal obligations. The total award of \$631 million included \$371 million in compensatory damages for breach of contract and fraud by Boeing Satellite and tortious interference by Boeing. Finding that both Boeing and Boeing Satellite acted with "malice, oppression or fraud" in its dealings with ICO, the jury also awarded significant punitive damages in the amount of \$236 million. The Court added prejudgment interest of \$24 million.

**“ Manatt persevered through 4½ years of litigation and then delivered when it counted.”**

– John Flynn // Executive Vice President and General Counsel // ICO



## Adderley v. NFL Players Association

They survived blizzards on the gridiron and defeated the roughest competitors in pro football. But after retirement, some of the National Football League's most legendary players felt they were sacked by their own team: the National Football League Players Association.

For more than 14 years, the union paid nothing to the retired players under their licensing agreements and ignored significant marketing opportunities, so Manatt filed a class action lawsuit on behalf of 2,062 retired NFL players.

At trial, Manatt presented evidence that proved the union instructed game company Electronic Arts to deliberately “scramble” the images of retired players from its popular Madden Football video game franchise, thus avoiding having to pay royalties to actual players. The jurors voted unanimously in favor of the retirees, ordering the union to pay \$28.1 million.

Victory on the field only lasts until the next game kicks off. Victory with this jury verdict will keep these players celebrating for the rest of their lives.

“ *I won three Super Bowls, and this feels better than all of them combined.*”

– Class representative Herb Adderley // Retired Green Bay Packer and Dallas Cowboy // Member of the NFL Hall of Fame



## Yamagiwa v. City of Half Moon Bay

Charles J. Keenan spent 15 years attempting to develop homes in scenic Half Moon Bay, California. When the city imposed a building moratorium due to a “sewer capacity shortage,” Keenan and Joyce Yamagiwa, trustee for the land owner, decided to be patient. Seven years later, the city stopped the development altogether, because “wetlands” had miraculously formed on the Yamagiwa property. The city rallied environmental groups to their cause, and it looked like Keenan’s project was scrapped.

The case hinged on the testimony of dueling expert witnesses, including hydrologists, wetlands experts and civil engineers. During cross-examination of the city’s wetlands expert, Manatt proved that the wetlands were not created by Mother Nature — they were actually formed by trapped storm water as a result of a storm drain that had been improperly built by the city itself.

The case ultimately settled for \$18 million, because the payment of the full judgment, \$36.8 million, would have bankrupted the city.



*The preparation, thoroughness and adept marshaling of your entire team’s resources were masterful.”*

– Charles “Chop” Keenan // Keenan Land Company



## Watanabe v. Blue Shield of California

The entire HMO system in California was on trial when Manatt went up against a plaintiff with a seemingly airtight case. A woman feared she had a brain tumor. Her doctor’s requests for an MRI and ophthalmology visit were refused by the supervising medical group. While visiting Japan, she collapsed. An MRI revealed she had a brain tumor the size of a lemon. Upon returning to the United States, she sued the medical group *and* her health plan, Blue Shield. The case raised the question: can health plans and insurers be held responsible for decisions they delegate to medical groups?

The case was of such significance that filmmaker Michael Moore sought to film the entire trial for his documentary, *Sicko*. Manatt blocked Moore from the courtroom, as it would any “non-credible” media, to prevent the trial from becoming a circus.

After a month-long jury trial, Blue Shield was vindicated. The jury found Blue Shield had not acted in bad faith. In turn, the Court of Appeal handed down a unanimous opinion adopting all of Blue Shield’s legal arguments.



*Manatt’s success at trial and before the Court of Appeal on this very important issue is a testament to their superlative legal skills and understanding of our business.”*

– Marcy St. John // Associate General Counsel // Blue Shield of California

# Some Manatt trials dominate the headlines (United States v. Pellicano), while other cases are discreetly settled before trial.



## **LPL Financial v. Zurich Insurance**

LPL Financial and its customers were victims of employee fraud. When LPL turned to its fidelity bond insurer for coverage, the claim was denied. LPL retained Manatt, which filed suit and quickly negotiated a favorable settlement for its client without protracted litigation.



## **Standard Parking Hurricane Katrina Claim**

When Hurricane Katrina destroyed New Orleans, Standard Parking wanted to rebuild its business and assist the City of New Orleans in its reconstruction efforts. The last thing it wanted was to pursue litigation over its insurance claim. Manatt attorneys worked with Standard Parking in recovering all of its losses sustained in the Katrina catastrophe, without ever filing a lawsuit.



## **Ticketmaster v. RMG Technologies**

When fans of popular acts like Hannah Montana couldn't get concert tickets online under Ticketmaster's fair distribution system, Ticketmaster discovered evidence that certain parties had used stealth software to help them jump in line and purchase huge blocks of tickets

that could be resold at inflated prices. Ticketmaster and Manatt worked hand in hand to shut down the software programs and restore consumers' ability to buy the "best available" seats.



## **Western Asbestos Settlement Trust v. Swiss Re (ERC)**

With only months to go before trial, Swiss Re asked Manatt to help design and lead a defense trial strategy against allegations the company was liable to cover thousands of asbestos injury-related claims. Soon after Manatt first appeared in court, the opposing side agreed to engage in settlement discussions, and the matter was successfully resolved for Swiss Re.



## **Peninsula Humane Society & SPCA v. Albert Guibara, et al.**

The Peninsula Humane Society & SPCA needed to build a new home for its animal adoption services. It didn't need the eight lawsuits that were filed by well-funded neighboring property owners trying to stop the new project. Within 14 months of being retained, Manatt attorneys had coordinated the successful defense of those lawsuits, including an appeal. The sale of the property in question has closed. PHS is scheduled to break ground on construction of its new facility in 2009.

**MANATT LITIGATION:** Trusted advisors. Tenacious advocates. Proven courtroom success.

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