



Jeffrey H. Reeves



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EDUCATION

- University of Houston, 1991
Juris Doctor
- Texas A&M University,
1988 Bachelor of Science

BAR ADMISSIONS

- State Bar of California, 1992

PRACTICE AREAS

- Commercial Litigation
- Class Actions
- Intellectual Property
- Unfair Competition and
False Advertising Litigation
- Alternative Dispute
Resolution
- Sports Law
- Privacy, Cyber Security and
Consumer Protection
- Life Sciences

Jeffrey H. Reeves is a litigation partner and trial lawyer focused on handling complex business disputes in any forum. He represents companies and individuals in the sports, nutrition, apparel, life sciences, entertainment and other industries in business and tort cases, including handling high-profile endorsement contract disputes, trade secret misappropriation cases, and data breach class actions.

Jeff is currently the lead defense lawyer in a high-stakes breach of fiduciary duty action filed by minority shareholders against executives of BioNutritional Research **Group, the protein nutrition company that manufactures the popular PowerCrunch™** bars, in Orange County Superior Court. He has also recently served as lead counsel for St. Joseph Health System and its affiliated hospitals in a number of different data privacy breach class actions in which plaintiffs assert violations of the Confidentiality of Medical Information Act and Consumer Records Act.

Jeff is dedicated to serving the Orange County community and serves in a variety of leadership roles for the following organizations:

1. Orange County Bar Association, various committee memberships
2. Orange County Bar Foundation, Board member
3. Orange County Business Council, Executive Committee
4. Hoag Charity Sports Events, Board member
5. Association of Business Trial Lawyers, past president
6. Ninth Circuit Judicial Conference, past representative to the conference
7. Federal Bar Association, past president
8. Constitutional Rights Foundation, president emeritus
9. DiscoveryCube, Vice Chair
10. MIND Research Institute, Board member

Jeff recently received the Anti-Defamation League's **Marcus Kaufman** Jurisprudence Award that the Orange County Chapter of the ADL bestows each year on attorneys who make outstanding contributions to the legal profession and to the community.

Prior to joining Umberg Zipser LLP, Jeff was a partner with Gibson, Dunn & Crutcher LLP in Irvine, where he was a member **of the firm's Sports Law; Class Actions; Privacy, Cybersecurity, and Consumer Protection; Intellectual Property; and Life Sciences Practice Groups**, and where he also served an eight-year term as Partner in Charge of the Orange County office.

REPRESENTATIVE MATTERS

Securities and Class Action Litigation

1. Tried breach of fiduciary duty action in two phases before the Honorable Ronald Bauer in O.C. Superior Court on behalf of defendant cross-complainants and majority shareholder officers and directors. Court ordered reformation on cross-claims in Phase 1, and the matter proceeded to a seven-day Phase 2 bench trial on the fiduciary duty claims. Closing arguments were held late last year and the matter is under submission.
2. Represent healthcare delivery system and its affiliated hospitals in coordinated class actions filed, and now settled, in Orange County Superior Court, Civil Complex, asserting violations of the Confidentiality of Medical Information Act and Consumer Records Act, as well as other state law claims, arising from alleged disclosure of Personal Health Information affecting 31,800 patients.



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REPRESENTATIVE MATTERS

Securities and Class Action Litigation

3. Represented health system in a separate data breach putative class action in Sonoma County involving over 30,000 patients. Court sustained demurrer to entire complaint without leave to amend.
4. Represented current and former directors in two separate derivative litigation matters pending in Delaware and California, one **arising out of company's \$600 million settlement of government investigations and qui tam complaints, and the other arising from the plaintiff's contention that client's Incentive Award Plan was defective because executive compensation paid pursuant to the Plan is allegedly not tax-deductible under section 162(m) of the Internal Revenue Code.** Dispositive motions to dismiss were granted in both cases.
5. Part of defense team that obtained dismissal on behalf of mobile advertising and analytics networks in nationwide class action alleging that defendants collected and disclosed data and personal information from mobile devices without **users' knowledge and consent, on grounds that plaintiffs lacked Article III standing and failed to state a viable claim.**
6. Represented pharmaceutical company and directors in putative class action case alleging violations of federal securities laws. **Court dismissed the case over plaintiff's objections.**
7. Defended pharmaceutical company in state court securities fraud litigation brought, and eventually dismissed, by a former shareholder.
8. Represented hospital and health system in defending putative class action alleging duty to warn patients of the potential for independent contractor physicians to engage in practice of balance billing.
9. Defended energy company and officers in multiple federal securities class actions in Tulsa, Oklahoma seeking upwards of \$1 billion in damages.
10. Tried federal common law securities fraud case for plaintiff before a jury and the Honorable Alicemarie Stotler in the Central District of California. Jury returned special verdict finding fraud and awarding damages and punitive damages in **plaintiff's favor.**

General Business Litigation

1. Represented sports apparel company in trade secret misappropriation litigation in Oregon state court. Secured a confidential settlement for client after winning a TRO and a preliminary injunction against former employees.
2. Represented sports apparel defendant and secured complete dismissal with prejudice of all claims brought against client by surfer-plaintiffs related to damages allegedly incurred due to a vessel that sank in the Indian Ocean. Client explained that it had no ownership or operational interest in the vessel, and filed a demurrer and motion for sanctions under CCP 128.7 when plaintiffs persisted in prosecuting the complaint despite those facts. The matter was dismissed before those motions were argued or decided.
3. Represented petroleum company in dispute with former counsel. Claimant was seeking in excess of \$11 million in damages. First-chaired nine-day JAMS arbitration final hearing before Arbitrator Richard Chernick that resulted in a **Final Award denying all of Claimant's claims in their entirety, awarding nothing, and declaring client to be the prevailing party. Awarded over \$5.3 million in prevailing party attorneys' fees.** The award of all fees was upheld and the Petition to Vacate Award was denied in O.C. Superior Court action by the Honorable Nathan Scott.
4. Represented publicly traded defendant corporation in New York Supreme Court defending allegations of breach brought by former investment banker to the company. **The Court granted client's motion to dismiss in its entirety without leave to amend.**
5. Represented plaintiff pharmaceutical company in **District Court litigation in San Diego alleging breach of defendant's obligation to provide a proper Phase 2b clinical trial.** Court denied Motion to Dismiss, and matter settled before trial.
6. Represented publicly traded semiconductor company in \$1.6 billion qui tam action filed in District Court in Arizona. **Court granted client's motion to dismiss.** Relator appealed to the 9th Circuit Court of Appeal, which heard oral argument and affirmed. Petition for certiorari was denied by the U.S. Supreme Court last year.
7. Part of defense team that won summary judgment on behalf of footwear retailer related to an endorsement contract with well-known professional golfer. The decision was handed down by the Honorable James V. Selna in the Central District of California.
8. Represented computer data storage company in Orange County Superior Court action filed to recover upwards of \$18 million worth of hard drives being held by defendant company that had ceased operations. Obtained emergency writ of possession on an ex parte basis and the property was recovered within days.



9. Represented performers and record companies in a case asserting copyright infringement, trademark infringement and violation of right of publicity. Obtained landmark settlement after obtaining key discovery rulings and order dismissing counterclaims.
10. Defended engineering and construction firm in litigation initiated by subcontractor arising out of U.S. war effort in Afghanistan. **Subcontractor sought upwards of \$15 million based on a novel “withhold if withheld” clause in its contract** with client. In a matter the court recognized as presenting questions of first impression, the Honorable Stephen V. **Wilson (Central District of California) granted summary judgment in client’s favor, approving client’s withholding** of upwards of \$9.0 million. Subcontractor subsequently filed motion for summary judgment on the remaining claims, which the court denied, resulting in a stipulation completely dismissing the matter.
11. Represented T.V. and motion picture actress in defense of claims for breach of alleged oral management contract seeking future commission payments related to hit television series in Los Angeles Superior Court.
12. Represented international toy company in state court litigation filed by former executive, and in JAMS arbitration in Orange County. The matter was settled confidentially.
13. Represented computer technology company in connection with Orange County Superior Court case involving rights to patent designed to combat software piracy, litigating questions of ownership of such rights, and efficacy of a license and contractual release from claims of infringement.
14. Defended medical device manufacturer in tort and contract action filed in Los Angeles County Superior Court seeking more than \$25 million in damages. Demurrer sustained without leave to amend as to all eight causes of action and complaint dismissed. **Argued appeal in the Second Appellate District where a unanimous panel affirmed the trial court’s decision and concluded that the trial court properly sustained client’s demurrer without leave to amend.**
15. Defended hospital in case seeking millions of dollars in damages involving whistleblower allegations under California statutes, and allegations of wrongful termination, intentional torts and breach of contract. Following mediation, Plaintiff dismissed the complaint for no consideration.
16. Tried civil contempt case to verdict against former CEO of pharmaceutical company client in Superior Court in San Diego. Court found former CEO guilty on all 58 counts of contempt that were charged. Court imposed the maximum **permissible fine under the California statute imposed, and issued an order finding that all attorneys’ fees incurred by the company in prosecuting the action were reasonable and requiring the former CEO to pay those fees.**
17. Defended Mission Hospital against claims from tenant seeking to enjoin construction of new multimillion-dollar medical tower in South Orange County designed to house state-of-the-art linear accelerator, and bringing counter-claims for breaches of lease.
18. Represented commercial landlord in post-trial litigation against tenant seeking lease rescission. Hired following **publishing of trial judge’s tentative post-trial Statement of Decision** ruling against client, and was part of team that filed and argued post-trial briefs that yielded an entirely different and completely favorable final judgment in favor of the client.
19. Tried case before AAA arbitrator in Minnesota for entertainment company against entities controlling major mall. **Arbitrator ruled in client’s favor, declared it to be the prevailing party and awarded client a multimillion-dollar termination fee, plus attorneys’ fees and costs.** Successfully defended award in appellate proceedings before both the Minnesota Court of Appeal and the Minnesota Supreme Court.
20. Part of successful effort to dismiss a highly publicized lawsuit filed by well-known activist against hospital system alleging that they had over billed Medicare. **District Judge David Carter granted the defendant’s motion** to dismiss.
21. Tried case before arbitrator for insurance company in \$30 million arbitration proceeding in New York arising out of disputed put/call provision in contract regarding sale of investment management company. Prevailed outright in Phase I of the arbitration, and the matter settled before Phase II was tried.
22. Tried case before AAA arbitrator for golf manufacturer, the holder/licensor of patent, in multi-day arbitration proceeding. **Arbitrator found client’s termination of exclusive license to be valid** and found client to be prevailing party.