



## DEAN J. ZIPSER



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Dean J. Zipser is a recognized leader in the Orange County legal community, having served as President of the Orange County Bar Association and the Association of Business Trial Lawyers-Orange County Chapter, and as Chairperson of the Orange County Bar's Masters Division (serving those in practice 25 years or more), among many professional leadership positions. Dean was named as the 2017 recipient of the OCBA's Franklin G. West Award – presented annually to an outstanding attorney or judge whose lifetime achievements have advanced justice and the law. In 2003, Dean received the Jurisprudence Award given by the Anti-Defamation League, which recognizes individual commitment to the highest ideals of the legal profession and dedicated service to the community. He has been listed for several years as one of the “Best Lawyers in America®” in the fields of Bet-the-Company Litigation, Commercial Litigation, Intellectual Property Litigation, Banking and Finance Litigation, and Real Estate Litigation, and was named Best Lawyers’ 2017 Orange County Intellectual Property Litigation “Lawyer of the Year,” and Orange County Bet-the-Company Litigation “Lawyer of the Year” in 2014. In addition, he has been chosen as a “Super Lawyer” for Southern California since 2005, an honor limited to only 5% of Southern California lawyers.

Dean is known for his handling of large, complex, and “bet-the-company” cases, from pre-trial consulting, through pre-trial, trial, and appeal. His civil business litigation practice includes complex matters in intellectual property, consumer class actions, contract, business torts, fiduciary duty, real estate, construction, environmental, and lender liability. He also advises clients on techniques to avoid or minimize the risks of litigation and has extensive experience in alternative dispute resolution procedures. In addition, Dean has been trained as a mediator, and has been called upon to assist parties in settling disputes.

Dean serves a list of premier industry leaders and Fortune 1000 companies, as well as a host of other companies and individuals. Some of his cases have included: representing leading computer manufacturers in various consumer class actions; commercial litigation matters for national retailers; handling disputes involving real estate, construction, contract, and class-actions on behalf of large residential real estate developers; and litigating intellectual property matters for a variety of clients in a host of different industries, including retail, restaurants, toy manufacturing, and charitable organizations.

Dean was honored to be named as one of the 176 lawyers nationwide on the BTI Consulting 2009 Client All-Star Team. The survey was the result of interviews with more than 270 general counsels at Fortune 1000 and other companies. BTI sought the attorneys who stand for leveraging knowledge of their clients’ businesses to deliver strategic advice, who keep their clients’ interests top of mind through the efficient use of time and resources, and who provide responsive and timely answers to clients’ most precious needs.

A committed advocate for those who are less fortunate, Dean regularly works on cases on a pro bono basis and has served on the Board of the Public Law Center. Prior to joining Umberg Zipser LLP, Dean was a partner with Manatt, Phelps & Phillips, LLP (co-chair of the firm’s Class Actions and Financial Services Litigation practice groups), and before that was the managing partner and head of the Litigation Department at the Orange County office of Morrison & Foerster LLP.

## EDUCATION

- Stanford Law School, J.D., 1980
- University of California, Los Angeles, B.A., summa cum laude, 1977

## BAR ADMISSIONS

- State Bar of California, 1980
- United States Court of Appeals: Ninth and Federal Circuit Courts of Appeal
- United States District Courts: Central, Northern, Eastern, and Southern Districts of California

## PRACTICE AREAS

- Commercial Litigation
- Class Actions
- Intellectual Property
- Unfair Competition and False Advertising Litigation
- Real Estate and Construction Litigation
- Financial Services Litigation
- International Business Disputes
- Alternative Dispute Resolution

## HONORS & AWARDS

- America's Top 100 High Stakes Litigator, 2017-2019
- Orange County Bar Association, Franklin G. West Award, 2017
- The Best Lawyers in America®, 2008–2019
- The Best Lawyers in America®, Lawyer of the Year, Orange Intellectual Property Litigation, 2017
- The Best Lawyers in America®, Lawyer of the Year, Orange County Bet-the-Company Litigation, 2014
- Southern California Super Lawyers, 2005–2019
- BTI Consulting Client Service All-Star Team, 2009
- Recipient, Anti-Defamation League's Jurisprudence Award, 2003
- Litigation Counsel of America, Fellow

## PROFESSIONAL ACTIVITIES

- State Bar of California, Rules Revision Commission, Co-Vice Chair
- Orange County Bar Association, Member, Past President, President-Elect, Treasurer, Secretary, and Board Member; past Chairperson and Board Member of the Bar's Masters Division, serving the attorneys and judges in practice 25 years or more, and co-chairperson of the Bar's Mentoring Committee and its Leadership Development Committee; current and former member of numerous committees and task forces
- Orange County Bar Association Charitable Fund, Past President and Board Member
- Association of Business Trial Lawyers, Orange County Chapter, Member, Past President, Vice President, Secretary, Treasurer, and Board Member
- Federal Bar Association, Orange County Chapter, Founding Member and current President-Elect
- Constitutional Rights Foundation of Orange County, Immediate Past-President and Board Member
- Orange County Bar Foundation, Board Member
- Central District of California, Pro Bono Panel, Member
- Ninth Circuit Judicial Conference, Past Lawyer Representative
- Los Angeles County Bar Association, Member
- American Bar Association, Member

## REPRESENTATIVE MATTERS

### Commercial Litigation

- Prosecuting and defending contract, unfair competition, false advertising, product liability, and business tort actions for computer manufacturers.
- Partnership, real estate and contract actions for leading financial institutions, retailers, and real estate companies
- Construction litigation matters for large developers to individual homeowners
- Business tort actions for leading international and domestic companies, among many others

### Class Actions

- Representation of computer manufacturers in various consumer class actions involving claims of product liability, unfair competition, breach of warranty, and false advertising, and alleged statutory violations.
- Representation of numerous financial institutions in class actions alleging breach of contract, unfair competition, and regulatory claims.
- Representation of product manufacturers in various product liability and warranty claims.
- Representation of real estate developers in various construction-related class action claims.

### Intellectual Property

- Representation of a leading restaurant chain in a high-profile trademark matter challenging the use of the term "Taco Tuesday" in which we secured a summary judgment on all claims.
- Representation of a diverse group of clients including large retailers, real estate developers, software manufacturer, and a number of charitable organizations in various trademark, service mark, trade name, and copyright litigation.

## ARTICLES

Dean has written on various litigation and practice-related subjects. Among other things, Dean also has authored articles on intellectual property and other litigation topics in bar association and business journals, including Orange County Lawyer and Orange County Business Journal. In addition, he wrote the chapter "Developing Young Lawyers" in Raise the Bar, published by the American Bar Association. For approximately 15 years he co-authored the yearly supplement to the California Continuing Education of the Bar's publication of California Lis Pendens Practice, and co-authored the second edition of that book. For the past several years Dean has co-authored the chapter on pretrial motions in the California State Bar Litigation Section's yearly update of California law. He also is the author of "Builders' Liability for Latent Defects in Used Homes," which appeared in the Stanford Law Review.

## SPEAKING ENGAGEMENTS

Dean has lectured on various litigation- and practice-related subjects, including legal ethics, discovery, intellectual property, pretrial discovery, real estate litigation, and governance issues.

He has been a speaker or panelist for a variety of organizations, including The Rutter Group, Orange County Bar Association, Federal Bar Association, Association of Business Trial Layers, and the National Association of Bar Executives.

## COMMUNITY INVOLVEMENT

- South Coast Repertory Theater, Board Member