



Andre J. Cronthall

Partner

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PRACTICE AREAS

- Litigation
- Antitrust and Trade Regulation
- Intellectual Property

INDUSTRIES

- Financial Services
- Healthcare
- Insurance

OVERVIEW

Andre J. Cronthall is a partner in the Business Trial Practice Group in the firm's Los Angeles office, where he is also the Office Administrative Partner.

Areas of Practice

Mr. Cronthall is a trial lawyer specializing in complex commercial litigation and has extensive experience as lead counsel in civil jury trials involving a wide variety of business disputes. He has litigated numerous matters from inception through appeal, with expertise in insurance-related litigation, products liability, commercial contract disputes and professional liability.

EDUCATION

- J.D., University of Southern California, 1984, Director, Hale Moot Court honor's program, Co-Founder and co-chairman, USC Chapter of the Federalist Society
- B.S., University of Southern California, 1981

ADMISSIONS

- State Courts and all Federal District Courts in California
- Ninth Circuit Court of Appeals

EXPERIENCE

Representative Trial Experience

Mr. Cronthall has been lead trial counsel in numerous trials in state and federal courts. A representative sample of trials include:

Bonded Motors v. State Compensation Insurance Fund - Los Angeles Superior Court - obtained favorable result after seven week jury trial involving alleged bad faith and unfair business practices involving state's largest workers' compensation insurer.

Cumbre v. State Compensation Insurance Fund - San Bernardino Superior Court - Obtained defense verdict after five week jury trial in which brokers sought \$47 million in damages for termination of agreements. Affirmed in full on appeal (see below).

Geosource, Inc. v. The Hartford - Los Angeles Superior Court - Obtained judgment after trial in lawsuit involving an insurer's right to control the settlement of disputes.

Hinduja v. ARCO - Los Angeles Superior Court - Obtained defense verdict after jury trial in case involving claims of unfair business practices, violations of franchise laws and discrimination. Handled appeal, which resulted in affirmance of verdict, and judgment for attorney's fees incurred by client.

Mouradian v. Central National Life Insurance Company - Los Angeles Superior Court - obtained defense judgment after jury trial in bad faith case arising out of insurer's rescission of policy due to misrepresentations by insured.

Scott's Creations, Inc. v. Underwriters at Lloyd's, London - Los Angeles Superior Court - obtained defense verdict by proving that claimed armed theft of wholesale jeweler's inventory was a staged crime. Selected as one of the top ten defense verdicts of 2006.

Tricor v. State Compensation Insurance Fund - Los Angeles Superior Court - obtained favorable verdict in action involving the workers' compensation system, and regulation of the industry.

United Pacific v. Cohanin - Los Angeles Superior Court - obtained judgment for insurer in insurance coverage matter involving limits of liability.

The Walton Companies v. Etiwanda Estates - San Bernardino Superior Court - obtained defense verdict in lawsuit involving construction of a residential development.

Wolfe Air Aviation v. Andreini & Co., et al - Los Angeles Superior Court (transferred to Orange County Superior Court for trial) - obtained \$10 million jury verdict and judgment for client in case involving cancellation of aviation insurance policy. Amount of judgment was almost double the amount of damages calculated by client's expert witness.

Representative Appellate Experience

Advanced Building Maintenance v. State Compensation Insurance Fund - California Court of Appeal, Second Appellate District – 49 Cal. App. 4th 1388 (1996) – Obtained reversal of trial court order and reinstatement of judgment in favor of client. Published opinion discusses the timing of motions to vacate judgments.

Cumbre v. State Compensation Insurance Fund - California Court of Appeal, Fourth Appellate District - ___ Cal. App. 4th ___ (2010) - Obtained partially published decision affirming favorable judgment regarding termination of contracts and the Duty of Fair Procedure. Also was lead trial counsel.

Gardner v. UICI - United States Court of Appeals for the Ninth Circuit - 508 F.3d 559 (2007) - Obtained reversal of trial court order and finding that clients had a reasonable basis to remove case to federal court.

The Gillette Company v. 99 Cent Only Stores – California Court of Appeal Second Appellate District (App. No. B156193) – Represented plaintiff and obtained writ of mandamus ordering trial court to vacate summary adjudication order.

Gordon's Cabinet Shop v. State Compensation Insurance Fund – California Court of Appeal, Fourth Appellate District – 74 Cal. App. 4th 33 (1999) – Obtained published decision affirming judgment of dismissal in favor of client and discussing when the five year statute for bringing a case to trial may be tolled.

HealthMarkets v. Superior Court - California Court of Appeal, Second Appellate District - 171 Cal. App. 4th 1160 (2009) - Obtained published decision affirming granting of motion to quash service on out-of-state insurer based on lack of personal jurisdiction.

Rail Services v. State Compensation Insurance Fund – California Court of Appeal, Second Appellate District – 2003 Cal. App. Lexis 1032 (2003) – Obtained published decision in case of first impression concerning an insurer's right to collect a nonrefundable deposit premium.

Red Alarm, Inc. v. Waycrosse, Inc. et al – United States Court of Appeals for the Ninth Circuit – 47 F. 3d 999 (1995) – Obtained published opinion affirming summary judgment in favor of client, discussing principles of accord and satisfaction.

The MEGA Life and Health Ins. Co. v. Superior Court - California Court of Appeal, Fourth Appellate District - 172 Cal. App. 4th 1522 (2009) - Obtained published decision on a petition for a writ of mandate reversing trial court and ordering dismissal of plaintiff who was not a party to contract.

Wolfe Air Aviation v. Andreini & Co., et al – California Court of Appeal, Second Appellate District (App. No. B151940) – Represented aerial photography and film production studio at trial (see above) and on appeal. Appellate court affirmed judgment in its entirety.

HONORS

- One of Mr. Cronthall's numerous trial victories was recognized by the *Daily Journal* as one of the top ten defense verdicts of 2006
- Recognized by PLC Which Lawyer for insurance expertise-insurer led practices.
- Received the AV® rating by Martindale-Hubbell® (highest rating an attorney can receive for legal quality and ethics)

MEMBERSHIPS

- Member, American Board of Trial Advocates
- Member, Board of Governors of the Association of Business Trial Lawyers, two terms
- Member, State Bar's Insurance Law Committee
- Member, Los Angeles County Bar Association
- Member, American Bar Association
- Member, Board of Directors of Public Counsel

ARTICLES

- Q&A With Sheppard Mullin's Andre Cronthall, *Law360*, July 29, 2009
- In L.A., An Insurance Trial Can Take a Film Noir Turn, October 10, 2006