



ISAIAH Z. WEEDN

Associate

Orange County
650 Town Center Drive
Fourth Floor
Costa Mesa, CA 92626

Tel: 714.424.2828
Fax: 714.428.5989
iweedn@sheppardmullin.com

PRACTICE AREAS

- Litigation

OVERVIEW

Isaiah Weedn is an associate in the Business Trial Practice Group and is based in the firm's Orange County Office.

Areas of Practice

Mr. Weedn has experience in a broad spectrum of business litigation in federal and state courts. His clients include commercial real estate investment firms, commodity traders, manufacturers, builders, and financial institutions. He has helped his clients resolve disputes with their joint venture partners, investors, competitors, vendors, and customers in matters involving breach of contract, unfair competition, fraud, violation of contractor licensing laws, conversion, and misappropriation of trade secrets. He also has substantial experience in the defense of consumer class action claims for predatory lending and improper debt collection practices.

EDUCATION

- J.D., University of Southern California, 2003, *USC Interdisciplinary Law Journal*
- B.S., University of Southern California, 1999, completed the undergraduate entrepreneurship program at Marshall's top-ranked Lloyd Greif Center for Entrepreneurial Studies

ADMISSIONS

- California
- U.S. District Court for the Central and Southern Districts of California
- U.S. Ninth Circuit Court of Appeals

EXPERIENCE

Representative Matters

Representation of private equity firm in a land lease dispute with a Southern California municipality. Mr. Weedn's client had owned and sold a large multi-family residential property that was subject to a land lease with the municipality. A six figure portion of the purchase price was held back in an escrow account pending the municipality's final audit of the property's income. The municipality ultimately laid claim to the entire escrowed sum plus additional amounts for purported underpayments of amounts due under the land lease and auditor and attorneys' fees. A mediation ultimately resulted in Mr. Weedn's client receiving the majority of the escrowed sum with no liability for the municipality's auditor or attorneys' fees. Convincing evidence was presented concerning the clear inadequacy of the municipality's audit and the client's payment of all amounts due under the lease.

Representation of private equity firm in a contract dispute with its joint venture partner. Mr. Weedn's client and its joint venture partner were co-owners of two

portfolios of large multi-family residential properties located in the Western United States. A dispute arose concerning the extensive remodeling and management of one of the portfolios' larger properties and litigation ensued. Mr. Weedn spear-headed documentation of the agreement that permitted the parties to settle their dispute while also preserving their ongoing business relationship.

Representation of a commercial property landlord in a lawsuit against a former tenant who vacated the premises several years prior to lease expiration. The tenant, a large electronics retailer, had been acquired by a competitor who proceeded to close many of the tenant's locations without compensating landlords. The defendant agreed to pay a seven figure sum in settlement after being sanctioned by the court and losing a motion to compel discovery concerning the relationship between the tenant and its new parent company.

Representation of a real estate investment firm in a lawsuit against the company's former head of sales and his new employer for breach of contract, breach of fiduciary duty, and misappropriation of trade secrets. The former head of sales left Mr. Weedn's client for a direct competitor, taking two key employees and a wealth of confidential business planning and sales lead information with him. The defendants agreed to discontinue use of all confidential materials obtained from Mr. Weedn's client, make guaranteed settlement payments to Mr. Weedn's client of \$2 million, and additional contingent settlement payments potentially totaling \$1.2 million.

Representation of international metals trader in a breach of contract lawsuit against a metals dealer. Mr. Weedn's client had an oral contract to purchase 100 tons of metal from a Los Angeles based metals dealer. However, the market value of the metal nearly doubled before the dealer was required to ship it to the client. Instead of making good on the deal, the dealer sold the majority of the metal to other buyers at higher prices and delivered only 19 tons to Mr. Weedn's client. Mr. Weedn's client refused to pay for the metal delivered and filed suit against the dealer for additional damages. The dealer counter-sued Mr. Weedn's client and its CEO for breach of contract, civil theft, and fraud. After a nine day jury trial in Los Angeles Superior Court, a jury awarded Mr. Weedn's client every cent of its claim (worth in excess of \$1.2 million) and rejected the dealer's claims.

Representation of red light photo enforcement system provider in a breach of contract action against a municipality. Mr. Weedn represented the client in a week-long arbitration, resulting in an award in excess of \$1 million. Mr. Weedn also helped to defeat the defendant's subsequent attempt to have the arbitration award set aside by the Los Angeles Superior Court.

Representation of a Southern California-based manufacturer in a breach of contract lawsuit against a customer and its principal owner. Mr. Weedn's client had delivered more than \$1.5 million worth of material to its long-time customer. The customer not only failed to pay but also filed for Chapter 7 bankruptcy shortly after a lawsuit was filed. While continuing to pursue an adversary proceeding in bankruptcy court, a second lawsuit against the principal owner was launched in Nevada. This strategy resulted in Mr. Weedn's client obtaining title to a parcel of commercial real estate in Las Vegas and an additional six figure settlement payment.

Representation of engineering contractor and its majority shareholder in a suit by the minority shareholder alleging fraud and breach of a shareholder buy-sell agreement. The minority shareholder, whose shares had been fairly valued in accordance with the operative buy-sell agreement after his resignation from the company, alleged Mr. Weedn's clients had misled the appointed valuation professionals and insisted that his shares were worth several million dollars more than the results of the valuation indicated. After several months of litigation, Mr. Weedn negotiated a settlement pay-out to the minority shareholder that was significantly less than what the minority shareholder would have received had he simply accepted the original valuation.

Representation of computer accessories manufacturer in an embezzlement suit against the company's former CEO. As sole trial counsel, Mr. Weedn tried the matter

through to verdict in the Orange County Superior Court. The trial resulted in a six figure judgment in favor of Mr. Weedn's client.

Representation of a mobile technology company in a lawsuit against the company's former CEO and his new employer for breach of fiduciary duty and misappropriation of trade secrets. After filing suit in U.S. District Court, Mr. Weedn negotiated a very favorable settlement which included a pay out to his client in the high six figures.

MEMBERSHIPS

- Mr. Weedn is a member of the Association of Business Trial Lawyers and the Orange County Bar Association.

ARTICLES

- Get The Most Out Of Your Attorneys, *Daily Journal*, February 8, 2010
- "Are You Entitled To A Free Building," *California Real Estate Journal Online*, August 24, 2009

Financial Institutions Law Blog Articles

- "The California Court Of Appeals Weighs In On Option ARM Class Actions," August 31, 2011

SPEECHES

- During 2005 and 2006, Mr. Weedn regularly delivered his presentation, entitled Legal Issues for the Start-up Business, at a monthly workshop for entrepreneurs presented by the Service Corp for Retired Executives' (SCORE) Orange County chapter.