



## Peter S. Hecker

Partner

San Francisco  
Four Embarcadero Center  
Seventeenth Floor  
San Francisco, CA 94111

Tel: 415.774.3155  
[phecker@sheppardmullin.com](mailto:phecker@sheppardmullin.com)

### PRACTICE AREAS

- Litigation

### INDUSTRIES

- Automotive

## OVERVIEW

Mr. Hecker is a partner in the Business Trial practice group in the firm's San Francisco office.

### Areas of Practice

Mr. Hecker has substantial experience defending major consumer litigation, including cases involving alleged false advertising, product defects, and the disclosure of fees and services by a variety of businesses, including computer, software, telecommunications, rental car, self-storage, food and drug, insurance brokerage, and auto finance companies. In particular, he has defended numerous actions brought by consumers under Section 17200 challenging alleged unfair business practices.

Mr. Hecker is a nationally recognized authority on “force-placed” or collateral protection insurance (“CPI”) litigation brought by consumers against banks and auto finance companies. He acted as lead outside counsel in the defense of CPI class actions in California, Florida, Arizona, Missouri, Washington, New York and Idaho. He has also defended banks, mortgage lenders and insurance companies in class actions challenging procedures for placing CPI.

In addition, Mr. Hecker’s practice emphasizes complex commercial litigation, particularly in the area of real estate transactions. He has represented diverse clients in the real estate field including lenders, developers, property owners, title companies, landlords, tenants, architects and engineers. He has litigated disputes relating to the development of office complexes, condominiums and apartment houses. Mr. Hecker has also represented an international hotel chain and management company in its disputes with co-developers, construction managers and owners.

In addition to his class action and real estate litigation practice, Mr. Hecker has handled major commercial litigation in federal and state courts on behalf of clients in the heavy-duty truck, steel, pipe, airline, motion picture, stock brokerage, savings and loan, investment banking, microwave technology, licensing and accounting industries, among others.

## EDUCATION

- J.D., University of California, Berkeley, Boalt Hall School of Law, 1973, *Order of the Coif*
- B.A., Carleton College, 1970, *magna cum laude, with distinction in Comparative Modern Literature*

## ADMISSIONS

- California
- New York

## EXPERIENCE

### Representative Engagements

Represent *AmeriCredit Financial Services, Inc.* (now *GM Financial*) in class actions challenging adequacy of post-repossession notices used in connection with motor vehicle loans, including *Bankston v. AmeriCredit*, 2011 WL 89730 (N.D. Cal.) (granting dismissal for lack of standing); *Wright v. AmeriCredit*, 2010 WL 5058345 (S.D. Cal.) (upholding validity of notice and dismissing action); *Arguelles-Romero v. Superior Court*, 184 Cal. App. 4th 825 (2010) (finding arbitration clause with class action waiver not unconscionable); and *Smith v. AmeriCredit*, 2009 U.S. Dist. LEXIS 115767 (S.D. Cal.) (granting motion to compel arbitration and dismissing action).

Represent *Palm* in class actions alleging defects in Treo 700 series smartphones.

Represent *Seagate* in class actions challenging disclosures about computer hard drive storage capacity, including leading case regarding class action settlements, *Cho v. Seagate Technology Holdings, Inc.*, 177 Cal. App. 4th 734 (2009).

Represent *Hertz* in class action challenging pass-through of airport concession recovery fees in Nevada.

Represent *American Security Insurance Company* in class action regarding lender-placed insurance involving residential real estate.

Represented *Palm* in class actions alleging damage to personal computers from electrostatic discharge; and litigation challenging termination of wireless service, in which class certification was denied. *Eichorn v. Palm*, 2008 WL 102222 (Cal. Ct. App.).

Represented *Hertz* in class actions challenging fuel and service charge in California, Illinois, Texas, Oklahoma and Nevada, including leading cases of *Guerra v. Hertz*, 504 F. Supp. 2d 1014 (D. Nev. 2007), and *Schnall v. Hertz*, 78 Cal. App. 4th 1144 (2000).

Represented flash memory manufacturers in class actions challenging disclosures about storage capacity.

Represented *McDonald's* in highly publicized "french fries" litigation in California, Washington, Texas, New Jersey and Illinois, involving alleged non-disclosure that fries contain beef flavoring.

Represented major auto finance company as national coordinating counsel in 21 class actions involving leasing practices.

Represented leading self-storage companies in class actions regarding late charges.

Represented major insurance brokerage firm in class action litigation challenging its disclosure of commissions and fees.

Represented *SsangYong* in federal court bench trial involving alleged theft of trade secrets for microwave technology used in radar jammers in F-16 aircraft.

Represented *Ford Motor Credit Company* in nationwide RICO class action regarding force-placed insurance. *Gordon v. Ford Motor Credit Company*, 868 F. Supp. 1191 (N.D. Ca. 1992).

Represented title company's insureds in declaratory relief action involving trustee duties in foreclosure proceedings. *Perez v. 222 Sutter St. Partners*, 222 Cal. App. 3d 938 (1990).

Represented nationwide hotel chain in four-week arbitration regarding termination of management contract for flagship property.

**HONORS**

- Repeatedly listed as a Northern California Superlawyer, *San Francisco Magazine*

**MEMBERSHIPS**

- American Bar Association
- State Bar of California
- Bar Association of San Francisco

**EVENTS**

- MCLE Credit Crunch 2009