



## → Paul Seeley

### Associate

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Paul Seeley is a senior associate in the Business Trial Practice Group in the Firm's Los Angeles office and has been practicing since 2007.

### Areas of Practice

Paul has experience in business litigation matters, including real property disputes, consumer class actions and insurance litigation. He advises his clients in all aspects of litigation, from pre-litigation dispute resolution, to filing and responding to complaints, to seeking or opposing pre-judgment remedies (including temporary restraining orders, preliminary injunctions, and receiverships), through summary judgment, trial, post-trial motions, and enforcement of judgments.

A large part of Paul's practice focuses on the trial or resolution of real estate and corporate disputes. He represents clients in real estate disputes, including:

- Title and easement disputes, including quiet title and/or fraudulent deed litigation,
- Enforcement of purchase and sale contracts,
- Landlord-tenant litigation (representing both landlords and tenants),
- Partition actions,
- Government enforcement actions brought against landowners,
- Fraud actions relating to the purchase and/or leasing of real property,
- Disputes between partners, shareholders, and/or co-owners of entities that own and manage real property, including cases alleging breaches of fiduciary duty by the managers of those entities, and
- Shareholder disputes regarding corporate governance, loan agreements, and other contract disputes.

Paul also defends against class action complaints, particularly consumer class actions alleging false advertising, unfair competition, and violations of California's consumer protection laws. In addition to litigating such cases, Paul has published numerous articles about class action law and procedure.

Paul is deeply invested in the Firm's *pro bono* activities, and previously ran Sheppard Mullin's program to assist clients in their adoptions of children in California's foster care system. In recognition of his work, the Firm named Paul the Bob Gerber Pro Bono Attorney of the Year in 2012.

## Experience

### **Real Estate Matters**

Represented shareholders of numerous corporations in ownership dispute over \$50 million in assets, including real property and investment portfolios. Successfully obtained a preliminary injunction and appointment of a receiver to protect the clients' interests pending resolution, and then obtained summary judgment confirming their ownership interests in the corporations. The result was affirmed on appeal.

Successfully represented shareholder of real estate entities in enforcement of her inspection rights after her requests to inspect records were rejected by management. Obtained an attorneys' fees award of over \$295,000 as the prevailing party.

Successfully represented buyer of real property in specifically enforcing purchase and sale agreement after seller attempted to avoid the sale by claiming a breach of the contract.

Represented buyer of large commercial distribution center after seller allegedly failed to make full disclosures of information that would have dramatically affected the price buyer was willing to pay. Settled on eve of hearings on summary judgment.

Successfully represented owner of real property who was fraudulently induced into signing title to real property to a family member.

Successfully represented landowner in dispute with joint tenant resulting in partition claims being asserted and a resolution on favorable terms.

Successfully represented landowner in enforcement action filed by City of Los Angeles stemming from alleged nuisance created by tenant's misdeeds.

Represented both landlords and tenants in unlawful detainer litigation and pre-litigation dispute resolution.

### **Class Action Matters**

Represented workers' compensation insurer in class action accusing it of violating California law in the manner it collected and retained deposits from its insureds.

Represented department store in class action accusing it of engaging in false advertising with respect to price discounts.

Represented supplement manufactured in class action accusing it of engaging in false advertising with respect to efficacy claims on product label.

### **General Litigation Matters**

Successfully represented client accused of defamation by aggressive *in pro per* plaintiff by securing preliminary injunction and filing, and prevailing on, an Anti-SLAPP Motion, resulting in a judgment for attorneys' fees of over \$90,000.

Successfully represented workers' compensation insurer as part of the trial team that secured a judgment of over \$50 million on behalf of the client who was victim to a workers' compensation insurance fraud scheme designed to avoid paying the proper premium owed.

Successfully represented client by spearheading post-judgment enforcement efforts to collect a \$12 million judgment, resulting in a favorable settlement.

## Articles

- Class Action Settlements and Attorneys' Fees  
*Practical Law*, 02.2016
- 'All Natural' Litigation - California's litigation boom could be spreading closer to home  
*Food & Drink Magazine*, Summer 2014
- 'Natural' suits persist absent FDA definition  
*Los Angeles Daily Journal*, 01.06.2014

## Class Action Defense Strategy Blog Posts

- "Plaintiffs' Full Refund Theory of Restitution Under California's Unfair Competition Law Goes Up in Smoke in Latest *Tobacco II* Opinion," December 1, 2015
- "Recent Ninth Circuit Decisions in False Advertising Consumer Class Action Cases May Prevent Preemption and Relegate the Primary Jurisdiction Doctrine to Second-Class Status." April 28, 2015
- "Court Finds that Class Action Plaintiffs' False Advertising Claims are Stripped Bayer Based on Federal Preemption," March 17, 2015
- "Ascertainability Saps Plaintiffs' Energy in Dietary Supplement Class Action," March 4, 2015
- "Tea Manufacturer Defeats Damages – Seeking Class Action Plaintiff in an Opinion Steeped in *Comcast*," April 29, 2014
- "J.M. Smucker Company Gets Out of a Jam in Food Labelling Case," April 18, 2014
- "A (POM) Wonderful Result For Consumer Class Action Defendants," March 26, 2014
- "Comity and Commonality: A Tale of Two Identical Class Actions Brought By Forum-Shopping Plaintiffs' Counsel," February 19, 2014
- "I Scream, You Scream, We All Scream For...Ascertainability?" January 10, 2014
- "Enforcing Class Action Waivers: A 'Major Change In California Law'," October 12, 2012
- "The Ninth Circuit Applies the Brakes to Runaway Nationwide Class Actions," January 27, 2012

## Practices

Litigation

Real Estate and Land Use

## Education

J.D., University of California, Los Angeles, 2007

B.A., Occidental College, 2004, *summa cum laude*, *Phi Beta Kappa*

## Admissions

California state courts

U.S. District Court for the Central District of California  
U.S. District Court for the Northern District of California  
U.S. District Court for the Southern District of California  
Ninth Circuit Court of Appeal