



## → Andre J. Cronthall

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Andre Cronthall is a partner in the Business Trial Practice Group in the firm's Los Angeles office.

### Areas of Practice

Andre is a trial lawyer who handles complex commercial litigation as lead counsel in civil jury trials involving complex business disputes. He has litigated numerous matters from inception through appeal for insurers and other financial institutions, manufacturers and sellers, business owners and public entities. Andre focuses on insurance law, products liability, commercial contract disputes and professional liability. His notable matters include:

- Representing the City of Ontario in its successful effort to return the Ontario International Airport to local control.
- Serving as lead trial lawyer in a Los Angeles jury trial in which the jury rendered a verdict in favor of insurers after it was proven that an alleged armed robbery of a wholesale jewelry company did not occur even though the "robbery" was partially captured on video and one of the owners was bound and gagged.
- Obtaining summary judgment for certain underwriters at Lloyd's in a lawsuit involving the destruction of a factory and the theft of millions of goods in Indonesia.
- Obtaining a jury verdict for a national health insurer in a case challenging the insurer's marketing practices.
- Obtaining dismissal of a Japanese communications company from a lawsuit filed in Los Angeles by a Taiwanese supplier.
- Successfully arbitrating a higher contingent sales price for the seller of a workers' compensation insurance company.

### Honors

- Recognized by *Best Lawyers* as a "Best Lawyer in America" for Insurance law, 2018-2023
- One of Andre's numerous trial victories was recognized by the *Daily Journal* as one of the top ten defense verdicts of 2006
- Invited to membership in the American Board of Trial Advocates, an invitation-only organization of premier trial practitioners, 2006-present
- 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)

## Experience

### Representative Trial Experience:

Andre 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.
- ***Carter v. Mid-West National Life Insurance Company of Tennessee*** – San Bernardino Superior Court – Obtained complete defense verdict after a five-week jury trial alleging marketing fraud and "bad faith" against a health insurance company and its agent.
- ***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.
- ***L.A. Open Door Presbyterian Church v. Evangelical Christian Credit Union*** – Los Angeles Superior Court – Obtained complete defense verdict for client lending institution after jury trial concerning aftermath of foreclosure of property.
- ***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 10 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*** – U.S. 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*** – U.S. 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.

## Media Mentions

Q&A With Sheppard Mullin's Andre Cronthall

*Law360*, 04.10.2013

Q&A With Sheppard Mullin's Andre Cronthall

Cronthall is a partner in Sheppard Mullin's business trial practice group, and is a leader of the firm's insurance practice group.

*Law360*, 07.29.2009

In L.A., An Insurance Trial Can Take a Film Noir Turn

10.10.2006

## Speaking Engagements

- Panelist, "Titans of the Bar Demonstrate the Art of Voir Dire," Association of Business Trial Lawyers, March 2015
- Panelist, "Special Verdict Forms," Association of Business Trial Lawyers, March 2003

## Memberships

- Member, American Board of Trial Advocates
- Member, Board of Governors, Association of Business Trial Lawyers, 2001-2007; 2018-2022
- Member, State Bar's Insurance Law Committee
- Member, Los Angeles County Bar Association
- Member, American Bar Association
- Member, Board of Directors, Public Counsel, 2010-2017
- Member, Board of Directors, Kidspace Children's Museum, Pasadena, California, 2015-2021

## Practices

Litigation

Class Action Defense

Insurance Litigation

Professional Liability

Toxic Tort and Product Liability

International Reach

International Arbitration

Healthcare

Intellectual Property

International Arbitration

## Industries

Financial Services

Healthcare

Insurance

Nonprofit

Transportation

## Education

J.D., University of Southern California Gould School of Law, 1984, Director, *Hale Moot Court honor's program*

B.S., University of Southern California, 1981

## Admissions

California

All California State Courts

All California Federal District Courts

U.S. Court for the Ninth Circuit