

**ROBERT H. FAIRBANK'S
MAJOR MEDIATION EXPERIENCE**

Bob Fairbank has experience in large, often multi-party mediations covering diverse areas of the law, including:

● **Breach of Contract or License Agreement**

- 9-figure confidential settlement of contract dispute re default Internet search engine for web browser
- 8-figure settlement of dispute involving technology development partnership agreement in agricultural industry
- \$28.6 million post-trial settlement of business dispute between Chinese companies involving joint venture for manufacture & sale of appliances
- 8-figure settlement of breach of uranium supply contract in nuclear industry
- Confidential 7-figure settlement of license agreement dispute involving luxury hotel brand and associated trademarks

● **Environmental, Energy and Mass Tort**

- \$750 million settlement of 13-party administrative proceeding and related federal class action involving costs arising from premature shutdown of San Onofre Nuclear Generating Station in California
- Settlement totaling \$610 million in value approved by California Public Utilities Commission relating to adjudicatory investigation of 2015 Aliso Canyon gas leak
- Multiple settlements, including two confidential 8-figure settlements, of individual landowner claims against Southern California Edison arising out of December 2017 Thomas Fire and November 2018 Woolsey Fire in California
- Settlement of dispute between energy developer and City of Santa Clara challenging the City's authority to require use permits and CEQA reviews for fuel cell projects

● **Business Torts, Fraud, and Misrepresentation**

- \$37.8 million cash settlement of nationwide certified fraud class action in trucking industry, with court deeming total settlement value at \$96 million (*Roberts v. CR England*)
- Confidential 8-figure settlement of numerous fraud claims relating to alleged inducement of syndication investments in commercial real estate properties
- Confidential 7-figure settlement of business tort claims involving cyber-security company's flagging of website content as fraudulent "bot" traffic

- **Disputes Involving Founders & Original Investors of Start-Up Companies**
 - 9-figure settlement of confidential dispute over majority/minority ownership stake in popular app
 - 24 million share settlement of shareholder dispute between early investors in cannabis retail company MedMen and founders/company (estimated \$6.72 million value)

- **Intellectual Property: Copyright Infringement / Patent Infringement / Patent Royalty Disputes / Trade Secret Misappropriation**
 - 7 and 8 figure settlements of multi-party dispute over patent and trade secret rights in licensing and testing of molecular compound for use in consumer products
 - Confidential 8-figure settlement of copyright infringement suit involving licensed photo images displayed on former licensee's website

- **Entertainment**
 - Settlement of profit participation dispute between two major studios
 - Settlement worth \$8.7 million in consumer class action against movie studios for unfair and deceptive practices re box sets of James Bond films (*Johnson v. MGM Holdings and 20th Century Fox*)

- **Legal Malpractice / Professional Negligence**
 - 7-figure settlement of action against elite law firm for alleged conflicts of interest in handling family trust and estate matters

- **Securities Class Actions**
 - *Zaghian v. THQ Inc., et al.* (\$2.6 million settlement of federal class action against videogame developer for alleged false and misleading statements re likelihood of success of new videogame product)
 - *Quiksilver Securities Litigation* (\$1.5 million settlement)

- **Shareholder Derivative Actions & Breach of Fiduciary Duty**
 - 7-figure settlement of action alleging failure to oversee corporate compliance procedures and internal reporting controls of government contractor

- **Oil & Gas Industry**
 - \$19 million settlement of shareholder class action challenging majority shareholder's acquisition of oil and gas company ("going private" transaction)

- **Insurance Disputes**
 - Confidential 8-figure settlement of insurance coverage dispute relating to allocation of defense cost fees
 - 7-figure settlement of action against fine art insurance broker by purchaser of famous artworks

- **Consumer Class Actions**
 - \$3.5 million settlement of class action against a major cosmetics company for false advertising and deceptive marketing practices

- **Real Estate Disputes**
 - Confidential 7-figure settlement and business resolution of commercial lease dispute between retail store tenant and landlord mall that arose during pandemic

- **Pharmaceutical / Health Care**
 - See Intellectual Property

- **Antitrust (Direct and Class Actions)**

- **Whistleblower Retaliation / Wrongful Termination**

Mediation references available upon request.