

Arnold Barba

Partner



Arnold Barba concentrates his practice in complex commercial litigation, including insurance recovery, real estate, complex tort, and unfair competition matters. His insurance recovery practice specializes in representing corporate insurance policyholders in connection with insurance enforcement disputes. In addition, he has substantial experience representing corporate clients in complex commercial litigation matters.

Mr. Barba has served as an Adjunct Professor of Law at Pepperdine University School of Law in Malibu, California since 2009, teaching an upper division course on civil trial preparation and settlement. Mr. Barba served in the United States Marine Corps Reserve from 1989 through 1995 and was awarded the Navy Achievement Medal in 1994.

Representative Matters

- Obtained summary judgment for private utility in high exposure, complex tort case.
- Represented bank in complex, fraudulent conspiracy case against multiple defendants.
- Obtained summary judgment for corporate client against direct competitor in breach of contract, fraud, and unfair competition action requiring international discovery.
- Obtained voluntary dismissal of large, international airline in complex, wrongful death asbestos litigation.
- Represented corporate client in trademark infringement case involving unlawful use of confusingly similar Spanish language service marks, including mnemonic phone number, by direct competitor in Spanish language legal advertising and referral service industry.
- Obtained interim arbitration award of over \$900,000 in attorneys' fees on cross-motion for summary disposition against insurance carrier that wrongfully denied duty to defend corporate policyholder based on professional services exclusion in Directors, Officers and Private Company Liability Policy for two class-action arbitrations asserting misrepresentations claims against policyholder.
- Defended insurance carrier's request for federal declaratory relief wherein carrier unsuccessfully sought judicial determination it had no duty under Commercial General Liability Policy to defend third-party lawsuit filed against corporate policyholder for tort claims asserted by former executive director.
- Obtained insurance carrier's voluntary reversal of initial decision to deny defense under Directors, Officers, and Corporate Liability Policy of third-party lawsuit filed against corporate policyholder by former executive director.
- Obtained insurance carrier's voluntary reversal of initial decision to deny defense and indemnification under Directors, Officers and Private Company Liability Policy for two separate, third-party lawsuits asserting claims for, among other things, fraud, breach of contract, rescission, and violations of the Racketeer Influenced and Corrupt Organizations Act arising from the alleged fraudulent sale of life insurance policies by officer and subsidiary of corporate policyholder.



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Practice Areas

Government Enforcement and White Collar

- Corporate Internal Investigations

Intellectual Property

- Trade Secrets & Unfair Competition

Labor and Employment

- Litigation, Trial and Arbitration

Litigation, Arbitration & Trial

- Commercial Litigation
- Complex Tort Defense
- Domestic Arbitration
- Intellectual Property Disputes
- Employment Litigation

Education

University of California at Los Angeles Law School, Los Angeles, CA

- J.D. - 1998
- Honors: Corpus Juris Secundum, in Criminal Law

University of California, Los Angeles

- B.A. - 1994

Foreign Languages

- Spanish

Representative Matters (continued)

- Obtained insurance carrier's voluntary reversal of initial decision to deny independent counsel to corporate policyholder under Errors and Omissions Policy for defense of third-party lawsuit asserting claims for, among other things, fraud, rescission, and violations of the Racketeer Influenced and Corrupt Organizations Act arising from the sale of life insurance policies by corporate policyholder.
- Brought suit on behalf of corporate policyholder against wholesale agent asserting contract and tort claims pursuant to legal theory of sub-agent liability arising from wholesale agent's failure to tender notice of claim to insurance carrier under Employment Practices Liability Insurance Policy.
- Defended unlawful nonjudicial foreclosure, breach of contract and fraud case filed against private lender arising from plaintiff's default of two construction loans issued for development of more than twenty single family homes in Los Angeles County.
- Represented defendant and cross-complainant master developer in breach of contract, unfair competition, and fraud action arising from termination by national home builder of multi-million-dollar real estate purchase and sale agreement.
- Represented international shipping company in race discrimination and wage and hour action filed by former employees alleging they were denied meal breaks, were not paid overtime, and were denied access to parking, lunch room, and restroom facilities because of their race or national origin.
- Represented large utility company in five labor arbitrations arising from termination of employees due to various violations of employer's written safety policies and procedures, as well as violations of employer's anti-discrimination policies and code of ethical conduct.
- Defended Fortune 100 company in federal multi-district litigation of 22 class actions involving unlawful business practices, fraud and breach of contract claims.
- Defended Fortune 100 company in national class action antitrust case involving Sherman and Clayton Act claims.
- Defended Fortune 500 bank in class action lawsuit alleging claims for fraud and violation of federal law arising from credit card services.
- Represented nominal defendant in consolidated derivative litigation.
- Represented director named as defendant in consolidated derivative litigation.
- Defended Fortune 500 bank against federal action for alleged violations of Fair Credit Reporting Act.

Bar Admissions

- California
- U.S. District Court Central District of California
- U.S. District Court Northern District of California
- U.S. Court of Appeals 9th Circuit

Published Works

- "Cleverly Crafted Self-Insured Retention Provisions Can Defeat Insurance Coverage for the Unwary." NAM-WOLF Newsletter, Volume 5, Issue 2, July 2012
- "Anatomy of an Insurance Policy & Common Insurance Coverage Issues." Lim Ruger, April 2012

Classes/Seminars

- Civil Trial Preparation and Settlement, Adjunct Professor of Law, Pepperdine School of Law

Awards & Accolades

- The United States Marine Corps. Reserve, Sergeant, Honorary Discharge
- The United States Marine Corps. Officer Candidates School, Platoon Leaders Class, Graduate
- Navy Achievement Medal
- Corpus Juris Secundum Award by West Publishing Company
- La Raza Law Student Association, UCLA School of Law, Alumnus of the year
- ACLU Foundation of Southern California Pro Bono Civil Liberties Award