



# Erik L. Jackson

## Member

## Los Angeles

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Erik L. Jackson is a trial lawyer who has been practicing law for over 24 years. He regularly represents and counsels clients across a broad spectrum of industries with respect to high exposure complex litigation matters and related issues affecting the clients. Erik assists his corporate and individual clients to address and resolve their legal disputes in as efficient and beneficial a manner as possible. Erik employs an analysis-driven approach to the resolution of the legal issues befalling his clients and has handled numerous high-profile matters to successful conclusion.

Erik earned his undergraduate degree from the University of California, Los Angeles and his Juris Doctorate from the University of Southern California Law School, where he received the Carl M. Franklin Award for International Law. Erik was a Fulbright Scholar in International Relations and International Law, in Helsinki, Finland, in 1992 and 1993.

## Experience

### *Insurance*

- Successfully represented Director & Officer insurers in the defense of multimillion-dollar insurance coverage bad faith actions, including several cases that were tried to verdict.

### *Real Estate*

- Successfully represented industry-leading commercial and industrial real estate brokerage firms and brokers in numerous real estate litigation matters.
- Successfully represented commercial real estate developers, management companies, and principals in the defense of real estate mismanagement and fraud claims seeking \$40 million.

### *High Technology*

- Litigated numerous trade secret and copyright infringement actions involving computer software.
- Negotiated sales of trademarks between major hardware and software manufacturers.
- Successfully represented a software manufacturer in patent litigation involving image editing software.
- Successfully represented numerous hardware and software manufacturers in complex commercial litigation and transactional matters.

### *Beverage / Wine / Dietary Supplements*

- Successfully represented a dietary supplement entity in actions involving claims of false advertising and copyright infringement.
- Successfully represented a dietary supplement entity regarding issues relating to FDA subpoenas.
- Successfully represented a nutraceutical industry testing laboratory in class actions involving

## Practice Areas

- Antitrust & Competition
- Commercial Litigation
- Trademark & Brand
- Trade Secrets, Restrictive Covenants, and Computer Abuse

## Industry Sectors

- Gaming

## Education

- University of Southern California Law School, J.D., 1992
- Helsinki, Finland, Fulbright Scholar, 1992
- University of California, Los Angeles, B.A., 1988

## Bar Admissions

- California

## Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court -- Central District of California
- U.S. District Court -- Eastern District of Michigan
- U.S. District Court -- Northern District of California
- U.S. District Court -- Northern District of Florida
- U.S. District Court -- Southern District of California

## Affiliations

- American Bar Association
- State Bar of California

## Erik L. Jackson

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Hoodia and Anna Nicole Smith.

- Successfully represented wine vineyard business partners in disputes with wine producers.
- Successfully represented wine vineyard business partners regarding high-exposure disputes stemming from a significant sale of a wine brand.

#### ***Gaming Industry***

- Successfully represented gaming industry companies in high-profile antitrust, civil RICO, and copyright infringement litigation in state and federal courts across the country.
- Successfully represented a gaming industry hardware and software manufacturer in several “bet the company” copyright infringement and trade secrets actions in state and federal courts across the country.

#### ***Media / First Amendment***

- Representing The Hollywood Reporter and other defendants in a defamation action arising out of the “Sony Hack.”
- Successfully represented a celebrity defendant in a defamation action arising out of the Jenny Jones case, resulting in a published opinion of the U.S. Court of Appeals for the Ninth Circuit in favor of the client (Lieberman v. Geoffrey N. Fieger, et al., 338 F.3d 1076 (9th Cir. 2003)).

#### ***Oil and Gas / Energy***

- Represented an oil refiner in disputes relating to significant property damage and personal injury claims stemming from high-profile explosions and fires.
- Represented an oil refiner in connection with disputes regarding refinery purchase and sale agreements.
- Represented an oil refiner in a high-profile antitrust and trade libel action against competitors in the rubberized asphalt paving industry. The case involved allegations of public contract bid rigging and required more than 30 depositions of City and Caltrans officials across the State of California.
- Represented a refiner in a high-profile gasoline price-fixing action in the Southern District of California.
- Represented oil and gas companies in numerous complex legal disputes of various types, including antitrust matters, commercial disputes, class actions, and complex tort matters.

#### ***Miscellaneous***

- Secured a victory for a defendant-guarantor in a matter of first impression before the California Court of Appeal in a case centering on prevailing party attorneys' fees. The underlying case was a landlord-tenant dispute involving breach of contract and breach of guaranty claims, and it came before the Court twice. The initial issue was whether the prevailing plaintiff-landlord could collect attorneys' fees from the individual guarantor, who had deposited the funds at issue with the trial court, under the prevailing party attorneys' fee clause contained in the lease guaranty. We successfully moved to strike the plaintiff's prayer for attorneys' fees, and Court of Appeal affirmed in a published decision. On remand, we successfully moved for an award of attorneys' fees on behalf of the guarantor for fees she incurred both on appeal and in significant ancillary appellate proceedings, and the landlord again appealed. In its second published decision in the case, the Court announced for the first time that debtor defendants can escape contract liability for attorneys' fees, even after an action has

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been brought against them, if they tender the full amount owed before answering the complaint.

- Prevailed on behalf of the plaintiffs -- the CEO of a full-service real estate investment and advisory firm, and his wife -- in a five-day injunction hearing before the Orange County Superior Court. The hearing was in connection with a civil harassment action against a former contractor who had hacked into the firm's computer systems and stolen privileged and confidential materials. She then hacked into the plaintiffs' personal computer and phone systems. The hearing revealed that the defendant had been engaged in a relatively sophisticated hacking campaign -- she even pled the Fifth Amendment rather than respond to certain questions. The Court determined that our clients had shown by clear and convincing evidence that the defendant had engaged, and was continuing to engage, in a pattern and practice of illegal hacking against the plaintiffs, and enjoined her from any continued hacking or other harassing conduct against them. The Court also issued a substantial attorneys' fee award -- a rarity in this type of action.
- Successfully represented a satellite television distributor in connection with high-exposure breach of contract claims brought by cable television providers.
- Successfully represented public and private companies in disputes with high-level officers and other executives.
- Successfully handled complex payment processing disputes involving foreign country venues and bankruptcy issues.
- Successfully represented a defense industry supplier in connection with high-exposure claims by defense contractors.
- Obtained a trial verdict of in excess of \$8 million on behalf of a legal firm that was the plaintiff in a business fraud action.