

JOEL S. POREMBA, ESQ.

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Experience

Contract Business Litigation Attorney

Orange County, CA

2010 to present

For thirteen years, service ongoing and newly cultivated litigation relationship to over fifteen law firms covering all phases of litigation in complex business disputes, for employers, HOAs, non-profits, churches and trustees in liability matters. Full motion practice in federal and state courts; all discovery with emphasis in business fraud matters; ESI discovery process; ESI law and motion; forensic document analysis post-spoliation; trial preparation.

Substantial litigation practice for a global corporate media entity with assets over \$1 billion; served as general counsel for a wealth management firm's business matters.

- Directed and prepared ESI protocol submissions for court-appointed forensic computer referee resulting in discovery of 68,000 file deletions, fraudulent document creation and computer-clock rollbacks.
- Defeated four disqualification motions for one client against accusations of surreptitious audio / video recording during deposition breaks; resulted in recovery of \$255,000 in attorneys' fees and costs against the moving parties.
- Successful ESI motion practice for two years involving client's stolen digital properties; recovered \$338,000 in total sanctions in three adversary proceedings against the tortfeasors.
- Resolved \$6 M demand for \$300,000 in dependent adult case for board and care business.
- Successfully filed and argued multiple set aside motions in family court re child support stipulations.
- Successful removal of co-trustee and struck trust clause involving a \$7 M estate where the decedent's body was cryogenically frozen with the potential of leaving the estate to himself upon future revival.
- Obtained summary judgment in defense of business where plaintiff's demand exceeded \$10 M.
- Successfully filed and argued motion for summary judgment in \$5 M wrongful death construction matter for high profile client.
- Summary judgment granted in \$8 M wrongful death construction matter for HVAC client.
- Defeated motion for summary judgment against custom home builder that subsequently resulted in a \$15 M settlement for homeowner involving construction defects and permanent mold injuries to minors.
- Coverage analysis and opinions for carriers in seven figure commercial, business and homeowner claims.
- Settled fourteen-party construction defect case for homeowners association after discovering plaintiff committed fraud for unauthorized revision-work.
- Managed collection and creditor's rights file in title dispute litigation recovering \$1 M in settlement.
- Routinely defend insurance defense files: auto; premises; wage/hour; and discrimination employment matters.
- Successfully defended and resolved multiple employment suits against masonry business.
- Enforcement litigation for lender-creditors on loan agreements; lender and servicer defense.
- Successfully negotiated \$10 M demand wrongful death case in mediation to a six-figure settlement in matter involving claims against tractor-trailer driver.

Associate Attorney

Law Offices of Robert K. Scott

Irvine, CA

2001 to 2010

- Litigated insurance bad faith matters for insureds holding life, health, disability, long term care, property and casualty policies in state and federal courts; successfully recovered over fifty million dollars in unpaid policy benefits for insureds involving national and international carriers.
- Resolved thousands of disability matters for insureds employed as surgeons, dentists, peace officers, court reporters, longshoremen and janitors in high-six and seven-figure disability policy litigations.

- Successful Ninth Circuit appeal and settlement of ERISA matter for a disabled NFL player in excess of \$2 million against the NFL; prepared client for feature on ESPN's show *Outside the Lines*.

Associate Attorney

Law Offices of Linda Hart Chandler Corona Del Mar, CA 2000 to 2001

- Law and motion, pleadings and discovery for employment/business law practice.
- Organized and developed hundreds of plaintiff and defendant FEHA and discrimination cases from intake through resolution.
- Resolved age, race, gender and pregnancy discrimination matters for both employees and employers.
- Successfully argued fourteen motions in limine for Orange County sheriff in sexual harassment matter.

Associate Attorney

Shupe, Reagan & Wyne Santa Ana, CA 1999 to 2000

- General liability defense, premises liability, construction defect for insurance defense firm.
- Successfully defended food grower obtaining summary judgment in complex, sixty-party food poisoning matter.

Education

Juris Doctor, Western State University College of Law, Fullerton, CA 1995
 Certified Law Clerk, Orange County District Attorney's Office, Fullerton, CA 1994

Delta Theta Phi - professional law fraternity
 Criminal Law Association - member

Bachelor of Arts, Political Science, University of California, San Diego; La Jolla, CA 1989
 Provost Honor List, Spring Quarter and Fall Quarter 1987

Reported Decisions

Moore v. The Bert Bell/Pete Rozelle NFL Player Retirement Plan (9th Cir. 2008) 282 Fed.Appx. 599
Rodriguez v. American Technologies, Inc. (2006) 136 Cal.App.4th 1110

Admissions and Professional Memberships

California state courts
 United States District Court (Central, Northern, Southern)
 Ninth Circuit Court of Appeals
 Orange County Bar Association; Orange County Trial Lawyers Association
 Consumer Attorneys Ass'n of Los Angeles
 Delta Theta Phi professional law fraternity

Computer Proficiencies

CM/ECF certified
 Westlaw and Lexis
 Word, Outlook and WordPerfect
 Trial software - Trial Director
 Document management – Everlaw; Relativity; Compliance; Worldox; LegalWorks; and DocFetcher
 Billing software – Clio; TimeSlips, BigTime; Bill4Time; Practice Panther; Tussman; Tabs3; and Time Matters