



IRA RIVIN

Partner
Litigation and Trial

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Ira Rivin's practice focuses on business and commercial litigation, with particular emphasis on real estate and business association disputes, secured transactions, corporate governance, trade secret, unfair competition, and other business torts. Ira defends and prosecutes actions in federal and state courts, as well as in ADR forums. His clients vary from prominent public companies to start-up Southern California entrepreneurs. He also represents defrauded investors in lawsuits arising out of investment scams.

Ira obtained his law degree from U.C. Berkeley (Boalt Hall) in 1974 and a bachelor's degree in economics from UCLA - where he graduated Phi Beta Kappa. He has served as a member of the Board of Governors and Program Chair of the Orange County Chapter of the Association of Business Trial Lawyers and as a member of the Orange County Bar Association's Judiciary and Client Relations Committees. He is co-hiring partner at Rutan and has chaired numerous practice groups and committees, including the Financial Practices Group, Partnership Review Committee and Diversity Committee.

Areas of Expertise

- Commercial, Business and Real Estate Litigation
- Financial Institutions
- Business Torts

Representative Matters/Cases

- Obtained \$70+ million judgment on behalf of bank client against affiliate of CB Richard Ellis following trial in Los Angeles Superior Court. Lawsuit arose from defendant's breach of contract to take out bank's construction loan by purchasing three office buildings built by bank's borrower.
- Successfully defended publicly-traded tax credit housing lender in lawsuit brought by developer/borrower on \$22 million mortgage on military base apartment complex. Developer claimed shared appreciation component of loan payoff was excessive. After extensive discovery and with summary judgment

Related Services

- Litigation and Trial
- Business and Commercial Litigation
- Corporate Restructuring and Creditors' Rights
- COVID-19 Resources

Bar & Court Admissions

- State Bar of California
- U.S. District Courts for the Central, Eastern, Northern and Southern Districts of California
- U.S. Court of Appeals for the Ninth Circuit

Education

- University of California, Berkeley, Boalt Hall, School of Law (J.D., 1974)
- University of California, Los Angeles (A.B., 1970), cum laude, Phi Beta Kappa, Phi Eta Sigma-Liberal Arts Honor Society

motion pending, developer dismissed lawsuit.

- As co-trial counsel, obtained defense judgment on behalf of privately held corporation in “bet the company” case. Judge granted client’s motion for judgment after ten weeks of jury trial. Successfully defended judgment on appeal.
- Successfully represented institutional commercial mortgage lender in action in Northern California against guarantor who claimed client’s application of funded but undisbursed loan proceeds violated “security first” aspect of California’s one action rule.
- Represented outside director of publicly held corporation in complex bankruptcy court adversary proceeding in Northern California. Case involved forgiveness of loans to officers, alleged breach of fiduciary duties, and related claims. Bankruptcy trustee (plaintiff in lawsuit) dismissed client from case, without payment or other consideration, after 18 months of actively-contested litigation.
- Represented equipment manufacturer seeking damages for theft of trade secrets, false advertising and unfair business practices. Trial resulted in judgment for all relief sought, including permanent injunction and punitive damages.
- Obtained state court fraud judgment and bankruptcy court nondischargeability judgments against perpetrators of real estate investment scam in Orange County, California.
- Lead litigation counsel for former corporate officers in defense of multi-district federal and bankruptcy court consumer class action in Central District of California and Northern District of Texas. Case resolved on favorable terms for clients following substantial discovery and numerous motions.
- Obtained injunctive relief on behalf of institutional commercial mortgage lender to prevent borrower (on loan secured by federal land lease) from misappropriating \$7 million lease termination payment.
- Successfully defended major Southern California property management company against high-speed data, video, and telephony provider seeking access to client’s property without paying additional access fees.
- Lead litigation counsel in plaintiffs’ class action on behalf of investors in solar equipment tax shelter scam. Settled action for \$10.4 million shortly before trial after years of litigation and successful appeal from denial of class certification. Appellate Court decision: National Solar Equipment Owners’ Association, Inc. v. Grumman Corporation, et al., 235 Cal. App. 3d 1273.
- Represented institutional real estate owner in federal court action seeking determination of parties’ responsibilities for seismic remediation of 12-story commercial building in Los Angeles. Reported Ninth Circuit decision: Prudential Insurance Company of America v. The L.A. Mart, 68 F. 3d 370.
- Represented real estate subsidiary of publicly held savings and loan association in defense of specific performance and breach of contract action brought by prospective buyer/developer of parcel of improved commercial real property valued at \$10 million. (Client had reneged on contract to sell property for \$6.7 million.) Complex litigation settled very favorably one week before trial.

Publications/Seminars

- Speaker at Orange County Bar Association Financial Institutions Section on California Real Estate Foreclosure and Anti-Deficiency Laws
- Speaker at Anti-Defamation League on federal court issues
- Speaker, at various banks, on avoiding lender liability

Awards & Honors

- Best Lawyers in America, 2019-2022



- Southern California "Super Lawyers" 2006-2010, 2012-2019
AV® Preeminent™ rating with LexisNexis/Martindale Hubbell

Memberships & Associations

- Orange County Bar Association (Business Litigation and Commercial-Bankruptcy Sections)
- State Bar of California (Litigation, Real Estate and Intellectual Property Sections)
- American Bar Association (Litigation and Commercial-Bankruptcy Sections)
- Association of Business Trial Lawyers (former Board member and Program Chair of Orange County Chapter)