

**The In-House Counsel Interview:
Rouz Tabaddor of CoreLogic, Inc.
By Brian C. Berggren**



Editor's Note: This installment features Rouz Tabaddor, Deputy General Counsel at CoreLogic, Inc., a leading provider of consumer, financial, and property information, analytics, and services to business and government.

Q: Can you tell us a bit about your career path?

A: Before attending law school, I was pursuing a career in mechanical engineering. I had no idea that law school was even an option for me. My plan was to work at Goodyear and pursue a masters in mechanical engineering. However, once I learned about intellectual property law, I decided to attend law school.

My career path has been pretty varied since graduating from law school. I started by clerking for a law

-Continued on page 5-

**“Take a Writ”: Extraordinary Writs in the California Court of Appeal
By Jason Moberly Caruso**

It’s an unenviable position, finding yourself on the wrong side of a trial court ruling that will dictate the future course of the litigation, but which is not directly appealable. Your only option may be the legal equivalent of the “Hail Mary”: the extraordinary writ petition. When used judiciously and in good faith, a writ petition can be extraordinarily effective in preserving your client’s resources and reducing the impact of erroneous interlocutory rulings.



The writ petition provides a process for appellate review of trial court rulings that are not otherwise appealable. See Cal. Civ. Proc. Code § 904.1. Generally, writ petitions must be filed within 60 days after service of notice of entry of the challenged ruling. (It should be noted that shorter, jurisdictional deadlines apply to statutory writ petitions for review of certain trial court rulings, such as those regarding motions to expunge lis pendens, motions for change of venue, and denials of motions for summary judgment/adjudication. Those deadlines are beyond the scope of this article, and failure to meet those deadlines may indeed preclude any other review of those rulings.) The Court of Appeal may summarily deny a meritorious petition that does not satisfactorily explain any delay in filing. *Volkswagen of Am., Inc. v. Superior Court (Adams)*, 94 Cal. App. 4th 695, 701 (2001). Due to the equitable nature of the writ review procedure, the Court of Appeal may even deny a petition filed *within* the 60-day window, if the petitioner has under the circumstances unreasonably delayed in seeking relief. See *H.D. Arnaiz, Ltd. v. Cnty. of San*

-Continued on page 6-

- IN THIS ISSUE -

- ◆ The In-House Counsel Interview.....Pg. 1
- ◆ “Take a Writ”: Extraordinary Writs in the California Court of Appeal.....Pg. 1
- ◆ President’s MessagePg. 2
- ◆ Proposition 66 and *Briggs v. Brown*: Will Death Penalty Reform Affect our Courts’ Expedient Handling of *Civil Cases*?Pg. 3
- ◆ Optimizing E-Discovery with Arbitration.....Pg. 3
- ◆ Young Lawyers’ Division UpdatePg. 4
- ◆ ABTL Building Stability in Santa AnaPg. 14

-In-House Counsel Interview: Continued from page 1-

firm, and shortly after that, I joined the United States Patent & Trademark Office as a patent examiner where I reviewed patent applications and determined whether or not patents could be granted. After that, I joined an intellectual property law firm in Washington, D.C., where I prosecuted and managing patent portfolios for startups to Fortune 10 companies. While I enjoyed the law firm atmosphere, I knew that I wanted to be more involved in the day-to-day development of a product.

My interest in moving in-house stemmed from my desire to be in a more business-oriented role, where I could shape the strategy decisions as well as be involved in the creation of a product. I ended up joining First American Financial Corporation as the company's first intellectual property counsel in late-2006. I was responsible for developing First American's intellectual property program at the time, and within three to four years, I helped monetize their patent portfolio to the point where it was generating more than \$20 million in revenue.

Q: Describe a typical day as Deputy General Counsel for CoreLogic, Inc.

A: I currently oversee half of the business units at CoreLogic, including those within the Property Intelligence Group. I also work closely with the attorneys in the employment, litigation, and intellectual property departments.

Although there is no typical day, I generally split my time between meetings with the business units and attorneys. I regularly speak with CoreLogic's business leaders to discuss issues that the business unit may be facing as well as coverage to ensure that the business needs are met. I also interface with attorneys monitoring CoreLogic's patents, trademarks, copyrights, and other intellectual property rights. Because CoreLogic engages in a high-volume of licensing deals, I usually meet with CoreLogic's licensing team on a bi-weekly basis to address our licensing strategy and contract management efforts. Finally, I serve on a number of committees at CoreLogic, where I'm asked to provide guidance on intellectual property and privacy issues for new products in the data and analytics space.

Q: What do you enjoy most about your role as a Deputy General Counsel?

A: I enjoy dealing with complex issues that have a large impact on the company, working with the business units on new products that could be the next "big thing," and getting insight into the direction of the business unit. I also enjoy the strategic nature of my job, which requires me to look through a business lens to evaluate the true impact to a business unit. From an intellectual property perspective, I enjoy ensuring that CoreLogic's assets are being protected and that our products actually capture the intellectual property we own. It's a way for me to be involved in product development—something that was missing during my time at the law firm.

Q: What do you look for when you need to hire outside litigation counsel?

A: For me, two of the most important factors when selecting outside counsel are cost and the level of specialization in the subject matter. I want outside counsel that is highly-skilled and experienced in the particular area at rates commensurate for the type and complexity of the case. It is important that we hire an attorney that has experience with the type of case and claims at issue and well as a track record of success in that particular area.

For certain litigation matters and other complex cases, we require outside counsel to participate in a request for proposal process. Outside counsel provide detail on their relevant experience, past successes with similar cases and claims, and an initial case strategy along with various cost estimates. Such detailed proposals help me evaluate the substantive differences in experience among outside counsel when selecting a firm for a specific matter.

Q: What sets apart those outside counsel with whom you have been most impressed?

A: It comes down to running cases efficiently and utilizing their subject matter expertise. The most impressive outside counsel are ones that are experts about the case and key issues, provide clear guidance on a regular basis, and understand the nuances of the overall strategy, whether it be motion practice, trial, or settlement. For me, it is very important that outside counsel have an efficient process and workflow. I prefer that my matters be staffed leanly by outside

-Continued on page 6-

-In-House Counsel Interview: Continued from page 5-

counsel, with usually two to four total attorneys that are actively involved and knowledgeable about the matter. The lead (or first chair) attorney should not “parachute” in at the end of a case or during trial; they should be heavily involved in strategy and key decisions early on in the matter.

Q: Do you have any advice for outside counsel that you think isn’t heeded often enough?

A: I find that most attorneys are not strong at marketing their prior experience, their firm’s capabilities, or their specialized expertise. This usually becomes readily apparent during the request for proposal process. Outside counsel rely on generic statements about their firm, department, or practice group being the “best.” Such statements are not helpful. Outside counsel should instead tell me about how their firm offers the best pricing, expertise, or has some other operational advantage.

It is also important to remember that when you pitch a client, the focus should be on your case strategy and analysis. You need to demonstrate how you will address critical issues in the case and identify the important considerations for the business. Clients always remember the outside counsel that outlines a potential strategy for a matter, even if the client chooses to go with a different outside counsel.

Q: As someone who has spent many years in senior in-house positions, what advice would you give outside counsel, and particularly younger lawyers, about the best way to stand out with clients?

A: The best way is to know the client’s business and the particular industry. The more vested you are in a client’s operations, and the more knowledgeable you are about the industry in which they operate, the greater insight you can provide to in-house counsel. Young attorneys also should strive to be subject matter experts on key issues. One way to do this is to garner recognition in the industry, whether by attending trade shows, writing articles on industry issues, or speaking at industry conferences. At the end of the day, clients want to hire someone that is well-respected and known within the industry.

♦ *Mr. Tabaddor was interviewed by Brian C. Berggren, a litigation associate with Rutan & Tucker, LLP in Costa Mesa, CA.*

-Extraordinary Writ: Continued from page 1-

Joaquin, 96 Cal. App. 4th 1357, 1368

(2002). Writ petitions should therefore be filed as soon as possible after the challenged order.

Writ review is reserved for extraordinary circumstances that simply cannot wait for review from final judgment. *Omaha Indem. Co. v. Superior Court (Greinke)*, 209 Cal. App. 3d 1266, 1268 (1989). Writ relief will generally only be granted where there is no other opportunity for meaningful appellate review. Cal. Civ. Proc. Code §§ 1068, 1086, & 1103. The petitioner must also demonstrate it will suffer irreparable injury absent the writ (*i.e.*, harm or prejudice that cannot be corrected by reversal or modification on appeal from final judgment). *L.A. Gay & Lesbian Ctr. v. Superior Court (Bomersheim)*, 194 Cal. App. 4th 288, 330 (2011).

It is worth considering how your writ petition will be read, processed, and passed upon by the Court of Appeal. Generally, a single research attorney receives and initially reviews all newly-filed petitions. That attorney is the first to assess whether the petition is technically sufficient and has apparent merit and whether the circumstances are truly exigent. If so, the Court of Appeal may issue a temporary immediate stay of the challenged order pending consideration of the petition. *Kernes v. Superior Court (People)*, 77 Cal. App. 4th 525, 531 (2000). Even if the petition is ultimately denied, the imposition of such a stay may itself be a victory, depending on the procedural posture of the case. Thereafter, the court will circulate all recently-filed petitions for review. Remember your petition will be considered alongside at least several others, with each petition claiming exigent circumstances and requesting emergency intervention by the Court of Appeal, in parallel with the court’s consideration of appeals filed in the normal course. Many petitions are summarily denied at this stage, and just a few are selected for further consideration. It is therefore crucial that the merit of your petition be immediately apparent, and that your petition be devoid of diatribes and *ad hominem* comments regarding either the trial court or opposing counsel.

In light of the above, keep the following questions in mind when considering whether a writ petition is

-Continued on page 7-