



Judge Patricia Collins



Representative Cases

Business/Real Estate

In addition to Judge Collins' twenty years experience on the bench, she practiced in federal court as an Assistant United States Attorney investigating and trying complex banking and real estate matters, including mortgage frauds involving large mortgage pools, inflated appraisal schemes and real estate ponzi schemes. Judge Collins tried approximately 25 jury trials in federal court.

Judge Collins has presided over trials, resolved by substantive motion and/or has settled matters involving alleged deceptive and usurious multi million dollar loan financing, sophisticated commercial real estate ventures with structured financing and various other complex financial and real estate matters. For example, her experience includes cases in the following areas:

Derivative Litigation, Mergers and Acquisition, Private Equity Disputes, Venture Capital, Corporate Finance, Financial Fraud:

Dispute between corporation and former officers/shareholders for breach of fiduciary duty, fraud and accounting related to venture capital investment, subsequent asset sale proceeds and stock redemption rights;

Dispute re breach of contract involving stock options as partial compensation for brokering an asset sale;

Dispute arising from sophisticated transaction involving option sale of high-rise apartment building with multiple layers of financing, equity funding and redevelopment permits;

Dispute between investment bankers regarding compensation;

Contract and will dispute among family members relative to ownership of several pieces of Malibu commercial and residential properties, including issues of refinance and asset redistribution;

Dispute following purchase of business entity and discovery of overstated assets and misappropriation of funds;

Dispute involving multi million dollar alleged fraudulent transfer by judgment debtor to debtor's attorney.

Distressed Asset Transactions:

Dispute involving dispute between purchaser of distressed asset and former owner who had avoided foreclosure through the asset sale but subsequently claimed fraud;

Dispute involving multiple lawsuits concerning a residential foreclosure sale, a subsequent claim of irregularities in the sale, a judgment declaring the trustee sale void and subsequent judgment vacating the former judgment.

Computer Technology:

Dispute between small business and computer company regarding development of defective software, ill functioning web site, and excessive IT costs.

General Business:

Dispute between Sears and Focus Media concerning advertising advancements and cross claim for unfair competition;

Dispute between wholesaler and overseas clothing manufacturer relative to contract specifications and defective goods;

Dispute between parties to consignment agreement re liability for fire damage to goods;

Dispute between homeowner and film producer for damage to home during filming;

Dispute involving construction defect in installation of security and audio visual systems;

Dispute breach of contract dispute between producer and writer/director regarding the financing of a film;

Dispute between Producers and Executive Producers regarding unpaid compensation and film credits.

Partnership Dissolutions:

Various disputes including real estate partnership, law partnership and online marketing partnership, including claims of waste and self dealing with causes of action for dissolution, accounting and partition.

Trade Secrets

Various disputes involving *trade secrets*, violation of noncompete clauses and unfair business practices, relative to businesses such as talent agencies, advertising, maintenance services, wholesale food distributors, insurance, and satellite towers.

Real Estate Development and Land Use

Litigation arising from a sophisticated transaction involving option sale of high-rise apartment building with multiple layers of financing, equity funding and redevelopment permits;

Dispute between shopping center developers and lessee regarding limitations on “buildable” land;

Dispute between developer and prospective tenant involving construction delays, issues of force majeure, delays in City building approvals and lease repudiation;

Purchase of commercial building related to dispute over misrepresentations of square footage and tenant leases;

Dispute between land owner and architect alleging professional negligence resulted in excessive delays and loss of development permits creating financial distress and jeopardizing owner’s ability to maintain financing;

Litigation between developer and City over delays in soliciting information and producing Environmental Impact Report;

Dispute between developer’s heirs and hard money lenders involving allegations of usurious rates and undisclosed financing terms in defense of lender’s

attempts to foreclose;

Dispute between investment partners and developer regarding the delayed development of apartment units (delays in permitting and construction financing) rendering the project a financial loss.

Commercial Leasing

Dispute involving interpretation of landlord's agreement to install signage;

Dispute involving lease repudiation triggered by nature and character of adjoining tenants;

Dispute involving tenant's continuing right to possession of premises and ability to operate business during new building owner's renovation;

Numerous unlawful detainer matters.

Real Estate Sales

Dispute between buyer, seller and *termite inspection* company following sale of multi unit apartment building with termite infestation;

Dispute between foreign sovereign and local municipality re whether the municipality could assess a *transfer tax* upon the sale of the sovereign's property in the US;

Numerous matters related to the sale of real property involving fraud, non disclosures and easement issues.

Home Owners Associations

Numerous *HOA actions*, including dispute over rights to roof, property water damage from defective decks and windows, personal injury from mold, suits for ineffective or delayed handing of earthquake repair, dispute over dogs, disputes over parking;

Defamation action by HOA against unit owner related to alleged defamatory statements published on website.

Distressed Asset Transactions

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Trespass, Nuisance, Views and Easements

Trespass cases involving tree trimming and encroaching structures;

Numerous *nuisance* actions, including for example, neighbor disputes, tavern noise, tree damage, flooding, drainage, soil erosion, construction noise and debris, and damage to lateral support;

Numerous *view and easement* disputes, including multi party easement dispute re access to satellite towers on mountain top in Malibu, sewer easements, access easements, and various encroachment disputes.

IP/Entertainment

Dispute between playwright and producer regarding royalties from the production of a Broadway musical;

Dispute re trademark infringement and theft of trade secrets regarding Disney designs;

Dispute re breach of contract between film producers and distributors over the delivery and quality of the master and the good faith efforts to distribute the film;

Dispute over ownership rights to the film Easy Rider;

Dispute over film credits among parties to joint venture to produce a film;

Dispute over rights to use of Peggy Lee name and image;

Dispute re royalty and production rights to animated

motion picture and comic book character;

Dispute between producer and writer/director regarding the financing of a film;

Constructive termination and breach of employment contract by Division President running film production equipment business;

Dispute between Producers and Executive Producers regarding unpaid compensation and film credits.

Defamation

Presided over numerous defamation lawsuits, including various celebrity cases (e.g., Arnold Schwarzenegger, Steven Bing).

Personal Injury

Judge Collins has presided over trial and settled scores of personal injury lawsuits including slip & fall; motor vehicle accidents involving automobiles, buses, motorcycles, bicyclists; dogs, cats and spider bites; and bar and restaurant fights.

Judge Collins has also presided over trials, litigation and settlement conferences involving the following unique subject matters:

Complex Regional Pain Syndrome (CRPS, or also known as Reflex Sympathetic Dystrophy, RSD) allegedly

arising from injuries sustained in motor vehicle accidents and slip and falls;

Wrongful death claims arising from *gang shooting* at Moose Lodge during a party;

Third party liability for *sexual assaults*, including complex law and motion issues involving question of dangerous condition arising from rape in an elevator on Regents property; contractor liability for rape following installation of defective lock; landlord liability for rape arising from defective windows; alleged sexual assault of nanny by employer husband.

Government Tort Claims

Judge Collins has presided over matters involving alleged dangerous conditions on government property, including for example:

drive test area at DMV;

new construction at UCLA;

traffic diversion on PCH;

negligence in handling police dog;

faulty courtroom seating.

Judge Collins has also presided over motions regarding liability of law enforcement agency for

fatality resulting from a **police chase**.

Asbestos/Toxic Torts

While assigned to Central Civil West, Judge Collins presided over a lengthy jury trial regarding complex asbestos litigation involving alleged property damage to commercial high-rise building. She has also presided over numerous cases involving allegations of personal injury resulting from exposure to mold and other toxins.

Professional Malpractice

Judge Collins has presided over trial, litigation and/or settled numerous *medical and dental malpractice, legal malpractice, architect malpractice and construction defect* cases. The following matters have been before Judge Collins.

Medical and Dental

Alleged missed compartment syndrome resulting in amputation;

Sponge left in patient;

Wrongful life where tubal ligation not effective;

Failed breast reconstruction of cancer patient;

Patients who fell from beds and chairs;

Defective dental crowns;

Defective breast implants;

Improper liposuction;

Defective penile implants;

Various failures to diagnose;

Wrongful death arising from escape from mental facility.

Legal Malpractice

Judge Collins has also presided over and/or settled numerous *legal malpractice* actions involving failure to hire proper experts, investigate claims, and file appropriate motions.

Architect Malpractice

Judge Collins' trial experience includes claims of *architect malpractice* involving allegations that plans did not properly anticipate grading and included oversized windows resulting in excessive heat.

Construction Defect

Judge Collins has also handled dozens of *construction defect* matters including roofs, windows, foundations, paint, plumbing, and audio visual, among others.

Judge Collins has presided over trial or arbitration, and/or settled numerous wrongful termination and constructive discharge cases, for example:

Wrongful termination involving bank officer;

Constructive termination, hostile work environment and retaliation regarding City of Santa Monica employee;

Wrongful termination of in house counsel employed by Michael Jackson;

Wrongful termination by Hilton related to reorganization;

Wrongful termination of professor by university based on religious discrimination;

Wrongful termination and slander of residential house manager;

Wrongful termination/breach of consulting agreement between buyer and seller of bar supply business;

Constructive termination and breach of employment contract by Division President running film production equipment business.

Insurance

Complex D & O coverage for underlying lawsuit involving allegations of wrongful termination and breach of contract following company merger;

Insurance coverage for construction defect litigation and duty to defend and pay for cumis counsel;

Numerous insurance coverage cases involving landslides, water erosion and earth movement;

Insurance coverage issues involving condominium owners, HOA and former owners relative to damage to common areas;

Insurance coverage issues regarding fire during construction and exclusion for existing structures.

Palimony

Judge Collins has presided over trial, settled and otherwise handled various cases involving Marvin issues, including same sex couples, as well as high profile palimony cases such as Kirk Kerkorian and Oscar de la Hoya.