

LITIGATION

OVERVIEW

Bartko Pavia is an elite, award-winning, complex litigation boutique law firm, representing both plaintiffs and defendants in complex litigation and investigations.

ANTITRUST LITIGATION

Bartko Pavia's antitrust lawyers are nimble, creative problem solvers who are laser focused on producing results for our clients. We are a team of hands-on lawyers using a high-level approach tailored to each client's unique business goals. This is especially true in antitrust cases, where nuanced, targeted strategies are required to promote efficient litigation in such complex business cases. Our wealth of experience, out of the box thinking, and thoughtful consideration of the issues unique to every case, have regularly produced landmark results for our clients. The breadth of our work on behalf of both plaintiffs and defendants provides us with a distinct ability to see multiple perspectives and explore innovative strategies. In doing so we prepare every case for trial, enhancing our clients' settlement posture and ultimately setting them up for positive outcomes, whether via trial or settlement.

What sets us apart is our ability to listen intently, understand both urgent issues and long-term challenges, and craft strategic solutions that prioritize efficiency while achieving exceptional outcomes. Our business-centric mindset ensures that we assess every decision not only for its legal merit but also for its broader impact on clients. Recent successes include defending Gary Swanson in the U.S. government's price-fixing DRAM criminal case—the only such case to go to trial—and securing a defense verdict in a \$1.3 billion class-action claim against Sutter Health after a five-week jury trial. Whether representing plaintiffs or defendants, we bring unique perspectives that allow us to explore innovative strategies and prepare every case with trial in mind, strengthening settlement postures and advancing our clients' interests.

We are steadfast in our determination to vindicate our clients' rights, often going toe to toe with some of the largest law firms in the world and winning. But Bartko Pavia's flexibility is not limited to litigation tactics alone—to facilitate similar work on behalf of plaintiffs, we have the

capacity to engage in contingent work with the support of litigation funding that is not involved in the firm's chosen strategy and tactics.

The same pattern of diligent dedication and successful outcomes applies to Bartko Pavia's consulting work, where our trial experience and mindful strategies help clients mitigate risks, resolve government investigations, and avoid costly exposure. By maintaining a keen eye on the best possible results for our clients, we work hand in hand with them to tirelessly and deftly negotiate away high stakes threats to their interests. We prioritize your needs, give you our full attention, and deliver business-forward solutions with both focus and efficiency.

COMMERCIAL LITIGATION

Bartko Pavia's litigation practice is renowned for its hands-on, strategic, and business-centric approach, ensuring that clients receive personalized attention and tailored strategies for their most complex legal challenges. Epitomized by our state-of-the-art mock trial center, first and foremost, we are trial lawyers who are ready to try cases, a fact that drives the best outcomes for our clients, whether through winning trials or putting pressure on our clients' opponents to resolve cases on the best possible terms. We take a holistic view to litigation, making strategic decisions about what is best for the client's overall goals, not just how to win a single case. The firm prides itself on knowing its clients inside and out, fostering a deep understanding of their business needs and objectives. This business-centric mindset drives our approach to every matter, recognizing that what is right for one case might not align with broader business goals.

Bartko Pavia's decisive and visionary approach sets us apart. At a time when clients often express frustration with lawyers who present too many options without clear recommendations, we deliver straightforward, actionable guidance. Our clients have come to expect fast personal responses to inquiries and concerns as they occur – and we deliver. We have participated in trials, arbitrations, and hearings throughout the US and abroad.

Whether appearing in appellate and trial courts nationwide, navigating arbitration proceedings in the U.S. and abroad, or providing strategic counsel to address both civil and criminal implications, Bartko Pavia is a trusted partner for clients facing their toughest legal challenges. We pride ourselves on immediate responsiveness to its clients, and we welcome alternative fee arrangements and other strategies to align the clients' and the firm's interests. We often team with other firms or lawyers to bring the most advanced technical expertise to bear on each case. We work closely with our clients and in-house counsel to resolve their specific legal issues. We know that costs and results are what matter.

Bartko Pavia has achieved excellent results for its clients in many high-stakes business and class action matters, including a recent \$845 million verdict in a trade secret case, the recovery

of over \$100 million in litigation arising out of a Ponzi scheme, and defense verdicts in a major antitrust cases, including where billions of dollars are being sought. Representing both plaintiffs and defendants gives Bartko unique insight into complex litigation, enabling it to anticipate its adversaries' next move.

The firm has an established track record of creating and putting into effect novel litigation strategies and structures, both for achieving rapid, significant recoveries and for obtaining defense verdicts. With significant expertise in defense of white-collar criminal prosecutions, both federal and state, the firm can fashion and implement litigation plans that consider and integrate effectively both civil and criminal ramifications of complex litigation matters. We also have deep litigation and trial experience in intellectual property and class action cases.

DATA PRIVACY & CYBERSECURITY

Bartko Pavia attorneys have decades of experience in defending clients, both in the private and public sectors, in high-stakes privacy litigation, and enforcement matters. We have been lead trial counsel and undertaken appellate proceedings defending against privacy class actions stemming from alleged data breaches as well as alleged sharing of data due to the use of online technologies. Our clients in these cases have included healthcare systems, public and private hospitals, financial institutions, technology companies, operators of online portals, and Department of Defense contractors. Bartko Pavia's work has resulted in leading published and cited opinions, including two groundbreaking opinions on the California Confidentiality of Medical Information Act and others that resulted in the dismissal of class actions without liability or any settlement payments. This has allowed clients to continue delivering critical services and preserving their resources instead of having to continue addressing class actions seeking damages ranging from millions to billions of dollars.

In addition to being able to efficiently handle matters in which multiple class action complaints are filed, including concurrent proceedings in federal and state courts, Bartko Pavia has extensive experience in gathering evidence in a manner that preserves the confidentiality required under federal and California law. Further, our attorneys have the ability to efficiently distill the facts, data and circumstances leading to the development of creative strategies to defend the actions, including against the latest waves of litigation asserting cookies and pixels constitute illegal wiretaps or pen registers.

Bartko Pavia's attorneys have also successfully handled investigations by federal and state regulatory agencies, including the Federal Department of Justice Office of Civil Rights, the California Office of the Attorney General, the California Department of Public Health and various California state licensing agencies. We are adept at addressing regulatory investigations while concurrently defending against civil litigation. We have a well-regarded

reputation that has allowed us to effectively address government enforcers as well as judges.

We have also assisted clients in their initial responses to data breaches, including addressing on-going ransomware attacks, hacking by foreign state actors, physical theft by former employees or third parties, and errors by current employees. Clients regularly seek our input on the content of mandatory notices to potentially affected individuals and reports to regulators.

INTELLECTUAL PROPERTY LITIGATION

Bartko Pavia is renowned for its high-level intellectual property litigation practice handling major intellectual property cases on behalf of both plaintiffs and defendants with innovative problem-solving to achieve exceptional outcomes for our clients. Bartko tries cases in every aspect of technology litigation, including trade secret, patent, trademark, copyright, and technology licensing.

For years, Bartko Pavia attorneys have achieved outstanding results for their clients in diverse areas of intellectual property litigation. With specialties in trade secret, patent, trademark, copyright, and technology licensing litigation, our attorneys have successfully tried high-stakes technology cases to both juries, judges and arbitrators, and achieved top-value settlements. The attorneys at Bartko Pavia have collectively tried over 100 cases to verdict. We also specialize in preliminary injunction proceedings arising out of IP cases. Our depth of substantive and technical understanding, experience handling complex litigation, and willingness to take cases to trial ensure the best possible protection of our clients' legal interests. Bartko Pavia's head of litigation, Patrick Ryan, has been recognized by the *Daily Journal* as a Top IP Lawyer in California for leading Bartko's creative litigation tactics, while Ben Riley has been ranked by *Chambers* since 2019 as one of the top 20 California lawyers in Trademark, Copyright, and Trade Secret litigation.

At Bartko Pavia, we litigate efficiently and with focus, ensuring every move advances our clients' interests. Our strategic decision-making and clear, actionable advice set us apart in an often-complicated legal landscape. We understand that our success is tied directly to the success of our clients, and our unwavering dedication delivers results that resonate far beyond the courtroom.

Areas of Intellectual Property Litigation Practice

- Trade Secret Litigation
- Patent Litigation
- Trademark & Copyright Litigation

INTERNATIONAL ARBITRATION

At Bartko Pavia, our international arbitration practice combines decades of experience with a detailed, high-level approach that sets us apart. We know our clients inside and out, offering quality care, personalized service, and solutions that align with their broader business goals. With substantial experience in the litigation and arbitration of complex disputes, we are more than litigators—we are problem-solvers, committed to achieving results that resonate far beyond the courtroom.

Our attorneys have appeared in appellate and trial courts across the nation and internationally, and we are adept at handling a wide range of disputes—from securities actions and employment conflicts to fraud claims, bankruptcy matters, art fraud, trademark violations, and real estate controversies. We recognize that litigation may not always be the best course for a client and may recommend alternative forms of dispute resolution such as mediation and arbitration.

In international disputes before courts in the United States, we have succeeded in obtaining the early dismissal of several disputes based on objections to the jurisdiction of the local court or to the inconvenience of the forum or based on the existence of an arbitration clause in a related agreement. We have extensive experience in taking and defending testimony abroad under international procedures.

Alternative dispute resolution, such as mediation and arbitration, can sometimes better serve a client's objectives. Our robust practice includes seasoned attorneys who are adept mediators and arbitrators, resolving disputes amicably when it aligns with a client's goals. From representing multinational corporations in cross-border arbitrations to settling class disputes in the franchise and other industries, our strategic counsel ensures tailored and effective solutions.

What truly defines Bartko Pavia is our proactive and decisive approach. We solve problems, assess risks others may overlook, and prioritize solutions that bring clarity and resolution. Our clients appreciate our ability to make decisions decisively, without excessive qualifications or considerations, and our creative thinking drives meaningful results. Whether pursuing alternative arrangements like contingency or partial-contingency fees or leveraging litigation funding, we deliver cost-effective, business-forward representation.

LABOR & EMPLOYMENT

Bartko Pavia's Labor & Employment Practice has substantial experience counseling employers and employees in all aspects of employment-related matters, delivering tailored solutions that

address both immediate challenges and long-term goals. We serve as trusted advisors, acting as outside general counsel regarding H.R. matters for several companies, advising on issues such as Family and Medical Leave Act compliance, overtime regulations, anti-harassment and discrimination policies, the Americans With Disability Act, preparing separation agreements and offer letters, drafting employee handbooks and company policies, and counseling on day-to-day matters that arise in the running of any business.

Our experienced team has successfully represented employers in defending against civil and regulatory claims concerning a range of issues, including claims for discrimination, hostile work environment, and retaliation, actions alleging violation of overtime laws, lawsuits involving the Family and Medical Leave Act, the Americans with Disability Act, and other federal, state and local laws. Our team is committed to understanding the unique dynamics of each client's situation, offering thoughtful, business-forward strategies that set us apart.

The firm also represents individuals who have been aggrieved by their employers, having successfully prosecuted cases for discrimination, wrongful termination, breach of contract, and the violation of federal and state laws.

At the same time, Bartko Pavia stands for individuals who have been unfairly treated by their employers. We have a track record of success in prosecuting claims for discrimination, wrongful termination, breach of contract, and violations of federal and state laws. For each case, we offer thoughtful counsel and decisive action, staying focused on delivering the best possible outcomes for our clients.

REAL ESTATE LITIGATION

Bartko Pavia has extensive experience litigating real estate disputes of all kinds. We frequently represent property owners, buyers, sellers, developers, landlords, tenants, real estate investors, real estate partnerships and LLC's, lenders, borrowers and guarantors. For more than 45 years, our firm has litigated countless real estate disputes through trial and appeals, including cases involving retail leases, partnership disputes, premises liability, and broker liability and fiduciary duty. We are well-versed in the tactics and strategies employed in high-stakes real estate litigation and apply the weight of our expertise to each real estate dispute we litigate.

SHAREHOLDER LITIGATION

Bartko Pavia has extensive experience litigating shareholder and partnership disputes of all kinds. We frequently represent directors, officers, shareholders, limited partners, investors, corporations, partnerships, and LLC's. For more than 45 years, our firm has litigated countless shareholder and partnership disputes through trial and appeals, including cases involving fiduciary duty, fraud, shareholder derivative claims, shareholder buyouts, buy-sell agreements,

and corporate dissolution. We are well-versed in the tactics and strategies employed in high-stakes shareholder and partnership litigation, and apply the weight of our expertise to each dispute we litigate.

TRUST & ESTATE LITIGATION

Bartko Pavia attorneys have successfully litigated over 75 trust and estate cases, including trials and appeals. We frequently represent trustees, trustors, beneficiaries, and high net worth individuals, including two recent trial victories where Bartko Pavia attorneys obtained defense verdicts against claims of \$680 million and \$250 million. Through these cases our attorneys have been recognized recently as California Lawyers of the Year and as obtaining the Top Trust and Estate Defense Verdict in California. Bartko Pavia attorneys have also brought or defended matters on behalf of charities and universities, and have won verdicts and settlements in which charities received more than \$20 million.

WHITE COLLAR, INVESTIGATION & INTERNATIONAL LITIGATION

Bartko Pavia's white collar practice is defined by its hands-on, high-level approach to navigating complex and high stakes matters. Since its inception, the firm has built a distinguished reputation for handling high-stakes white collar litigation and investigations, including representing multiple former heads of state and high-ranking officials and executives.

Bartko Pavia's work in this area also involves international matters. These representations have required pioneering work in obtaining documents and testimony located domestically and abroad. Bartko Pavia attorneys have a reputation for experience and integrity that allows them to work effectively with government authorities as well as corporate decision-makers. The firm prizes its ability to efficiently analyze and distill massive data, so we can focus our clients on the most relevant information. We regularly assist companies in responding to local, state, and federal criminal and regulatory investigations. Frequently, these are parallel to civil claims and class actions, including securities fraud. Our expertise is also bolstered by colleagues with experience as government prosecutors and at regulatory agencies. We have recently represented a leading automotive manufacturer in a federal antitrust investigation.

Examples of notable criminal jury trials with an international dimension include *U.S. v. Imelda Marcos* (SDNY) and *U.S. v. Gary Swanson* (ND Cal.). We have also represented significant European and Asian companies in US litigation and have appeared in foreign courts and tribunals across the globe. As part of our international litigation practice, the firm has successfully defended foreign heads of state and government officials from the Philippines, South Korea and Egypt in complex federal claims brought in the US, affirming our standing as a leader in international white-collar representation.

At Bartko Pavia, we understand that success is measured by the resolution of our clients' most pressing concerns. Our problem-solving mindset, commitment to listening to both day-to-day and urgent issues, and ability to assess risks that others might miss set us apart. With a sharp focus on efficiency, integrity, and strategic results, we stand as trusted advocates in the complex world of white-collar litigation and investigations.

INSIGHTS

MEDIA MENTIONS | 27, OCTOBER 2025

STEVE VIEUX FEATURED IN LAW360 COVERAGE OF THE CALIFORNIA LAWYERS ASSOCIATION'S GOLDEN STATE INSTITUTE

PRESS RELEASE | 09, OCTOBER 2025

STEVE VIEUX TO CHAIR THE CALIFORNIA LAWYERS ASSOCIATION'S GOLDEN STATE INSTITUTE

PRESS RELEASE | 29, SEPTEMBER 2025

ABA ANTITRUST PLAINTIFFS' ROUNDTABLE WILL FEATURE INSIGHTS FROM IAN PAPENDICK

HONORS AND AWARDS | 23, SEPTEMBER 2025

PATRICK M. RYAN EARNS REPEAT RECOGNITION AS 2025 TOP 100 LAWYER

MEDIA MENTIONS | 07, AUGUST 2025

LAW360 SPOTLIGHTS IAN PAPENDICK'S ARRIVAL AT BARTKO PAVIA

Ian Papendick, a seasoned antitrust attorney and former enforcer with the Colorado Attorney General's Office, was recently featured in Law360 following his arrival at Bartko Pavia LLP as a litigation and antitrust partner.

PRESS RELEASE | 01, AUGUST 2025

BARTKO PAVIA CONTINUES STRATEGIC EXPANSION WITH ADDITION OF ANTITRUST PARTNER IAN PAPENDICK

San Francisco, CA, August 1, 2025 - Bartko Pavia is pleased to announce that Ian Papendick has joined the firm as a partner in its Litigation Group and Antitrust Practice Team. Ian brings deep experience as a government enforcer, in-house lawyer, and litigator representing companies across industries in antitrust litigation and enforcement matters.

PUBLICATIONS | 19, JUNE 2025

STEVE VIEUX AUTHORS ARTICLE FOR LAW360

Steve Vieux, Senior Counsel at Bartko Pavia LLP, authored an article in Law360, State AGs' Focus On Single-Firm Conduct Is Gaining Traction, examines the growing trend of state attorneys general pursuing enforcement actions against unilateral conduct by dominant firms.

HONORS AND AWARDS | 18, JUNE 2025

PARTNERS NAMED AS 2025 LAWDRAGON 500 LEADING PLAINTIFF FINANCIAL LAWYERS

Congratulations to Patrick M. Ryan and Jason A. Zweig on being named to the 2025 Lawdragon 500 Leading Plaintiff Financial Lawyers!

PRESS RELEASE | 14, MAY 2025

BARTKO PAVIA'S PATRICK M. RYAN OBTAINS \$222 MILLION JURY VERDICT AGAINST WALMART

Press Contact

EVENTS | 04, APRIL 2025

JOIN US FOR A VIRTUAL TOWN HALL

The Judicial Fairness Coalition, in collaboration with the California Lawyers Association, is hosting a Virtual Town Hall on April 10 at 4:30 PM PT for an in-depth discussion on the intersection of law, politics, and ethics. This event will explore the importance of judicial independence, the ethical challenges judges face, and how the judiciary ensures fairness in an increasingly complex legal...

SERVICE CONTACTS



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