

Brian S. Ginter

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Pronouns: he, him, his

Brian Ginter is experienced in all phases of civil litigation from pre-lawsuit settlement negotiations and pre-judgment provisional relief through trial and appeal. He has obtained favorable results for clients at all stages of their dispute, including temporary restraining orders, writs of attachment, summary judgment, verdict, and appeal. Brian is admitted to all state and federal courts in California, and has handled cases pending before the California Court of Appeal, Ninth Circuit Court of Appeals, and United States Supreme Court.

Brian's practice is concentrated in the areas of civil rights, business litigation, employment law, and professional liability. Having had the benefit of working in litigation firms since he was admitted to the bar, and before that as a paralegal and law clerk, he is able to prosecute and defend a wide variety of cases, which have included allegations of fraud, mass tort, unfair competition, and breach of contract. He recently second-chaired a trial involving a breach of contract claim by a harbor terminal company against a defaulting tenant. The case also involved allegations by the defendant that the terminal company breached the contract and damaged the defendant's oil trading business by approximately $30 million. After a bench trial, the defendant agreed to settle the case by paying the firm's client over $5 million.

Brian's civil rights cases involve allegations of excessive force, wrongful arrest and prosecution, and First Amendment retaliation. He has successfully represented public agencies and officers in cases involving severe injuries, including officer-involved shootings and wrongful conviction that resulted in years of incarceration. Brian recently obtained a defense verdict in a case arising out of the George Floyd protests in 2020. The case involved injury to the plaintiff's genitals caused by a 40mm less-lethal projectile. Brian successfully argued the officer's use of force was justified because the plaintiff was assaulting another officer. Brian also represented the County of San Bernardino and members of its District Attorney's office in what began as six lawsuits brought by persons who were indicted and prosecuted

PRACTICES

Construction Law

Employment Law and Litigation

Insurance Coverage and Litigation

Inverse Condemnation

Labor Relations

Litigation

Tort Claims and Products Liability

EDUCATION

J.D., Southwestern Law School, 2009

B.A., cum laude, Business Administration, Loyola Marymount University, 2005

ADMISSION

State Bar of California

United States District Court for the Central District of California

United States District Court for the Eastern District of California

United States District Court for the Northern District of California

United States District Court for the Southern District of

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California

AFFILIATIONS

Los Angeles County Bar Association

as part of the “Colonies” corruption scandal – a case that involved allegations of bribery and extortion in connection with a $102 million settlement of a civil lawsuit brought against the County. The plaintiffs alleged civil rights violations and sued under 42 U.S.C. § 1983.

Brian’s employment law experience involves claims of discrimination, harassment, retaliation, and wrongful termination, including independent investigations of such claims. He is frequently called upon to assist clients in difficult and sensitive cases of whistleblower retaliation or fraud and other criminal activity. Brian represented the Los Angeles Memorial Coliseum Commission in matters arising out of wide-ranging public corruption. The cases included claims against event promoters that paid more than $2 million to a person who was then employed by the Coliseum Commission. After hard-fought litigation, which included a successful appeal to the California Court of Appeal and a parallel criminal prosecution, the defendants agreed to pay the Coliseum Commission $3.5 million. Brian also represented of the City of Inglewood in a case where an alleged whistleblower made statements about the City’s dealings in building its new stadium, among other things. The case was settled favorably before trial. Other recent work includes representation of the City of Anaheim in defense of race discrimination allegations. The case resulted in a unanimous defense verdict after a two-week trial.

Most recently, Brian was part of the team defending the City of Monterey against a whistleblower retaliation claim brought by a police officer. The plaintiff sought a very large damage award and claimed he had not been able to obtain subsequent employment. After a two-week jury trial, which involved numerous evidentiary motions in which the City was largely successful, the jury returned a verdict in favor of the City.

In the professional liability arena, Brian has successfully represented lawyers, architects, and engineers involving claims of breach of contract, malpractice, conflicts of interest, breach of fiduciary duty, and fraud. He has also litigated claims against these professionals as well as accountants when the professional’s service has caused injury to the client.

Away from the office, Brian enjoys staying active in competitive sports. He is an avid baseball player. Along with his wife, he also races with the Vintage Auto Racing Association and other vintage auto racing organizations.

RESULTS

Burke Secures Jury Verdict in Race Discrimination Case

PUBLICATIONS

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2021 Legal Trends
2018 Legal Trends
2017 Legal Trends
2016 Legal Trends
2015 Legal Trends
2014 Legal Trends

RECOGNITIONS

Selected to Southern California Rising Stars 2013-2018

REPRESENTATIVE MATTERS

- **County of Los Angeles Department of Public Health v. Superior Court** (2021) 61 Cal.App.5th 478
- **Los Angeles Memorial Coliseum Commission, et al. v. Insomniac, Inc., et al.**(2015) 233 Cal.App.4th 803

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