



Phone: 310.557.2009
Fax: 310.551.0283
Email: tgorry@tocounsel.com

Tim Gorry is Chair of the Entertainment and Capital Markets Practice Groups at Theodora Oringher. Over the course of 25 years of practice Tim has successfully tried or arbitrated over 50 cases to verdict, and specializes in representing entertainment, financial, sports, construction, telecommunications, banking, software and manufacturing companies in complex litigation matters in state and federal court, federal agencies and arbitration panels. Recognized for his trial prowess by his peers, Tim has a peer review rating of "AV" with Martindale-Hubbell, the highest possible rating, and is often

brought in by other firms to help try cases that have no hope of settling.

Tim represents entertainment and corporate clients, boards of directors, board committees, private equity and hedge funds, partnerships and joint ventures and individuals in connection with all aspects of litigation and strategic business advice. Representing both public and private clients, Tim has extensive experience in working with in-house counsel and with coverage counsel and adjusters at many of the worlds largest insurance carriers. Tim is known for forging strong professional relationships not only with his clients but with the lawyers that work with him on various matters, some of whom have worked with Tim for over 15 years. Consistency, character and teamwork have been hallmarks of Tim's practice throughout the past 25 years---traits that have allowed Tim's clients to thrive and grow over that time span.

Prior to joining Theodora Oringher, Tim was a partner with Eisner Jaffe Gorry Chapman & Ross in Beverly Hills and was formerly Partner in Charge of the Los Angeles Office of Venable LLP, which was formed from a merger with Gorry Meyer & Rudd LLP.

Representative Matters

Represented the County of Orange in complex software development case against Tata Consultancy Services arising from a failed development project for a Property Tax Management System. Took over 50 depositions of software developers, architects, project managers and experts, worked with team to analyze and digest millions of pages of documents to prepare for month-long jury trial in Federal Court. Obtained \$26 Million Dollar settlement for the County and its Taxpayers days before trial.

Represent Producers and financiers of film in current release regarding alleged copyright infringement by Street Muralists in Argentina, action originally filed in Illinois Federal Court, filed successful Motion to Transfer to move action to Los Angeles, awaiting Transfer Order to USDC for Central District

Defended Developer and majority landowner of a 200 acre development in Loomis, CA in



a lawsuit over deposits allegedly owed to a Conservation Steward by the Developer, successfully moved to expunge a lis pendens on 51 five acre lots and filed successive demurrers, resulting in dismissal of the action and the imposition of a significant attorney fee award in favor of the client

Defended Developer and majority landowner in same 200 acre development in Loomis, CA in a multi-phase arbitration over claims relating to transfer of Declarant rights, Construction and Conservation Easement issues in a multi-week JAMS arbitration in Sacramento, CA

Represent Producer and financiers of Academy Award TM winning film regarding alleged misappropriation of name and likeness by subject of a magazine article, action originally filed in New Jersey Federal Court, filed successful Motion to Transfer to move action to Los Angeles, filed successful Anti-SLAPP motion dismissing action in its entirety, currently on appeal to Ninth Circuit

Represented Developer of mix use high rise development in Los Angeles California over development, construction and tenancy issues in 10 day Jury Trial culminating in significant verdict for client, later settled in ADR Services mediation encompassing all related cases, terms of settlement confidential

Represented Developer of \$16 Million Dollar home on former Pickfair Estate in action for Breach of Promissory Note, Judicial Foreclosure and defended against Construction Defect claim in multi-party action, settled on terms favorable to client two days before picking a jury for 12 week jury trial

Represented Private Equity Firm and Senior Managing Director in connection with investment in food product company that became insolvent, actions in both Superior and Bankruptcy Court, obtained Summary Judgment for both Director and PE Firm in both actions

Represented Producer in multimillion dollar six week Bench Trial in Los Angeles, California for breach of Fiduciary Duty and Breach of Contract over proceeds of hugely successful major motion picture, negotiated settlement after adverse verdict against the client

Represented Foreign Finance Company/Real Estate Investment Company on five different multifamily and mixed use projects in Los Angeles County, including defending five different breach of contract and injunctive relief actions filed in 4 different courthouses in Los Angeles County by the co-investor/General Contractor. Successfully defeated Applications for Temporary Restraining Orders and Motions for Preliminary Injunctions filed in each action. Prepared and filed cross-complaints alleging Breach of Contract, Fraud, Conversion, Breach of Fiduciary Duty and for Appointment of a Receiver and after forcing expedited discovery moved for and obtained the appointment of a Receiver on each of the properties. Cases settled shortly after appointment of Receivers (and termination of General Contractor) on each of the projects

Represented same Foreign Finance/Real Estate Investment Company against Contractor



of \$16 Million Dollar project in a construction defect lawsuit with complex financial and insurance issues, obtained a Temporary Restraining Order and Preliminary Injunction against Defendant, settled matter with multimillion dollar payment to client by Contractor. Represented Grammy Award™ winning recording artist in Wrongful Death case brought by relatives of decedent in Santa Maria, California, stemming from emergency room treatment given to artist during unrelated Action in the Santa Maria Superior Court, filed successful CCP 128.7 motion after successive demurrers which dismissed the action against the client

Represented IT Consulting Division of Fortune 100 Electronics Company in 9 week Jury Trial in Hayward, California over Breach of Contract, Breach of Fiduciary Duty and Breach of Duty of Loyalty relating to the establishment of a competing company by senior executives of client while still employed with client, resulting in a multimillion dollar jury verdict against former employees, settled prior to commencement of Punitive Damages phase

Represented Studio Services Company in 2 week bench trial over breach of lease alleged by Master Landlord for 20,000 sq. ft. Studio space in West Hollywood California, prevailed on defense of complaint and cross-complaint resulting in significant verdict for damages and attorneys fees against Plaintiff and Cross-Defendant. Plaintiff appealed decision, verdict was affirmed and matter was settled after conclusion of appeal

Represented former NHL player in connection with NHLPA dispute regarding career ending injury and filed an action against local hospital and its doctors and nurses which culminated in a 3 week jury trial that ended in directed verdict against client, reversed on appeal and retried, resulting in significant settlement by several parties. Case was retried before a Los Angeles County jury in a 2 week trial with resulted in a split verdict on liability, ultimately settled on a confidential basis

Represented current NBA player in connection with lawsuit brought against client for a third party's misuse of his personal credit card brought by a Ticket Broker, secured summary judgment against complaint and on the cross-complaint against the third party for conversion

Represented holder of 20+ FCC spectrum licenses in Breach of Contract lawsuit against sellers of 37 similar FCC spectrum licenses in 8 week AAA arbitration in Los Angeles, resulting in a split decision regarding transfer of the majority of licenses to my client, ultimately settled with partial payment by client under agreement for transfer of most, but not all spectrum licenses

Represented co-founder of Medical Infusion Therapy Company in lawsuit filed after client's ouster from company while on his honeymoon in China and subsequent emergency Bankruptcy sale to a competitor. After settling out co-founder and directors, obtained multimillion dollar verdict after 4 week jury trial against competitor for Conspiracy to Interfere with Employment Agreement

Represented owners of estate in Encino California in Construction Defect lawsuit against



Contractor alleging water intrusion and resultant damage on \$3 Million remodel project, sued over 23 different sub-contractors, obtained comprehensive Case Management Order managed 5 experts and settled the matter on extremely favorable terms for the client.

Represented writer of Tony Award™ nominated musical against co-writer and producer for Breach of Oral Agreement, Negligent Misrepresentation, Fraud and Declaratory Relief in 10 day jury trial in Los Angeles Superior Court. Jury rendered defense verdict against client, but Court granted requested Declaratory Relief, resulting in settlement between the parties regarding credit participation and allocation of profits

Represented fledgling video game software division of Texas based RBOC in a AAA arbitration brought pursuant to the terms of the Software Development Agreement.

Brought counterclaims for failure to meet deliverable schedule, obtained defense decision on original claim and won uncollectible judgment on counterclaim

Represented majority shareholder of bank in connection with seizure of minority owned bank in the Koreatown neighborhood of Los Angeles California, brought action against the OCC and FSLIC in the United States District Court for the Central District alleging discriminatory treatment of management and ownership of the bank in violation of Federal law. After two years of litigation, initially won summary judgment on standing issue, reversed on Motion for Reconsideration and subsequent Motion for Summary Judgment brought by the United States. Subsequently appealed decision on Motion for Reconsideration to the Ninth Circuit and the United States Supreme Court (cert. denied), which was unsuccessful. Action was instrumental in wholesale revision of Anti-Discrimination Policies at OCC and FDIC

Represented telephone credit card company in action filed in the United States District Court for the Central District in action against telecommunications carrier re: breach of transmission agreements, obtained multimillion dollar verdict after 8 day bench trial

Represented Major National Travel Agency in IT lawsuit brought by a vendor in Federal Court for Breach of Software Development Agreement, won multimillion dollar verdict in two week jury trial on cross-complaint for Breach of Contract, successfully defended original complaint

Represented officers and directors in defense of a wrongful termination lawsuit brought by co-founder of Construction Materials Company which resulted in a directed verdict in favor of clients during multi week jury trial in the Los Angeles Superior Court.

Mr. Gorry is not an employee of Theodora Oringher. As Of Counsel to the Firm, he is an independent attorney with a separate law practice that handles matters and clients having no affiliation with the firm, who also works on certain specific matters for the firm on a contract and case by case basis. His work is not affiliated with TO unless the client has a current written

engagement letter with our firm.

News

Timothy Gorry, Jon-Jamison Hill and Jackie Joseph Victorious with Ninth Circuit Decision

Timothy Gorry Joins Theodora Oringher PC

Practice Areas

Business and Commercial Litigation
Construction
Real Estate Litigation
Sports and Entertainment

Admissions

Bar Admissions

California

Education

Hastings College of Law (J.D., 1989)
University of California, Los Angeles (B.A., 1986)

Memberships & Associations

American Bar Association
Los Angeles County Bar Association
State Bar of California

Professional Recognition

AV Peer Review Rated by Martindale Hubbell