

PRACTICES:

- Litigation
 - Class Action Defense
 - Antitrust and Unfair Competition
 - Business Disputes / Commercial
 - Labor and Employment
 - Insurance and Financial Institutions
- Labor and Employment
 - Employment Services
- International



James S. McNeill

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Experience

Jim McNeill is a partner with offices in San Diego and Los Angeles. He is a member of the firm's Litigation Group with a national practice concentrating primarily on employment litigation, complex business/commercial disputes, insurance coverage, class actions, and cross-border issues for clients with interests in Central and South America.

Mr. McNeill has extensive nationwide experience in wage and hour and unfair competition individual and class action litigation. He has represented clients throughout Southern California and nationally in complex litigation involving employment claims, intellectual property and contract disputes, business and commercial torts, and insurance matters. His practice extends to both state and federal courts.

As part of his litigation practice, Mr. McNeill has substantial experience in the complex issues involved with Electronically Stored Information, or ESI, including those in the areas of records retention, spoliation, and e-discovery. Mr. McNeill counsels his clients on best practices for records management to reduce potential litigation risks and maintain an ability to respond to litigation discovery demands effectively and efficiently. He also counsels clients on developing effective records retention policies and implementing proper litigation holds in response to litigation.

In addition, Mr. McNeill assists clients having maquiladora operations in Mexico with cross-border disputes. Mr. McNeill is a member of the firm's Latin America practice group and has a network of firms throughout Central and South America, which he works with to assist clients seeking to conduct business or establish operations in Latin America.

Mr. McNeill attended California Western School of Law where he graduated *magna cum laude*, served as Executive Editor of the *California Western Law Review* and was honored with three Corpus Juris Secundum Awards and six American Jurisprudence Awards. Mr. McNeill also served as a judicial extern to the Honorable David R. Thompson, U.S. Court of Appeals for the Ninth Circuit, prior to being admitted to the State Bar of California in 1999.

Representative Matters

- Trial Counsel in the successful defense of multiple, coordinated state-wide class actions against a government contractor for violations of California's Unfair Competition Law. After an 11-day trial, the Court issued a complete defense judgment.
- Co-counsel for a large telecommunications and networking company defendant in multiple cases for patent infringement brought by Qualcomm Corporation, obtaining a complete defense verdict following a two-week trial, and over \$8 million in

+ Professional Activities:

- American Bar Association
- San Diego County Bar Association

post-trial sanctions against Qualcomm for discovery abuses.

- Obtained complete defense judgment in state law wage and hour class action against a national retailer in Wisconsin on summary judgment motion, with judgment upheld on appeal.
- Counsel for national retailer in a statewide class action brought in the U.S. District Court in Pennsylvania for alleged wage and hour violations under the Fair Labor Standards Act. The case resulted in a complete defense verdict after a three-week jury trial.
- National coordinating counsel for joint negotiated settlement of three nationwide wage and hour class actions against a national retailer brought in Florida, Illinois and New York for alleged violations of the Fair Labor Standard Act.
- Secured Ninth Circuit opinion vacating and remanding FDIC administrative action barring bank executive from banking industry. *Dela Fuente v. FDIC*, 332 F.3d 1208.

Education

- J.D., California Western School of Law, *magna cum laude*, 1999
- M.S., San Diego State University, 1996
- B.S., San Diego State University, 1994

Admitted

- California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Seventh Circuit