



B. Casey Yim

Of Counsel
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B. Casey Yim is Of Counsel to the firm, resident in the Los Angeles and Orange County offices. His practice targets professional liability defense (legal and medical malpractice), and Medical Services, Business, and Real Estate contract litigation. He also has extensive trial experience in commercial law, complex contracts, IP litigation (actual USDC trial experience), securities law, construction and contract litigation, Tax litigation, and product liability litigation.

Mr. Yim also carries substantial executive level and business experience as a founding partner of his former firm, Pivo, Halbreich, Cahill & Yim, serving as the Managing Partner of the Los Angeles office, and before then at Lewis, D'Amato, Brisbois & Bisgaard in Los Angeles, where he served on the firm's Management and Compensation Committees, and as general counsel for the firm.

Mr. Yim, as "Of Counsel" to the firm, heads his own trial practice group, taking cases to trial or arbitration which cannot be settled. He has actually tried and arbitrated over 100 cases to conclusion over the course of his 30+ years of trial experience in courts, before governmental administrative agencies, and in domestic and international arbitration tribunals. According to Mr. Yim, “. . . most cases can and should be settled, the cases

going to trial represent only the tip of the iceberg. The irony is that you need proven trial experience in the courtroom, to succeed in the negotiating room.”

Martindale & Hubble peer review rating: "AV" ;

attorney peer-reviews::

"Mr. Yim is one of the most talented trial lawyers I have ever had the pleasure of working with. He is top shelf in all respects. "

--Posted by a Private Practice Lawyer on 07/26/13, rating 5.0 out of 5.0.

"I have known him for years. Excellent attorney (from personal experience) with the highest ethical standards. Deep knowledge of the law, effective litigation skills."

--Posted by a Private Practice Lawyer on 07/07/13, rating 5.0 out of 5.0

"I've had the pleasure of knowing Mr. Yim professionally and personally for more than 25 years. He is a superb lawyer of the very highest ethical standards and well-deserving of an AV rating!"

--Posted by a In-house Counsel on 07/08/13, rating 5.0 out of 5.0

Law Firm Affiliations:

2003 to present: Murchison & Cumming, Los Angeles, California. Of Counsel; Professional Liability Practice Group.

1999 to 2003: Pivo, Halbreich, Cahill & Yim, LLP, Los Angeles, California. Founding Partner; Managing Partner, Los Angeles Office; and Chair, Professional Liability Practice Group.

1983 to 1999: Lewis, D'Amato, Brisbois & Bisgaard (1983-1999), Los Angeles, California. Partner; Management Committee (1999), Compensation Committees (1995–98), Gen. Counsel for firm (1990-94); Trial Practice Group Chair; Professional Liability Group Chair, Health Law Group Chair; Employment Practices Group. Trial Lawyer of the Year Awards (two times) 1989, and 1992.

1975 to 1983: Squire, Sanders & Dempsey (1975-1983), Cleveland, Ohio. Associate; Litigation Department, Commercial, Labor/Employment Practices, and Civil litigation (Jury Trials, Govt. Administrative Agency practice, and Binding Arbitrations).

Bar Admissions

- Ohio, 1975 (inactive)
- California, 1982 (current)
- U.S. District Court, M.D., Ohio
- U.S. District Court Central District, California

- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Sixth Circuit

Education

- Law: Cleveland State University, Cleveland-Marshall College of Law, Ohio (J.D., cum laude, 1975);
- Editor in Chief, Law Review;
- Honors: Am Jur Book Awards, 1974 (Con. Law), 1975 (Commercial Law); CJS Award, 1975; Baldwin Banks ORC Book award, Outstanding Graduate..
- Undergraduate: San Diego State University, San Diego, California (B.A., 1971)

Publications and CLE Presentations

- Treatise, Yim, B. Casey, "Claims, Defenses and Strategies in Legal Malpractice Cases", Thomson-Reuters, Aspatore, June, 2014
- CLE, "Power Points of Persuasion in International Arbitration," International Law Conference, Salzburg, Austria, September 2004
- CLE, "Effective Drafting of the Arbitration Clause to Meet the Demands of International Arbitration", Los Angeles County Bar Association, International Law and Commercial Law Sections, MCLE, Los Angeles, California, January, 2005
- CLE, "Comparative International Arbitration Procedure-- Discovery, Introduction of Evidence, and Experts; How to Capitalize on Limitations in Foreign Jurisdictions", Center for International Legal Studies, Steamboat Springs, Colorado, February 2005
- CLE, "The Advantages of Cross-Examination in the International Arbitration Setting," at the Center for International Legal Studies' annual conference being held September 23-26, 2004
- CLE, "How to Prepare for and Handle Binding Arbitration; Anatomy of a Medical Malpractice Case," Muchison & Cumming seminar, Los Angeles, California, January 2004
- CLE, "Risk Management: Power Points of Loss Prevention", Ahern Insurance Group, client seminar, Los Angeles, California, November 2004
- CLE, "Risk Management and Loss Control for the Small Law Firm", presentation for Ahern Insurance Group; client seminar, Los Angeles, California, Aug., 2010.

Significant, Notable and Published Court Cases

- *Darling Hall & Rae v. Kritt*, (1999) 75 Cal App 4th 1148, 89 Cal. Rptr.2d 676 (legal malpractice; civil proc. Level of ev sufficient for Summ Judgmt)
- *Roth Steel Products Co. v. Sharon Steel, Co.*, 705 F.2d134 (6th Cir, 1983) (commercial contract, UCC—landmark case involving claims of “economic duress” arising from the steel shortage crisis in 1978)

- *Standard Oil Co. of Ohio v. United States Department of Energy*, 465 Fed. Supp. 274 (N.D. Ohio, 1978) (oil pricing and shortage due to energy crisis)
- *Worlds of Wonder v. Vector Intercontinental*, 653 Fed. Supp. 135 (N.D., Ohio, 1986) (IP; copyright infringement, treble damage action)
- *Irene Ross v. The Euclid Board of Education*, 52 Ohio App.2d 28, 1977(wrongful termination public sector governmental supervisory employee)
- *Bernardini v. Board of Education*, (1979) 58 Ohio St.2d 1, 387 N.E.2d 1222 (wrongful termination of school administrator, employment practices; public sector)
- *Julie Heldman v. Uniroyal*, 53 Ohio App.2d 21, 371 N.E.2d 557 (1977)(prod liab; Uniroyal prof tennis surface; liability limitations applied to professional athlete)
- *Ryder v. LFP, Inc.*, defended celebrity publisher Larry Flint, and his company LFP, Inc., in a wrongful termination case (with overlap to the underlying "DeLorian" case), by the company's chief security agent, who was also a noted underworld figure turned "states evidence", in a well publicized L.A. murder case.
- *Bass v. Christie & Berele*, LASC (13 ½ week Jury Trial) (1998) Legal mal defense of law firm and attorney (now judge), against real estate developer's claim of legal malpractice in connection with client's use of ponzi scheme involving multiple R/E development investments.
- *USC Univ. Hosp v. Kaiser Foundation Health Plan, Inc.* (2011) __ Cal App. 4th __ (2d App. Dist., no. B221063) Recovery of excessive double-billing scheme by hospital, from lung transplant cases. Defended medical HMO from claims by outsourced organ transplant hospital, using scheme to over-bill medical care insurer for organ transplant surgeries.)
- *Dwane ("Dog Bounty Hunter") Chapman, et al. v Julander, Brown & Bollard* (2013) (legal mal, fraud and IP claims against attorneys, litigated in an international arbitration involving Mexican Criminal Law and Amparo Mex. Fed Ct. proceedings. The lawyers were hired to defend a notable bounty hunter of reality TV fame, who went to Mexico to capture a U.S. criminal bail jumper who fled there from a highly publicized U.S. criminal case. They succeeded, but then were themselves arrested by the Mexican police and charged with Mexican crimes-- bounty hunting is illegal in Mexico.)

INTERESTS

Avid racing sailor—owner, skipper, tactician, chief navaguesser (1998 to 2001), L.A., California: (CYC) MDR, Long Beach, Newport Beach-Ensenada, San Diego-Mazatlan, Santa Barbara-King Harbor. "Marilyn Richie Trophy", CYC ("Wings", Sov.33) w/ Peter Isler, (1988); "American Cancer Cup", Long Beach YC ("Pyewacket", SC 72) w/Roy Disney, and Rod Davis (1998); "Long Beach Race Week" (several) ("Horizon", Wild 40); Ensenada Race (1991 to 2001) ("Horizon"); Martin 242, One Design racing fleet (CYC)("Full Tilt Boogie", M-242). (1978 to 2001), Cleveland, Ohio: Sandusky, Put-In Bay, Toledo, Cleve-Toronto ("Bushwhacker", T-30), Lake Erie, Rocky River, and Lakeside Y.C.).

