

**Theresa C. Lopez**

Counsel
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Los Angeles

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Practice Areas

- Complex Litigation
- Class Actions
- Construction
- Litigation
- Insurance/Reinsurance
- Trial Practice

Theresa C. Lopez is a counsel in Crowell & Moring's Litigation Group, and is resident in the firm's Los Angeles office. Theresa specializes in construction litigation, complex business litigation, including consumer class action defense, issues arising from claims of unfair competition, unfair business practices, interference with contract and other business torts, breach of fiduciary duty, insurance coverage, and credit reporting litigation. Theresa has extensive experience in both state and federal courts throughout the Western United States, including California, Oregon, Washington, Nevada, Arizona and Hawaii. She has dealt with all aspects of litigation from inception through trial.

Representative Recent Matters

- Currently representing national telecommunications company in a series of consumer class actions involving claims brought under the California Consumer Legal Remedies Act, the California Unfair Competition Law, and other statutes and legal theories.
- Currently representing insurance companies in coverage litigation involving asbestos claims.
- Currently representing multiple companies in wage and hour class action involving claims brought under California and New York state law and federal law arising from alleged missed meal breaks and off-the-clock work.
- Currently representing national construction company in disputes with various material suppliers and sub-subcontractors arising from subcontractor's abandonment of project and subsequent filing of bankruptcy.
- Currently providing counseling to public agency on matters arising under the Brown Act and the County Employees Retirement Act.
- Currently providing *pro bono* legal services to various clients through the Public Law Center of Orange County, including assisting a client in

obtaining a U-Visa and immigration matters, family law matters, and other civil matters.

- Currently providing *pro bono* legal services to the Archdiocese Legal Network/Catholic Charities of Washington, D.C.
- Successfully represented major international energy company in contract dispute with subcontractor arising from rental of specialty equipment for geothermal plant in Southern California.
- Successfully represented national telecommunication company in an action against a local exchange network and its principals for breach of contract, fraudulent inducement, fraud, conversion, and unjust enrichment.
- Successfully represented corporate clients that purchased DRAM chips in price-fixing litigation to recover overcharges caused by international cartel.
- Successfully represented national retailer in consumer class action arising under the Fair and Accurate Credit Transaction Act, including third-party claims against point-of-sale equipment, software and technical support vendors.
- Successfully represented company in prosecuting claims against competitor and former employees for theft of trade secrets, breach of fiduciary duty, unfair competition and other business tort claims.
- Successfully represented a national credit reporting agency for over eight years in defending consumer actions brought in state and federal courts in the western United States under the Fair Credit Reporting Act, Fair and Accurate Credit Transaction Act, California Unfair Competition Law and other state and federal statutes and legal theories.
- Successfully represented owner in complex construction delay and defect action against general contractor, design professional, geotechnical engineers, and numerous other subcontractors relating to design and construction of improvements to a flood control channel in the City of Irvine.
- Successfully defended general contractor in arbitration and post-arbitration award confirmation proceedings against subcontractor.
- Successfully defended general contractor in complex construction delay litigation brought by owner of chain of national themed restaurants.
- Successfully represented power plant developer/general contractor in litigation against local gas and electric company and subcontractors relating to construction delays.
- Successfully represented major purchaser of automobile component parts in action against Mexico-based manufacturer of parts for breach of contract and various business torts.
- Successfully represented Belgium-based distributor of pet food products against U.S. pet food company in action for breach of distribution agreement and various business torts.

- Successfully represented telecommunications company and other corporations in premerger antitrust planning and coordination meetings.

Theresa is a member of the firm's Public Service Committee and has worked extensively with the Public Law Center of Orange County. She has represented numerous *pro bono* clients on family law matters referred from that organization. She has also handled clemency petitions through Washington, D.C.'s Families Against Mandatory Minimums and is a volunteer for the Archdiocese Legal Network's Catholic Charities.

Theresa is a member of the firm's Diversity Council and is active in both the Hispanic National Bar Association and the Orange County Hispanic Bar Association.

Theresa is active in the firm's recruiting efforts and summer associate program and often conducts on-campus interviews at her *alma mater*. She was named a "Southern California Super Lawyer - Rising Star" in Litigation in 2009.

Theresa received her Bachelor of Arts degree in History and a minor in Business Administration from the University of California at Los Angeles in 1995. In 1999, she earned her law degree from the UCLA School of Law. During law school, she served as an extern to the Honorable Carolyn Turchin, then Chief Magistrate for the Central District of California. Theresa was also a member of the editorial board for the *Women's Law Journal* and a managing editor and Co-Editor-in-Chief of UCLA's renowned *Chicano-Latino Law Review*.

Education

- University of California, Los Angeles, B.A. History, Business Administration (1995)
- University of California, Los Angeles School of Law, J.D. (1999)

Affiliations

Admitted to practice: State of California, United States District Court for the Central, Southern, and Northern Districts of California, and the Ninth Circuit Court of Appeals

Organizations

Hispanic National Bar Association
Hispanic Bar Association of Orange County, Board of Directors 2009-2010
California Minority Counsel Program, Membership and Recruitment Committee
Orange County Bar Association, Litigation and Construction Law Sections
American Bar Association, Litigation and Class Actions & Derivative Suits Sections
Defense Research Institute
Associated General Contractors of California, Legal Advisory Committee

Publications

- "The Ins and Outs of E-discovery," *Los Angeles Daily Journal* (December 8, 2009). Author: Theresa C. Lopez.
- "A Look at Recent California Case Law Impacting Contractors' Businesses: Contractors Should Heed Recent Decisions on Liability Issues, Good Faith Agreements, and Prevailing Wage Laws," *California Constructor*, Vol. 38, No. 3 (March 2008). Co-Authors: Theresa C. Lopez and Rosemary K. Carson.
- "E-Discovery: Implications for the Construction Industry," *California Constructor*, Vol. 36, No. 12 (December 2006). Co-Authors: Randall L. Erickson, Theresa C. Lopez and Julie A. Harris.

Alerts & Newsletters

- "Obama Infrastructure Program Certain To Generate Bid Protest and Other Legal Woes," *Construction Law Alert* (January 21, 2009). Contacts: Randall L. Erickson, Theresa C. Lopez.
- "Subcontractor's Substitution is Not Necessarily Invalid," *Construction Law Alert* (April 23, 2008). Contacts: Theresa C. Lopez, Deborah E. Arbabi.
- "Notices of Intent to Sue Compel Concerns Over Prop 65 Compliance," *Construction Law Alert* (February 29, 2008). Contacts: Randall L. Erickson, Theresa C. Lopez.
- "E-Discovery: *Implications for the Construction Industry*," *Construction Law Alert* (October 19, 2006). Contact: Theresa C. Lopez.
- "The At-Risk Construction Manager: A "Twilight Zone" of Liability," *Construction Law Alert* (June 1, 2006). Contact: Theresa C. Lopez.

Speaking Engagements

- "Mechanic's Liens," Associated General Contractors Fall Conference (October 29-30, 2009). Co-Presenters: Randall L. Erickson, Theresa C. Lopez, and Rosemary K. Carson.
- "California Wage and Hour Issues: What You Don't Know Will Cost You," The Construction Superconference (December 2008). Moderator: Randall L. Erickson; Panelists: Kendra D. Miller, Theresa C. Lopez and Rosemary K. Carson.
- "Recent Trends & Developments in Alternative Dispute Resolution Practice," Western Council of Construction Consumers Outlook 2006 Annual Conference - Los Angeles, California (March 2, 2006). Presenter: Theresa C. Lopez.
- "There's A Fungus Among Us: The Current Epidemic of Toxic Mold Litigation," Construction Users Roundtable Quarterly Member Meeting, Houston, Texas (September 9, 2003). Presenters: Randall L. Erickson and Theresa C. Lopez.