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Harry W.R. Chamberlain II is a Shareholder in the firm's Litigation, Insurance and Appellate Practice Groups in Los Angeles. His practice emphasizes appellate and regulatory law, complex litigation and employment law representing professionals, businesses and public entities, with special concentration on post-trial remedies and appeals. In addition to his trial and appellate practice, Mr. Chamberlain is often engaged as an expert witness and consultant in cases involving professional liability, legal ethics and insurance issues.

Mr. Chamberlain is Past President of the Association of Southern California Defense Counsel and is the 2010-2011 President of California Defense Counsel, the nation's largest regional associations of civil defense trial attorneys. He is certified as an Appellate Specialist by the California State Bar Board of Legal Specialization, and has argued hundreds of appeals, representing clients before the California Supreme Court and the highest courts of several jurisdictions. He has successfully handled numerous jury and bench trials, and was voted by his peers as one of Southern California's Super Lawyers from 2005 to the present.

Mr. Chamberlain has served as general counsel to a California-based professional liability insurer, and from 1992-1994, managed the law department of a national group of U.S. property and casualty insurers. In addition to his trial and appellate practice, Mr.

Chamberlain is often engaged as an expert witness and consultant in cases involving professional liability, legal ethics and insurance issues. He lectures and writes extensively on a variety of topics concerning business litigation, First Amendment rights, and alternative dispute resolution.



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### Representative Matters

- *Movsesian v. Victoria Versicherung AG* (9th Cir., No. 07-56722 Dec. 2010) \_\_\_ F.3d \_\_\_ (amicus): On rehearing, California's Armenian Genocide victims bill is constitutional.
- *Prospect Medical Group v. Northridge Emergency Medical Group* (Jan. 2009) 45 Cal.4th 497: California law prohibits doctors from "balance billing" patients for fees owed by HMO.
- *Mayer v. L&B Real Estate* (2008) 43 Cal.4th 1231: Property owner's Due Process right to set aside invalid tax sale does not accrue until possession is "disturbed" by valid notice of sale.
- *Crawford v. Weather Shield Mfg.* (2008) 44 Cal.4th 541 (amicus): A pre-suit indemnity agreement may require a subcontractor to immediately defend the developer upon demand.
- *City of Anaheim v. Angels Baseball LP* (Dec. 2008) 2008 WL 5274631: Adopting team name "Los Angeles Angels of Anaheim" did not violate stadium lease with City of Anaheim.
- *Cohn v. Corinthian Colleges, Angels Baseball LP* (2008) 169 Cal.App.4th 523: Mother's Day tote bag giveaway at Angels' baseball game was not unlawful discrimination against men.
- *Ramalingam v. Thompson* (2007) 151 Cal.App.4th 491 (amicus): Litigation privilege bars malpractice claims relating to a jointly-retained forensic accountant's opinion and testimony.
- *Kibler v. Northern Inyo County Hosp. Dist.* (2006) 39 Cal.4th 192 (amicus): Anti-SLAPP statute applies to disciplinary decisions by a hospital peer review committee.
- *Jarrow Formulas Inc. v. La Marche* (2003) 31 Cal.4th 728: Lawyers may challenge claims for malicious prosecution under the anti-SLAPP statute, and recover legal fees if they prevail.
- *Viner v. Sweet* (2003) 30 Cal.4th 1232 (amicus): A client suing for legal malpractice must prove a more favorable outcome would have resulted "but-for" the lawyer's negligence.
- *Musser v. Provencher* (2002) 28 Cal.4th. 274 (amicus): Attorneys may seek indemnification for co-counsel's errors committed during joint representation of the client.
- *Summit Financial Holdings Ltd. v. Continental Lawyers Title Co.* (2002) 27 Cal.4th 1160 (amicus): Escrow agents owe no duty to protect third parties outside of the transaction.



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- *Van Wagner Communications, Inc. v. City of Los Angeles* (2001) 84 Cal.App.4th 299: First Amendment bars City from arbitrarily denying billboard permits.
- *Shade Foods, Inc. v. Royal Ins. Co. of America* (2000) 78 Cal.App.4th 847: \$14 million bad faith and punitive damages verdict reversed for insufficient evidence of malice.
- *Potvin v. MetLife Ins. Co.* (2000) 22 Cal.4th 1060: Case-by-case analysis required to decide if Due Process precludes the at-will termination of a medical provider by a health plan.
- *Temple Community Hosp. v. Superior Court* (1999) 20 Cal.4th 464, *Cedars-Sinai Med. Center v. Superior Court* (1998) 18 Cal.4th 1 (amicus): "Spoilation of evidence" is not a tort.
- *PPG Industries, Inc. v. Transamerica Ins. Co.* (1999) 20 Cal.4th 310 (amicus): Public policy bars insured's "bad faith" action against insurer for failing to settle punitive damages claim.
- *Parsons v. Crown Disposal Co* (1997) 15 Cal.4th 456: A waste disposal company has no liability to a horseback rider for noises made during routine trash collection operations.
- *Rubin v. Green* (1993) 4 Cal.4th 1187: Absolute litigation privilege bars private actions against attorneys under Business & Professions Code §17200.
- *Bay Cities Paving & Grading Inc v. Lawyers' Mutual Ins. Co.* (1993) 5 Cal.4th 854 (amicus): Policy limits available for "related" claims requires "common sense" reading of the contract.

#### Recent Lectures and Publications

- "Mediation Confidentiality and Professional Liability," West Legal Ed. Center, Jan. 2011
- "After the Meltdown: Do You Really Have Insurance Coverage?" Buchalter Nemer Web Seminar, April 2009; County Counsels' Association of California, Sep. 2008
- "Anti-SLAPP: It's Not Just For Defamation Anymore," No. Cal. Defense Counsel, Dec. 2008
- "Out Of Balance: 'Balance-Billing' Unfairly Puts the Patient in the Middle," *Points and Authorities*, Fall/Winter 2007; *OC Lawyer*, Dec. 2008
- "Tactical Advantage? The Do's And Don'ts Of Summary Adjudication," CAALA 2006
- "Real Lawyers Don't Mediate...And Other Urban Legends," Cal. CEB, 2005
- "'Crossing The Line': California's New Multi-Jurisdictional Practice Rules," LACBA, 2004
- "*Lawyers SLAPP Back!* Challenging Derivative Tort Suits Under CCP § 425.16," LACBA, Southern Cal. Defense Counsel, 2002-2004
- "The Seven Deadly Sins: Why Attorneys Get Stung By Juries In Legal Malpractice Cases," Assn. Of Bus. Trial Lawyers, Bd. Of Prof. Liability Attorneys, LACBA, 1996-2007

#### Education

Mr. Chamberlain earned his J.D. at the University of California, Hastings College of Law where he was an editor of *Hastings Constitutional Law Quarterly* and Justice (President) of the Phi Alpha Delta Law Fraternity. He received his B.A. *summa cum laude* from San Diego State University.

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#### Areas of Practice

Litigation  
Appellate  
Insurance Litigation

#### Bar Admissions

California  
District of Columbia  
North Carolina  
U.S. Supreme Court