

Jason E. Goldstein

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Jason Goldstein is a Shareholder in the Firm's Litigation Practice Group in Orange County and Chair of the Firm's Mortgage Banking Group. Mr. Goldstein is an experienced litigator in state and federal courts and has won cases across the country as lead trial counsel. He specializes in prosecuting title insurance and escrow claims and defending lenders and brokers in court (negligence, fraud, TILA, RESPA, HBOR, wrongful foreclosure) and before government agencies. Mr. Goldstein also regularly prosecutes misappropriation of trade secret claims, judicial foreclosures and conducts general civil litigation.

Mr. Goldstein is a frequent speaker on title insurance, escrow and lender liability issues. Mr. Goldstein has spoken at conferences conducted by the Mortgage Bankers Association, the California Mortgage Bankers Association, the California Mortgage Association and the Northern and Southern California Chief Appraisers. He has also spoken at the Irvine Entrepreneur Forum on protecting your business.

Mr. Goldstein has obtained a unanimous jury defense verdict in the United States District Court for the Central District of California in favor of a former employee of a national bank who was subject to RICO and fraud claims arising from a multi-hundred million dollar investment scheme involving alleged oil pipelines and other fabricated investments (he previously obtained a summary judgment in favor of the bank). There was an article about the scheme in Forbes.

Mr. Goldstein recently (2015) obtained a jury defense verdict in favor of a bank in an action filed by disgruntled husband and wife borrowers in the Stanley Mosk Courthouse in downtown Los Angeles. After the jury trial, the jurors stated that they were compassionate to the borrowers (the wife having cried on the stand), but Mr. Goldstein had convinced them that the bank had done everything it was required to do under the subject contracts.

Mr. Goldstein also regularly obtains judgments in favor of his clients before trial. He regularly files Motions to Dismiss and Demurrers when they may result in an early end to what is otherwise costly litigation. Mr. Goldstein always seeks to end litigation in a cost efficient manner when possible for his clients and his success rate on Demurrers and Motions to Dismiss is exemplary.

In addition to litigation matters, Mr. Goldstein has obtained millions of dollars in indemnity payments for his clients from title insurers. He has successfully tendered a multitude of insurance claims which have resulted in the insurer paying for a lawyer to defend his clients in litigation matters and/or paying the limits of the policies. When title retained counsel is appointed, Mr. Goldstein monitors the insurer and its title retained counsel for his clients to try and prevent the bad faith denial of claims.

Mr. Goldstein is also a frequent author on title insurance, escrow, lender liability defense and misappropriation of trade secrets. His article, "The Laundry Route Cases And How Not To Get Taken To The Cleaners" is cited as authority in the West's Civil Code Annotated under the heading of, "Misappropriation – Enjoined," in the Uniform Trade Secrets Act. *Civil Code* § 3426.2.

Representative Cases (Partial List)

- *Estate of Lane v. CMG Mortg. Inc.* (D. Minn. 2015) 2015 U.S. Dist. LEXIS 62188
- *Haas Automation, Inc. v. Brian Denny, et al.* (C.D.Cal. 2013) 2013 WL 6502876
- *Marshack v. Helvetica Capital Funding, LLC* (9th Cir. 2012) 495 Fed.Appx. 808
- *Lyman v. Loan Correspondents Inc.* (9th Cir. 2012) 470 Fed.Appx. 688
- *Helvetica Servicing, Inc. v. Pasquan* (2012) 229 Ariz. 493
- *Kris Kaszuba, et al. v. Fidelity Nat'l Default Svcs.* (S.D.Cal. 2011) 2011 WL 2445860
- *Curt Gumbs, et al. v. Litton Loan Servicing* (E.D.Cal. 2010) 2010 WL 3341618
- *Ricardo Marcelos v. Edwin Mauricio Parada Dominguez, et al.* (N.D. Cal. 2008) 2008 WL 1820683

Recent Speaking Engagements

- Speaker, "The Basics of Title Insurance: A Critical Review for 2014," Southern California Chief Appraisers Meeting, February 19, 2015
- Panelist at the California Mortgage Bankers Association Legal Issues Conference on "Litigation Updates," December 8, 2014 in Costa Mesa, CA
- "The CFBP: What Lenders and Servicers Must Know," Buchalter Nemer *Brown Bag Teleseminar*, April 23, 2014
- Speaker at the Southern California Chief Appraisers Meeting on "A Litigator's Look at Appraisals and the Prevention of Litigation and Loss," April 9, 2014 in Los Angeles, CA.
- Speaker at the Northern California Chief Appraisers Meeting on "A Litigator's Look at Appraisals and the Prevention of Litigation and Loss," February 21, 2014 in San Francisco, CA.
- Speaker at the California Mortgage Bankers Association on "How The FHA's Discriminatory Effects Standard May Affect Your Business," April 25, 2013
- Panelist at the Mortgage Operations Conference on "Buybacks, Indemnifications, and Insurance Rescissions," on September 12, 2011 in New Orleans, Louisiana
- Speaker at the Irvine Entrepreneur Forum on "Protecting Your Business," February 28, 2011

Publications

- "The California Homeowners' Bill of Rights: The Safe Harbor Provisions," Buchalter Nemer *Points & Authorities*, Spring 2015
- "Title Insurance: 5 Things Every CMBA Member Should Know." *California Mortgage Finance News*, Winter 2014
- "Title Insurance Coverage And Escrow Claims," California Mortgage Bankers Association, *Legal News*, Winter 2012
- "Don't Be Left Naked When It Comes To Insurance Coverage," Buchalter Nemer *Apparel Client Alert*, July 2012
- "Recent Court Decisions Every California Lender Should Know About," California Mortgage Bankers Association, *Legal News*, Summer 2012
- "Additional Insured Status: Is the Protection Illusion or Reality?," *Points & Authorities*, Spring 2012
- "Lender Beware: When Real Property Title Issues Arise, Don't Forget Your Escrow Claim," *Points & Authorities*, Summer 2011
- "Products Completed Operations Hazard," *Commercial Investment Real Estate Magazine*, January/February 2011
- "The Products Completed Operations Hazard: What It Is, and Why Everyone Involved in Construction or Real Estate Development Needs to Know About It," *Points & Authorities*, Summer 2010
- "Defending Wholesale Lenders: Pitfalls and Potential Safety Nets," *Orange County Business Journal*, August 6, 2007

- "The Laundry Route Cases and How Not to Get Taken to the Cleaners," *Orange County Lawyer Magazine*, September 2007

Awards

Mr. Goldstein is recognized as a 2012 Rising Star by the Association of Corporate Counsel Southern California Chapter, a contributor of pro bono legal services to The Public Law Center and a recipient of the 2007 Wiley W. Manuel Award for Pro Bono Legal Services.

Memberships/Associations

- California Mortgage Bankers Association
- SoCal Elite/AAU Basketball Coach
- Stone Creek Elementary School PTA - President
- Parkview Maintenance Association - Vice - President

Education

- University of Miami (Florida) School of Law, J.D. 1999
- University of Southern California, B.A. 1996

Areas of Practice

Litigation
 Title Insurance
 Escrow Litigation
 Financial Institutions Litigation
 Insurance Litigation
 Real Estate Litigation
 Trade Secret Disputes
 Business Litigation
 Fraud
 Consumer Financial Protection Bureau

Bar Admissions

California
 Florida

Court Admissions

U.S. District Court for the Northern District of California
 U.S. District Court for the Eastern District of 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 Southern District of Florida
 U.S. District Court for the Middle District of Florida
 U.S. District Court for the Western District of Michigan
 U.S. Court of Appeals for the Ninth Circuit



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