

Julian (Pete) Mack

San Francisco, California
Of Counsel

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Areas of Practice & Industry Specialties

Trade Secrets & Employee Mobility; Appellate Law; Litigation;
Equipment Leasing; Alternative Lenders; Fiduciaries, Receivers &
Trustees



Julian (Pete) Mack specializes in trade secret, unfair competition, and employee retention and recruitment matters, business and commercial litigation, and financial institutions, estate and trust litigation. His practice includes complex contractual, banking and probate matters, with substantial experience in creditors' rights, lender liability, bank fraud, and financial elder abuse litigation.

Mr. Mack's practice ranges from prejudgment remedies to sophisticated appellate work. He represents a wide variety of corporate and individual clients across a broad range of industries, including representing trustees in probate court and civil actions, banking and mortgage lending clients, commercial lenders, and equipment leasing companies. He practices in the state courts of California and Arizona, as well as in federal courts across the country. Mr. Mack has spoken extensively on issues involving creditors' rights and remedies, financial elder abuse, the attorney-client privilege, and bank fraud.

Representative Matters

- Represented plaintiff title and escrow company in action against competitor formed by client's former officers and employees for trade secret misappropriation, unfair competition, and breach of fiduciary duty. Obtained \$3.1 million dollar verdict after jury trial, temporary restraining order, and preliminary injunction prohibiting defendants from using customer lists and other stolen information.
- Represented a financial institution in trade secret misappropriation, unfair competition and employee raiding case. Obtained \$47 million settlement in favor of client, and permanent injunction prohibiting defendants from doing business with any person or entity solicited by use of client's confidential information.
- Represented plaintiff financial institution against competitor and former employees in trade secret and employee raiding case and obtained multi-million dollar settlement in favor of client.
- Represented plaintiff employer against former employees in trade secret case and obtained settlement requiring the return of client's confidential information, forbidding its use by defendants, and substantial monetary compensation.
- Obtained California Supreme Court review leading to reversal of rulings in complex trade secret action.
- Successfully defended financial institution against claims by 60 investors seeking in excess of \$22 million in multiple federal and states court actions arising from a failed Ponzi scheme. Obtained defense verdicts and affirmance of verdicts for the Bank in the California State Court of Appeal and the United States Court of Appeals for the Ninth Circuit.
- Obtained dismissal of federal court action against consortium of lenders alleging breach \$40 million credit agreement.
- Represented independent corporate trustee of \$16.5 million testamentary trust in probate proceedings involving beneficiary disputes, petition to impose constructive trust on trust assets, disputes regarding probate of Mexican will.

- Represented trustee of \$62.5 million trust in multiple probate and civil actions including trust's action against beneficiaries for breach of fiduciary duty, petitions to compel sale of trust property and distribution of trust, Securities and Exchange Commission petition to require payment of beneficiary's share of trust to SEC as restitution for Ponzi scheme.
- Obtained dismissal of financial elder abuse claims against financial institution by relatives of alleged fraud victim.
- Obtained reversal of judgment for plaintiffs in multi-million dollar real estate dispute in Arizona Court of Appeals.
- Obtained dismissal of \$15.5 million federal court action in complex real property dispute.

Publications

- Template Civil Jury Instructions Under the Defend Trade Secrets Act, *Intellectual Property & Technology Law Journal*, July 6, 2021
- California Employers Should Modify the Definition of 'Confidential Information' to Avoid Operating as a Covenant Not to Compete, *The Recorder*, December 4, 2020
- California Supreme Court Clarifies Bounds of Legitimate Competition Under Tort and Antitrust Law, *National Law Review*, September 11, 2020
- California Supreme Court to Rule on Non-Competes Between Businesses and Interference Claims, *The Recorder*, May 15, 2020
- Congress Passes Landmark IP Legislation: Defend Trade Secrets Act, *Buchalter Nemer Client Alert*, May 2, 2016

Education

Mr. Mack earned his B.A. with *highest honors* at the University of California, Santa Cruz, and his J.D. at Harvard Law School.

Bar Admissions

- California

Court Admissions

- U.S. District Court for the Northern District of California
- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court, District of Colorado
- U.S. Court of Appeals for the Ninth Circuit
- Arizona Court of Appeals
- California State Courts