

Lawrence B. Steinberg

Los Angeles, California
Shareholder

P (213) 891-5610
F (213) 896-0400
lsteinberg@buchalter.com

Areas of Practice & Industry Specialties

Trade Secrets & Employee Mobility; Appellate Law; Litigation; Class Actions; Intellectual Property Law; White Collar & Investigations; Internet Law, E-Commerce & Social Media; Apparel & Consumer Products; Entertainment Industry Law; Multi-Level Marketing



Larry Steinberg is Chair of the firm's Multi-Level Marketing Practice Group. He focuses his practice on complex business litigation, representing both plaintiffs and defendants in all aspects of civil litigation.

During his 30-year career, Mr. Steinberg has handled a wide variety of matters, focusing his practice on claims involving intellectual property (including copyright, trademark, false advertising, unfair competition, and trade secrets), disputes pertaining to multilevel marketing and the direct sales industry, disputes involving the entertainment and apparel industries, and partnership and corporate disputes. Though believing that a negotiated settlement is often in the client's best interests, Mr. Steinberg is a litigator who, when appropriate, takes cases to trial, having had dozens of bench trials, jury trials, appeals and arbitrations in state and federal courts around the country.

Leadership in Bar Activities

Mr. Steinberg currently serves as a Lawyer Representative to the Judicial Conference of the United States Court of Appeals for the Ninth Circuit, and is a member of the Magistrate Judge Merit Selection Panel for the United States District Court for the Central District of California.

Mr. Steinberg is AV Preeminent rated by *Martindale Hubbell* and has been selected as a Top Rated Lawyer in the area of Commercial Litigation by *American Lawyer Media* in conjunction with *Martindale Hubbell*. He has also been selected by *Super Lawyer Magazine* as one of Southern California's Super Lawyers since 2007. Mr. Steinberg has been elected into the Chancery Club of Los Angeles, an organization whose membership is composed of distinguished lawyers who are active in professional, civic, and philanthropic organizations.

Speaking and Writing

Mr. Steinberg writes and lectures widely on false advertising law, unfair competition, copyright, entertainment law issues, and unfair competition law. He has spoken at programs sponsored by the Practising Law Institute, Mealey's, Bridgeport Continuing Education, Promotions Marketing Association, and the Los Angeles Copyright Society, among others. Mr. Steinberg was selected to participate as a trial lawyer in the annual program sponsored by the State Bar of California entitled "Champions of the Courtroom: The Masters in Action."

Representative Matters

- Represented a buyer of second hand gold jewelry in an action for false advertising under the Lanham Act, claiming that a competitor materially misrepresented the prices it was paying to consumers. After a three week jury trial, judgment was entered in favor of Mr. Steinberg's client, including an award for the client's lost profits and disgorgement of the defendants' profits which resulted from the false advertising.

- Represented profit participants, including executive producer and world famous author, in arbitration against major motion picture studio regarding audit claims, allocation issues and claims for breach of contract, pertaining to ten years of distribution and subdistribution of more than a dozen television movies. Favorable confidential settlement negotiated on eve of arbitration trial.
- Represented a multi-level marketing company in a lawsuit filed by the Federal Trade Commission accusing the company, which sold digital music and music related products, of false advertising and operating as an illegal “pyramid scheme,” through all phases of pre-trial motion practice and discovery, and acted as lead counsel in a three week bench trial in Los Angeles federal court. Argued case in United States Court of Appeals for the Ninth Circuit.
- Represented a private equity firm and buyers of a leading provider to the aerospace industry against the sellers of the business and 25 financial institutions in a lawsuit for breach of contract, fraud and rescission, and in a related post-closing purchase price adjustment arbitration. The arbitration resulted in a decision in favor of Mr. Steinberg’s client for 100% of all disputed accounting issues, laying the groundwork for a multimillion-dollar payment to the client.
- Represented a real estate developer and operator of hotels against a savings and loan association in a trial for specific performance of a contract to buy a hotel and for promissory fraud, resulting in a decision ordering sale of the hotel to Mr. Steinberg’s client. A preliminary injunction was entered by the trial court allowing Mr. Steinberg’s client to remain in possession of the hotel pending trial. The decision was appealed up to and sustained by the California Supreme Court.
- Represented television production company against local O&O television station in action pertaining to rights to nationally syndicated strip show and ownership of field cassette videotapes. Issues included profit distributions, packaging allocations and allegation that syndication revenue was not maximized due to network’s packaging of show with other less successful properties. Case settled on very favorable terms after prevailing on motions for preliminary injunction and writ of possession and after defeating television station’s motion for summary judgment.
- Represented seller of a small chain of retail closeout stores, including handling issues related to valuation, due diligence, assumption of real estate leases, security interests, subordination and financing issues and insurance issues.
- Represented major motion picture studio and its parent company in \$70 million dispute against another major motion picture studio for breach of an output deal pursuant to which second studio had given Mr. Steinberg’s client a 10-year exclusive license to distribute second studio’s entire library on basic cable television; suit involved complicated accounting issues, issues related to corporate restructuring of parent company and assignability of license agreements. Case settled on very favorable terms with second studio buying out all remaining obligations under license agreement.
- Represented advertising agency in purchase of minority owner’s shareholding interest, including handling of all issues regarding due diligence, financing, indemnities, assignments of intellectual property, and receivable and payable issues.
- Represented executive producer of a successful television series against a major motion picture studio in a case arising out of client’s profit participation. After 18 months of intensive deposition discovery, studio agreed to rewrite client’s profit definition and make multimillion-dollar payment.
- Defended a publicly owned international distributor of exercise equipment in a case brought by a foreign competitor for false advertising under the Lanham Act. Also assisted in representation of the same clients in a concurrent investigation by the Federal Trade Commission. Summary judgment was entered by the trial court in favor of Mr. Steinberg’s clients, and an agreement was negotiated with the FTC that did not require the client to pay any money to the government or to consumers.
- Lead member of team of attorneys representing former officers and directors of a failed savings and loan in a series of lawsuits, including shareholder derivative action, a regulatory enforcement action brought by Federal Savings and Loan Insurance Corporation and suit for breach of fiduciary duty under ERISA brought by the Association’s ESOP. Successfully prevailed on writ of mandate before Ninth Circuit, resulting in one of the leading published court decisions on standards for disqualification of law firms due to dual representation.

- Represented production company and writer of major motion picture in JAMS arbitration brought by unauthorized writer of draft screenplay in action alleging plagiarism, unjust enrichment and breach of settlement agreement. Case settled for nominal amount of money in the middle of trial after Mr. Steinberg's cross examination of plaintiff.
- Part of team that represented two major motion picture studios and screenwriter in action for copyright infringement related to motion picture with \$500 million in worldwide revenues. Case went to jury trial; defense verdict.
- Represented showrunner of prime time television series against major motion picture studio in claim alleging studio's breach of contractual agreement to shoot television pilot. Case settled on very favorable terms without the necessity of filing a lawsuit.
- Represented one of the leading chains of motion picture theater exhibitors in Southern California in a variety of business and real estate disputes, including defending the theater exhibitor, its principals and partners in a series of related cases alleging breach of numerous joint venture agreements for the development, construction and leasing of "built to suit" theater complexes. After two years of discovery and motion practice, the case settled with the parties' exchanging mutual releases and without the payment of any money by Mr. Steinberg's client to the plaintiffs.
- Represents artists and personal managers before the California Labor Commission in disputes involving California's Talent Agencies Act and the alleged "procurement of employment," and represents artists and advertisers in disputes regarding the "right of publicity."

Publications

- How Pending Legislation Could Affect Your Company's Compliance Strategy, *Social Selling News*, September 1, 2021
- FTC Enters Into Landmark Settlement With Network Marketing Company; Vemma Lives To Play Another Day, December 20, 2016
- U.S. Supreme Court Upholds Importation and Re-Sale of Gray Market Goods Manufactured Abroad, *Buchalter Nemer Points & Authorities*, Summer 2013
- Regulating Personal Managers in the Entertainment Industry Under California's Talent Agencies Act, *Los Angeles Daily Journal*, November 9, 2007
- Tensions Between Class Actions and the Liberal Standing Requirements for Private Attorney General Actions Brought Under California's Unfair Competition Law, Business & Professions Code Section 17200, *Practicing Law Institute*, August 2004
- Remedies Available for False Advertising Under California Business & Professions Code Section 17500 and Section 43(a) of the Lanham Act, *Practicing Law Institute*, August 2003

Presentations

- Speaker, "Tightening the Screws—Cataloging the New FTC Threats," 2022 Direct Selling Legal & Compliance Summit, February 17, 2022
- Moderator, "Class Action Update Panel," Direct Selling Compliance Summit, January 19, 2020
- Panelist, "Feeding Frenzy: Class Action & Litigation Update," The Westin Austin Downtown, January 24, 2019
- Speaker, "Strategies for Multilevel Marketing Companies in Preventing and Defending Against Class Actions," W Austin Hotel, January 17, 2018
- Speaker, "Rule 12 Motions (all, not just 12(b)(6))," Thirteenth Annual Federal Court Boot Camp, May 5, 2017
- Speaker, "BurnLounge to Vemma to Herbalife: the Current Regulatory Environment," Direct Selling Legal and Compliance Summit 2017, January 10, 2017
- Speaker, "Protecting Your "Intangible" Assets, Part 2: Confidential Information and Trade Secrets," LA

Law Library Business Series , April 12, 2016

- Co speaker, "Advertising, Marketing & Media Law Litigation and Best Practices," Advertising Law Seminar in Orange County, CA, July 25, 2014
- Speaker, "Section 17200 Litigation After Proposition 64," the Class Action and UCL Conference, Sponsored by Bridgeport Continuing Education, May 29, 2008
- Speaker, "Has the Worm Turned? Personal Managers and Procuring Employment: Recent Developments Under The Talent Agencies Act," the Los Angeles Copyright Society, April 2, 2008
- Speaker, "Doing Business in California Under the Shadow of California's Unfair Competition Law: Has Prop 64 Solved the Problem?," the Business Law Section of the Beverly Hills Bar Association, March 17, 2005
- Speaker, "Defense Strategies for Section 17200 Actions," Mealey's 2004 California 17200 Conference, Sponsored by Lexis-Nexis Mealey Publications, November 8, 2004
- Speaker, "Strategies in Defending a Section 17200 Action," 17200 Litigation in California, Sponsored by Bridgeport Continuing Education, September 10, 2004
- Speaker, "Anatomy of a 17200 Claim and Who Can Bring It," Unfair Competition Claims 2004: California Section 17200's Impact on Consumers & Businesses Everywhere; Sponsored by Practising Law Institute, August 2, 2004
- Speaker, "Advertising Under the Shadow of California's Unfair Competition Law: The Infamous Section 17200, Aggressive Advertising & The Law," NorthStar Conferences, April 15, 2004
- Speaker, "Advertising & Promotions Under the Shadow of California's Unfair Competition Law," the Promotion Law Conference 2003: The Magic of Promotion Marketing, December 9, 2003
- Speaker, "Strategies in Defending a Section 17200 Action," Mealey's 2003 California Section 17200 Conference, December 8, 2003
- Speaker, "Defending Against False Advertising Claims, False Advertising: Proving It & Avoiding It," Sponsored by Commercial Law Section of the San Diego County Bar Association, August 28, 2003
- Speaker, "Remedies for False Advertising Under Unfair Competition Law and Lanham Act," Unfair Competition Claims 2003: California Section 17200's Impact on Consumers & Businesses Everywhere; Sponsored by Practising Law Institute, August 4, 2003
- Speaker, "Champions of the Courtroom: The Masters in Action," Annual Trial Symposium; Sponsored by Litigation Section, State Bar of California, April 25, 2003
- Speaker, "Strategies in Defending Against 17200 Claims (Seminar Co-Chair)," the California Section 17200 Conference sponsored by Bridgeport Continuing Education, April 7, 2002

Education

Mr. Steinberg earned his J.D. at Harvard Law School in 1981. He was Editor of the *Harvard Civil Rights-Civil Liberties Law Review*. He earned his B.A. in Political Science, *magna cum laude*, at Yale University.

Bar Admissions

- California

Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California
- 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

Community

- Board Member, Officer, President, Public Counsel- largest pro bono public interest law firm in the country.
- Former President, Board of Trustees, Los Angeles Copyright Society
- Former Member of Board of Directors, Inner City Law Center
- Former Member of Board of Trustees, Beverly Hills Bar Association
- Former Member of Board of Trustees, Executive Committee of the Entertainment Law
- Former Member of Board of Trustees, Intellectual Property Section of the Los Angeles County Bar Association