

Paul J. Fraidenburgh

Orange County, California
Shareholder

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Areas of Practice & Industry Specialties

Litigation; Aviation Industry Law; Technology Law; Autonomous & Intelligent Systems



Paul J. Fraidenburgh is Chair of Litigation for Buchalter's Orange County office and Co-Chair of the firm's Aviation Industry Group. He focuses his practice on representing airports and other aviation industry clients in complex litigation and regulatory compliance matters.

Clients praise Paul for his "high-energy, stamina, professional ethics, and vigorous intellectual capabilities."

Paul has prevailed on behalf of clients in the United States Court of Appeals for the Ninth Circuit and at the state Supreme Court level. He has also served as lead trial counsel in California and beyond. He represents clients ranging from government agencies to Fortune 100 companies. In 2018, Paul was named a "Top 40 Under 40" lawyer by the Daily Journal, as one of only 20 lawyers selected from Southern California.

"Delivered masterful written and oral arguments."

– Counsel for public airport client

Paul has gained a national reputation for his representation of clients in the aviation and aerospace industry. His clients include public and private airports, ports, leading international aerospace companies, developers (particularly on projects near airports), solar and wind energy companies, oil companies, Part 135 companies, FBOs, air charter brokers, and contractors in large transportation projects. The Wall Street Journal, Los Angeles Times, and several other publications have quoted Paul on litigation and emerging legal issues in the aviation and aerospace industry.

Highlights of his recent work include:

- Successfully briefed, argued, and prevailed in the United States Court of Appeals for the Ninth Circuit, achieving dismissal of 8-figure claims against a public airport in November 2017. *SilverWing at Sandpoint, LLC v. Bonner Cty.*, 2017 U.S. App. LEXIS 21970 (9th Cir. 2017).
- Won a unanimous reversal in a state supreme court following the trial court's denial of a motion for judgment notwithstanding the verdict filed by a public airport client.
- Advised a federally-obligated airport sponsor on complex leasing issues, including matters pertaining to the Anti-Head Tax Act.
- Successfully served as lead trial counsel in a two-week jury trial and defended claims against a public airport, limiting exposure to less than 1% of the amount sought by the Plaintiff. (Additional trial experience includes representing a Fortune 100 company in a three week jury trial and serving as first chair and second chair in bench trials and jury trials.)
- Represented a leading aircraft maintenance company in state, federal, and Part 16 actions over an airport hangar lease dispute, resulting in a complete victory for the client on summary judgment and an award of more than \$1.4 million in attorney's fees.
- Represented a leading national energy company in regulatory compliance matters related to a wind energy project.

- Advised a leading American aviation and aeronautics company in matters related to autonomous vehicle operations.
- Successfully represented a Beijing-based client in obtaining a high-dollar figure judgment in litigation in the United States District Court for the Central District of California.
- Advised a mining transportation and logistics company on FAA regulatory compliance matters related to the operation of large delivery drones.
- Successfully represented a transportation industry client in obtaining summary judgment and more than \$900,000 in attorney's fees in high-exposure federal litigation.
- Advised large commercial airport tenant on regulatory compliance and risk-mitigation issues.
- Successfully responded to Department of Transportation subpoenas and obtained complete dismissal of DOT enforcement action.

Paul has also served as an active member of several firm committees. As a member of the Pro Bono Committee, he has volunteered his time to organizations that serve underprivileged children.

Publications

- Buchalter Client Alert COVID-19: Permissible Uses of CARES Act Grant Funds by Airport Sponsors, *Buchalter Client Alert*, May 13, 2020
- A Guide to Navigating the DOD Siting Clearinghouse Process for Wind Farm Siting and Development, *Buchalter Blog*, May 8, 2020
- State, federal law still grappling with novel legal issues regarding drones, *The Daily Transcript*, January 8, 2020
- Orange County Business Journal: Great Advice Comes From Happy Lawyers: Interpreting Law Firm Rankings on the OCBJ's "Best Places to Work" List, October 14, 2019
- Buchalter Prevails in Supreme Court for the State of Idaho on Behalf of Public Airport, March 4, 2019
- Buchalter's Aviation Group Wins Major Victory in Ninth Circuit, November 3, 2017
- Update Your Airport's Hangar Leases to Protect Against Non-Aeronautical Uses and Preserve AIP Funding, June 16, 2017
- FAA Releases New Commercial Drone Regulations, Section 333 Exemption Holders Get "Grandfathered" Compliance Status, *Buchalter Nemer Client Alert*, June 21, 2016
- Congress Passes Landmark IP Legislation: Defend Trade Secrets Act, *Buchalter Nemer Client Alert*, May 2, 2016
- Are Big Changes on the Horizon for Trade Secrets Litigation?, *Buchalter Nemer Technology Industry Newsletter*, October 2015
- Drones Quietly Expand FAA Jurisdiction from Airspace to Cyberspace, *Avionics Today*, June 1, 2015
- FAA Releases Proposed Rules for Commercial Drones; White House Launches Drone Privacy Policy, *Buchalter Nemer Client Alert*, February 20, 2015
- Aviation & Aerospace: The Launch of Commercial Drones, *Buchalter Nemer Tech Industry Bulletin*, February 2015
- The International Location Scout's Guide to Drone Filmmaking Laws, *Beyond Cinema Magazine*, January 2015
- California's Paparazzi Drones and the Evolving Privacy Landscape Under AB 2306, *Westlaw Journal*, Volume 32, Issue 21, December 16, 2014
- Pirker Reversed: NTSB Confirms FAA Has Jurisdiction Over Drones, November 18, 2014
- One Code to Rule Them All: Dronecode, *Computerworld*, October 30, 2014
- FAA Grants Exemptions for Filming with Unmanned Aircraft Systems, September 25, 2014

- Drone Filmmaking and the Technological Power Shift, *MovieMaker*, August 13, 2014
- California has an Uber Identity Crisis, *Los Angeles Daily Journal*, August 12, 2014
- Commercial vs. Recreational Drones: Are Existing Regulations Backwards?, June 6, 2014
- Virtual Reality Spawns Actual Litigation, *Los Angeles Daily Journal*, June 3, 2014
- Silver Lining For California's Small Business Defendants, *Law360*, May 20, 2014
- Sustainable Airport Policies for Car Sharing and Ride Sharing Companies, April 17, 2014
- D.C. Circuit Upholds FAA's "No Hazard" Determinations Regarding Electromagnetic Radiation from Nantucket Sound Wind Turbines, February 21, 2014
- Online Privacy and "Do Not Track" Transparency under AB 370, November 12, 2013

Presentations

- Speaker, "Strategies for Successfully Navigating Airport Land Use Issues," IMLA's 85th Annual Conference, September 23, 2020
- "Paul J. Fraidenburgh, Speaker at the Technical Solutions from the NASA VTOL Development Experience," Hiller Aviation Museum, May 24, 2018
- Speaker, "Legal and Regulatory Implications of Urban Air Mobility," Silicon Valley Chapter of AUVSI's Urban Air Mobility Symposium in San Carlos, California, November 2, 2017
- Speaker, "Technology and Innovation: Drones in Construction," AGC California's 2017 Annual Conference, October 12, 2017
- Speaker, "Buchalter Connect: Drones-Transformative Technology and Federal Regulations," January 12, 2017
- Speaker, "Drones and Filmmaking," California Lawyers for the Arts, February 17, 2016
- Speaker, "The Past, Present, and Future of Commercial Unmanned Aircraft Systems in U.S. Airspace," Northrop Grumman Unmanned Systems Center of Excellence in San Diego, CA, May 1, 2015
- Speaker, "The Age of Drones and New Societal Concerns," CSU Long Beach Distinguished Lecture Series, April 23, 2015
- Speaker, "Unmanned Aerial Production: The First Leap in Commercial Drones," 2015 Air & Space Law Symposium in San Diego, CA, March 13, 2015
- Speaker, "Constitutional Issues in Business Litigation," The Meeting of the Pacific Legal Scholars in Stockton, CA, October 21, 2014
- Moderator, "Entrepreneurship & Startups," Leadership, Innovation, and Transformation Conference in San Diego, CA, April 19, 2014

Education

Mr. Fraidenburgh earned his J.D., *cum laude*, from the University of California, Hastings College of the Law and his B.A., *magna cum laude*, in History from University of the Pacific.

Bar Admissions

- California

Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the D.C. 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