

## Rebecca Fortune

San Diego, California  
Shareholder

P (619) 219-5369  
F (619) 219-5344  
[rfortune@buchalter.com](mailto:rfortune@buchalter.com)

### Areas of Practice & Industry Specialties

Litigation; Real Estate; e-Discovery; Trust and Estate Litigation;  
Fiduciaries, Receivers & Trustees



---

With over 20 years' experience as a trial lawyer, Rebecca Fortune, Shareholder and Co-Chair of the Litigation Practice Group in the Firm's San Diego office, is an accomplished trial attorney specializing in civil litigation, with expertise in real estate, business, and probate matters. Known for her strategic use of technology throughout the litigation process, she consistently delivers favorable outcomes for her clients. Notably, San Diego Superior Court Judge Timothy Taylor praised her focus and effectiveness, particularly in her use of trial presentation technology, enhancing a jury's ability to understand otherwise complex business and real estate disputes.

Ms. Fortune routinely represents clients in corporate and partnership disputes (including derivative actions), unfair competition claims, contract disputes, real estate transfer and non-disclosure actions, state and federal fair housing and discrimination claims, commercial lease disputes, commercial and residential easement/boundary disputes, commercial and residential common interest association disputes, trust, breach of fiduciary duty, and elder abuse litigation.

Beyond her practice, Rebecca contributes to the legal community by serving as a judge and commentator at trial advocacy seminars, advocating for the practical use of technology to streamline processes, improve presentation quality, and reduce time in trial, thereby mitigating overall litigation expense. A past-president of the Association of Business Trial Lawyers' San Diego Chapter, Ms. Fortune now serves on its Board of Governors, and is a member of the American Board of Trial Advocates (ABOTA).

### Business Litigation Representation

- Plaintiff's counsel to prospective purchaser of hotel asset in fraud and specific performance claim against seller.
- Defense counsel to corporate officers and directors in shareholder derivative suit alleging breach of fiduciary duty.
- Plaintiff's counsel to owner of design patent in patent infringement action against a national pet products retailer.
- Defense counsel to publicly traded REIT in negligence and breach of contract actions brought by commercial tenant(s).

### Real Estate Litigation Representation

- Defense counsel to commercial property owners association in breach of contract suit brought by owner and member of association.
- Plaintiff's counsel to regional developer in suit to extinguish a historical easement creating impediments to development.
- Plaintiff's counsel to owner of \$7M residential property damaged by a neighboring property owner's

slope failure.

- Defense counsel to national multifamily housing providers in fair housing discrimination and “junk fee” claims.

#### Estates, Trust Litigation, and Elder Abuse Representation

- Petitioner’s counsel in Probate Code 850 Petition to regain title to trust property.
- Respondent’s counsel in breach of fiduciary duty action brought against the Trust’s successor trustee.
- Plaintiff’s counsel in elder abuse claim brought against son’s surviving spouse and co-trustee.

#### Professional Involvement

- Past President, Association of Business Trial Lawyers, 2023
- Board of Governors, Association of Business Trial Lawyers, 2016-current
- Member, American Board of Trial Advocates, 2024

#### Presentations

- Panelist, "The Transforming Business of Business Litigation," Association of Business Trial Lawyers Annual Seminar, October 3, 2019
- Panelist, "Anything You Can Do I Can Do Better: TrialPad v. Trial Director v. Butcher Paper," Association of Business Trial Lawyers Dinner Program, April 4, 2017
- Panelist, "Demystifying Trial Technology: A Lawyer's Effective Use of Trial Presentation Software at Trial," Association of Business Trial Lawyers Nuts & Bolts Seminar, January 1, 2014
- Panelist, "Does Your Technology Meet the Jury's Expectations? Trying the Social Media Case with Cutting Edge Technology," Association of Business Trial Lawyers Annual Seminar, September 19, 2012

#### Education

Ms. Fortune earned her J.D. from Thomas Jefferson School of Law. She earned her B.A. in Forensic Psychology from Eckerd College in St. Petersburg, Florida.

---

#### Bar Admissions

- California

#### Court Admissions

- United States District Court for the Southern District of California
- United States District Court for the Central District of California
- United States District Court for the District of Colorado