

Robert C. Little

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Areas of Practice & Industry Specialties

Litigation; Appellate Law; Trust and Estate Litigation

A Shareholder and Co-Chair of the Appellate Practice Group, Robert C. Little is a seasoned business lawyer and appellate litigator with over two decades of legal experience. Mr. Little is certified as a legal specialist in the practice of appellate law by the State Bar of California, one of fewer than 350 attorneys who hold this distinction among California's 191,350 practicing lawyers. He has served as counsel of record in over 200 state and federal appeals and writ proceedings for institutional and individual clients and associated law firms.

Mr. Little regularly handles both trial court litigation and appellate proceedings before the California Supreme Court, the California Court of Appeal, the Ninth Circuit Court of Appeals, and the Ninth Circuit's Bankruptcy Appellate Panel. He has represented clients in cases involving business and real estate transactions and disputes, probate, civil fraud, unfair competition, class actions, accounting, receiverships, and commercial and contractual disputes. Mr. Little also has extensive experience handling judicial review of decisions by administrative agencies.

Mr. Little has been recognized in the *Best Lawyers in America*, Appellate Practice, for 2024.

Representative Matters

Some of the published cases in which Mr. Little has served as appellate counsel include:

- *Barefoot v. Jennings*, 8 Cal.5th 822, 456 P.3d 447, 257 Cal. Rptr. 3d 629 (2020) (representing amicus for prevailing party in a California Supreme Court case confirming standing for disinherited beneficiaries in probate court claiming trust amendments arose from incompetence, undue influence, or fraud)
- *Sese v. Wells Fargo Bank N.A.*, 2 Cal. App. 5th 710, 206 Cal.Rptr.3d 715 (2016) (settling a question of first impression left open by an earlier appellate decision, and holding that an order denying interim attorney's fees under California's Homeowner Bill of Rights is not appealable)
- *Rouse v. Wachovia Mortgage, FSB*, 747 F.3d 707 (9th Cir. 2014) (holding a national bank like Wells Fargo is a single citizen of the place of its main office, not a dual citizen of its principal place of business, after reviewing over a century of federal law)
- *City of Chula Vista v. Gutierrez (Adams v. Wachovia Mortg.)*, 207 Cal. App. 4th 681, 143 Cal. Rptr. 3d 689 (2012) (another case of first impression holding that a foreclosing lender is not automatically responsible for the costs of a state Health & Safety Code receivership imposed by a city on distressed property)
- *Hayes v. State Dept. of Dev'l Servs. (Alta Cal. Reg'l Ctr.)*, 138 Cal. App. 4th 1523, 42 Cal. Rptr. 3d 363 (2006) (in an often-cited opinion on the real party in interest doctrine, holding that a state adjudicatory body is not a necessary and indispensable party to the review of a decision made for another agency)

Other cases in which client's multiple law firm teams have designated Mr. Little as lead appellate counsel to brief and argue:

- *Campidoglio LLC v. Wells Fargo & Co.*, 870 F.3d 963 (9th Cir. 2017) (10-figure cross-appeal from putative national class action in Seattle federal district court involving challenges to regulatory approvals of interest rate index changes following corporate mergers, and attorneys' fees to prevailing party)
- *Anderson v. Marcotte*, A143746, 2016 WL 6610276, 2016 Cal. App. Unpub. Lexis 9498 (Cal. Ct. App. 1st Dist. 2016) (lead counsel for prevailing trust beneficiary in an appeal involving a "\$66 million real estate empire" and "the 'largest conservatorship in the history of Contra Costa County'")

More decisions issuing from federal appeals in which Mr. Little has served as lead appellate counsel:

- *Menjivar v. Wells Fargo Bank, N.A. (In re Menjivar)*, 12-1608, 2014 Bankr. Lexis 371 (9th Cir. Bankr. 2014) [unpub. mem.], *aff'd*, 639 F. App'x 482 (9th Cir. 2016) (affirming judgment for client lender in adversary action in bankruptcy involving loan origination and civil fraud claims reviewed twice — once by the Ninth Circuit's Bankruptcy Appellate Panel, again by the Ninth Circuit)
- *Rucker v. Wells Fargo Bank, A.*, 605 F. App'x 670 (9th Cir. 2015) (holding borrower's lender liability claims barred by prior judgment after nonjudicial foreclosure)
- *Hunt v. Wells Fargo Bank, N.A.*, 576 F. App'x 693 (9th Cir. 2014) (affirming judgment for bank dismissing borrower's quiet title, fraud, and due process claims)
- *Winding v. NDEX W., LLC*, 543 F. App'x 683 (9th Cir. 2013) (affirming judgment for lender after borrower tried to subordinate lender's senior trust deed to an assignment for a partnership)
- *Gens v. Wachovia Mortgage*, 503 F. App'x 533 (9th Cir. 2013) (holding district court properly dismissed borrower's Truth in Lending Act (TILA) claims for damages and rescission as time-barred and not subject to equitable tolling)

Presentations

- Speaker, "Tips for Litigators on How to Properly Preserve Your Issues on Appeal," Pasadena Bar Association's Litigation Section, April 1, 2017
- Presenter, "Mediation at the Court of Appeal, Fourth District, Division Two," Riverside County Bar Association, March 2, 2017

Education

Mr. Little earned his J.D. from the Washington College of Law at American University (Washington, D.C.), and his B.A. from the School of Commerce, Economics and Politics at Washington and Lee University (Lexington, Virginia).

Bar Admissions

- California

Court Admissions

- United States Supreme Court
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Federal Claims

- United States Court of International Trade
- United States District Court for the Northern District of California
- United States District Court for the Eastern District of California
- United States District Court for the Southern District of California
- United States District Court for the Central District of California

Community

- Temporary Judge, Los Angeles County Superior Court (2010–2015)
- Volunteer Appellate Lawyer and Instructor, Appellate Court Experience (ACE) Program, Burbank High School and California Second District Court of Appeal (2018)
- Local Advocate, Practices Implemented by the Child Hunger Prevention and Fair Treatment Act (2016–2019)
- AYSO Referee & Girls' Assistant Soccer Coach (2016–2019)
- Member of the Los Angeles County Bar Association, Appellate Courts Section
- Member of California Mortgage Bankers Association (CMBA)