

Ryan C. Caplan

San Diego, California
Senior Counsel

P (619) 219-5429
F (619) 219-5344
rcaplan@buchalter.com

Areas of Practice & Industry Specialties

Litigation; Insurance Law; Appellate Law



Ryan Caplan is Senior Counsel in Buchalter's San Diego office, and a member of the Litigation and Insurance Law practice groups. Mr. Caplan primarily focuses his practice on insurance coverage, corporate and commercial litigation, and appellate representation. He has ample experience in all aspects of business and civil litigation, insurance recovery/bad faith, contract disputes, unfair business practices, trade secret matters, and complex litigation.

Recognitions

- Martindale-Hubbell® AV Preeminent Rating
- "Rising Star" in Business Litigation by *San Diego Super Lawyers* from 2015-2017

Representative Matters

- Successfully briefed, argued, and prevailed in the United States Court of Appeals for the Ninth Circuit, establishing our client's indemnification rights under a CGL policy for Lanham Act and unfair competition claims, resulting in over \$3 million in recovery.
- Successfully challenged the denial of long-term disability benefits by a disability insurer, resulting in a full reinstatement of benefits for our client.
- Obtained summary judgment establishing an insurance company's defense obligation in a trademark lawsuit, leading to a multi-million dollar settlement in favor of our client.
- Successfully briefed and argued before the United States Court of Appeals for the Ninth Circuit, obtaining a reversal on the issues of whether California Insurance Code section 533 applied to an insurer's duty to defend and whether an underlying claim was excluded from coverage under a policy exclusion.
- Obtained partial summary judgment on the issue of a client's entitlement to independent insurance-funded defense counsel.
- Obtained total summary judgment on entitlement to nearly \$2 million in interpleaded insurance proceeds on behalf of a municipality.
- Obtained a preliminary injunction on behalf of a media company against a former vendor who had attempted a hostile takeover.
- Co-represented a municipality in the prosecution of a significant insurance coverage and bad faith litigation against a national insurer, resulting in a substantial settlement in favor of the municipality mid-trial.
- Successfully briefed and argued before the United States Court of Appeals for the Ninth Circuit, obtaining a reversal on the issue of the insurability of damages under the Lanham Act.
- Successfully argued multiple appeals before the California Courts of Appeal.
- Successfully obtained preliminary and permanent injunctive relief in trade secret litigation.

- Represented employers and former employees in trade secret misappropriation litigation.

Publications

- Insurance For Covid-19 Losses: Could There Be Coverage Hidden In Your Insurance Policy, *Newsletter*, March 17, 2020
- California Supreme Court Paves Way to Challenge Out-of-State Choice-of-Law Provisions in Insurance Policies, *Association of Business Trial Lawyers*, November 1, 2019

Presentations

- Panelist, "Insurance for COVID-19 Losses—Part Two: You've Submitted Your Claim—Now What? Strategies for Maximizing Insurance Coverage," May 21, 2020
- Panelist, "Insurance Coverage for COVID-19 Losses —Is There Insurance Coverage Hidden in Your Insurance Portfolio?," March 25, 2020

Education

Mr. Caplan earned his JD, University of San Diego School of Law, where he was an Appellate Moot Court Executive Board Member. He earned his BA from the University of California, San Diego.

Bar Admissions

- California
- Arizona

Court Admissions

- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Northern District of California
- United States District Court for the Central 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 District of Arizona

Community

- Association of Business Trial Lawyers – Board of Governors
- American Inns of Court, William B. Enright Chapter – Barrister; Executive Board Member
- Legal Aid Society of San Diego – Board Member
- San Diego County Bar Association – Appellate Court Section, Civil Litigation Section, Insurance/Bad Faith Law Section
- Federal Bar Association
- American Bar Association