

## Vincent Whittaker

San Diego, California  
Shareholder

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### Areas of Practice & Industry Specialties

Litigation; Corporate Law; Health Care Law; Agribusiness; Financial Institutions Law



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Vince Whittaker is a Buchalter APC Shareholder, co-residing in San Diego and Indian Wells, with a trial practice focusing on complex business & commercial litigation throughout California as well in other jurisdictions.

Mr. Whittaker is an experienced federal and state trial lawyer with over two decades of handling high-stakes complex business/commercial litigation. Mr. Whittaker focuses on a multitude of subject matter areas including agribusiness, banking/lender liability, complex real estate matters, contract disputes, construction disputes, employment related matters, negligent misrepresentation and fraud, partnership and shareholder disputes, trade secret and unfair competition, and a wide variety of other commercial business disputes. He has also serves as a devoted legal advisor for private businesses and governmental agencies.

Additionally, Mr. Whittaker has significant experience handling binding arbitrations and has successfully resolved many complex disputes through other alternative dispute resolution processes, such as early neutral evaluation programs and pre-litigation mediation. As a recognized and respected mediator himself, Mr. Whittaker has handled hundreds of mediations as a neutral during his career.

Mr. Whittaker has sat on numerous non-profit boards throughout his career, and is currently a board member for the Southwestern Growers Committee, who raise approximately \$200,000 per year for at risk youth in the Coachella Valley. Mr. Whittaker is also a board member for the Association of Business Trial Lawyers (ABTL) in San Diego. Mr. Whittaker is also a shareholder and serves on the Board of Directors for Community Valley Bank with branches in Imperial County, Riverside County and San Diego County.

Mr. Whittaker is consistently recognized as a "Top Lawyer" (Business & Commercial Litigation), by *Palm Springs Life Magazine*.

### Professional Activities

- Riverside County Superior Court Discovery Referee, 2008-2015
- Straus Trained Riverside County Civil Mediation Panel Member, 2008-2015
- Riverside County Superior Court Mandatory Settlement Judge, 2006-2012
- The Warren Slaughter Richard Roemer American Inn of Court, 2003-2008 and 2019 to present
- ABTL, San Diego Chapter, 2021 to present

### Representative Matters

- 2021 (ADR Services, Inc., Los Angeles) Lead Trial Counsel- Obtained a full defense award on behalf Mr. Whittaker's San Diego based financial institution client. A cross-complaint was filed against Mr. Whittaker's client by one of its borrowers alleging, *inter alia*, negligent misrepresentation and fraud in the inducement of the borrower's loan agreements claiming Mr. Whittaker's client made representations

inconsistent with the express terms of the loan agreements. The Court rejected borrower's claims and found that Mr. Whittaker's client's representations and conduct were consistent with the express terms of the loan agreements and within customary industry standards for banking institutions, resulting in no exposure to borrower's multi-million dollar claim.

- 2019 (Imperial County Superior Court) Lead Trial Counsel- Obtained full dismissal (with prejudice) by multiple parties prosecuting claims against Mr. Whittaker's agricultural client in a partnership dispute. In that matter, the dissociating partners were seeking over \$1,000,000 from Mr. Whittaker's client. At the conclusion of trial testimony, the court's preliminary remarks were that the dissociating partners acted *in pari delicto* (unclean hands) and breached their fiduciary duties to Mr. Whittaker's client. Before post-trial briefing was submitted, plaintiffs dismissed the matter, with prejudice, resulting in no exposure to Mr. Whittaker's client.
- 2018 (Los Angeles County Superior Court) Lead Trial Counsel- Obtained favorable verdict on behalf of Mr. Whittaker's Colorado based computer chip manufacturing client. In that matter, the dispute centered on the shipment of goods overseas in potential violation of U.S. export laws, including International Traffic in Arms Regulations (ITAR). Mr. Whittaker obtained a favorable outcome for his client in light of the \$4,000,000 plaintiff sought to obtain at trial.
- 2018 (Imperial County Superior Court) Lead Trial Counsel- Obtained a full defense verdict following a 28-day jury trial in favor of Mr. Whittaker's Imperial County based financial institution client. In that matter, the borrower was seeking damages against the bank, as well as its employees and directors, in excess of \$30,000,000. The jury verdict resulted in a complete defense verdict, as well as a multi-million dollar verdict in favor of Mr. Whittaker's bank client for the deficiency amount owed by the borrower and guarantors.

## **Publications**

- Common Interest Doctrine as Litigation Tool, *Bloomberg Law*, July 15, 2021

## **Education**

Mr. Whittaker earned his J. D. *cum laude* from Thomas Jefferson School of Law, where he was the recipient of Trustees Scholarship for Academic Achievement, received High Honors for Trial Practice and was an Editor on Thomas Jefferson's *Law Review*. He earned his B.A. in Philosophy from the University of San Diego. Mr. Whittaker was also a Judicial Extern for the Honorable John J. Hargrove, United States Bankruptcy Court (San Diego).

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## **Bar Admissions**

- California