



## Audette Paul Morales

### PARTNER

Irvine

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### RELATED SERVICES

- Commercial Litigation
- Banking & Finance
- Estate & Trust Litigation
- Government Investigations & Enforcement Defense
- Securities
- Real Estate
- Retail & Hospitality

### OFFICES

- Irvine
- San Diego
- Los Angeles

### OVERVIEW

Audette Paul Morales is a highly accomplished litigation attorney and Partner in the firm's Orange County office. Audette has significant experience handling matters in federal and state courts and binding arbitrations through FINRA, AAA, JAMS, and ADR Services, and administrative hearings. She offers her financial services, real estate, corporate, and individual clients sophisticated legal representation primarily in the areas of securities litigation, securities regulatory and enforcement actions, real estate transactional and litigation matters, including landlord-tenant issues and unlawful detainer actions, mortgage banking, and business litigation. She also handles corporate and business issues arising in the area of employment litigation. Audette's problem-solving approach to

matters and ability to effectively evaluate a case at the outset allow her to develop realistic and cost-effective solutions for her clients. She believes collaboration and a partnership with her clients and the trust that creates, lead to the most favorable results.

With GRSM being the first and only law firm to have attorneys and offices in all 50 states, Audette and her colleagues can handle virtually any legal matter anywhere in the country. For instance, Audette has handled matters venued in Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Washington D.C., as well as Puerto Rico, and advises clients in nearly every state.

Audette is admitted to practice law before all California State courts, United States District Courts for the Southern, Central, Eastern, and Northern Districts of California, and the Ninth Circuit Court of Appeals. In addition to holding a license to practice law, Audette is a California licensed real estate broker (DRE# 02051716).

Over the years, Audette has been actively involved in firm and associate development. Part of her philanthropic efforts have included initiating a charitable foundation, managing a continuing education program for a regional firm, and participating in an interdepartmental group dedicated to reducing the firm's carbon footprint through evaluating and implementing Earth-friendly policies, purchasing and education. Formerly, Audette was also a commission member and liaison for The Village Church Preschool in her hometown of Rancho Santa Fe, California.

When not practicing law, Audette enjoys spending time with friends and family, including her husband, daughter, and son (and her Siamese cat, Bubbles). Her weekends are filled with high school and club indoor and beach volleyball and San Diego Gulls hockey games when they are in season. She loves cooking, particularly when she is able to use home-grown ingredients from her backyard garden (which she admits is sometimes a labor of love).

## **REPRESENTATIVE EXPERIENCE**

### **Securities Litigation, Regulatory and Enforcement Actions**

Audette regularly defends financial services firms, financial advisors, and registered investment advisers in securities litigation and regulatory matters. Her practice includes defending claims for unsuitability, negligence, breach of fiduciary duty, fraud, unauthorized trading, churning, elder abuse, breach of contract, violation of federal and state securities and consumer protection laws, and related claims before the Financial Industry Regulatory Agency (FINRA) and in state superior and appellate courts as well as federal court. Audette's experience spans numerous financial services products and offerings, including publicly traded stocks, mutual funds, municipal bonds, corporate bonds, REITs, ETFs, CDOs, mortgage-

backed obligations, private placements, initial public offerings, and secondary offerings. Audette also frequently assists clients with FINRA and SEC investigations, examinations, and on-the-record interviews, and consults with clients on regulatory hot topics such as senior investor protection. She also handles Central Registration Depository (“CRD”) record expungements through FINRA on almost a daily basis. Additionally, Audette has performed securities class action work and represented parties in a significant SEC receivership action. She has also spoken before professional groups on topics related to the securities industry, including securities and regulatory trends, subpoenas, and related third-party actions, and broker-dealer and registered investment adviser (“RIA”) record retention requirements.

### **Real Estate Litigation, Negotiation and Advisory Experience**

Audette represents hospitality, corporate, and individual clients in landlord-side real estate matters involving commercial and residential properties on a daily basis. In her practice, she regularly handles tenant disputes as well as lease and contract negotiations. Representative matters include new tenant move-ins, lease amendments, enforcement of lease provisions, lease termination agreements, temporary relocation agreements, coordinating tenant relocations and reimbursements, collection of CAM, drafting and revising hotel policies related to guests and tenants, handling issues related to tenant claims of uninhabitability, tenant accommodations, tenant subleases, insurance (property, general liability, and professional liability) policy analysis, start-to-finish eviction proceedings throughout California (beginning with preparing required notices, filing of unlawful detainer complaints, handling trial, or negotiating a settlement, through Sheriff’s instructions and lock out), and litigation involving the California Coastal Commission. Audette also regularly represents clients in housing discrimination claims before the Department of Housing and Urban Development (“HUD”) Office of Fair Housing and Equal Opportunity and the California Civil Rights Department. She has also assisted real estate investment clients in all aspects of forming limited liability companies.

### **Subpoenas, Levies and Garnishments**

Audette consistently assists corporate clients with third-party subpoenas, levies, and garnishments, which often include matters pending in civil, family, probate, and bankruptcy court, as well as FINRA arbitrations, across the country. The services she provides range from providing procedural and substantive guidance to clients to full-service handling of these matters. In 2018, Audette spoke on the topic of third-party subpoenas at the Independent Broker Dealer Consortium, a notable industry conference.

### **Interpleaders, Judgment Enforcement and Collections**

Audette regularly assists financial institutions and corporate clients with interpleader actions when they find themselves in the midst of competing claims to, or a dispute as to ownership of, account or other assets. Audette takes a practical and proactive approach in the handling of these matters in order to avoid exposure to double or multiple liability to the parties claiming an interest in the assets. She also assists corporate clients in connection with judgment enforcement matters. She has located and seized real property and assets following judgment, litigated broker promissory note cases, and advised on various

levy and execution matters.

### **Litigation and Advisory Matters Involving Trusts, Guardianships, Conservatorships and Financial Exploitation**

Audette regularly advises and represents financial services clients with respect to issues involving trusts, guardianships, and conservatorships, as well as instances of financial exploitation of elderly or vulnerable customers. Her clients recognize and appreciate her unique insight and thoughtful handling of these matters.

### **Business Litigation**

Audette regularly represents and consults with clients on a wide variety of business and litigation matters. Her education and experience, coupled with her practical approach to litigation, enable her to successfully manage and resolve multi-party and complex business disputes across various corporate sectors. Representative matters Audette has handled include Temporary Restraining Orders/Preliminary Injunctions, breach of lease cases, and breach of contract cases across numerous industries, including contract disputes for the City of Long Beach, legal malpractice claims, and Americans with Disabilities Act (“ADA”) cases.

### **Appellate Cases and Published Arbitration Awards**

Audette has prepared appellate briefs and argued matters before the Ninth Circuit. Unpublished Opinion: *Barry M. Webb v. David Hadzicki, et al.*, 2014 Cal. App. Unpub. LEXIS 2924 (Apr. 25, 2014). She has also acted as counsel in more than 40 published arbitration awards.

## **CREDENTIALS**

### **Admissions**

- California
- U.S. District Court, Southern, Central, Eastern, and Northern Districts of California
- U.S. Court of Appeals, Ninth Circuit

### **Memberships**

- Securities Industry and Financial Markets Association (SIFMA), Former Member
- International Association of Privacy Professionals (IAPP)

### **Education**

- M.B.A., University of San Diego School of Business, 2002
- J.D., University of San Diego School of Law, 2000
- B.A., Political Science, University of Southern California, 1995
  - Member, USC Club Volleyball Team

- Attended, University of Virginia
  - Member, Cavaliers Volleyball Team
  - Member, Delta Zeta Sorority

**Honors**

- Nominee, 2018 Women's Council & Awards, *Los Angeles Business Journal*
- *Super Lawyers*® Rising Star distinction (2007 – 2013)