



Devin C. Courteau

SENIOR COUNSEL

San Francisco

415.986.5900

dcourteau@grsm.com

RELATED SERVICES

- Commercial Litigation

OFFICES

- San Francisco

OVERVIEW

Devin C. Courteau is senior counsel in the San Francisco office of GRSM. He has extensive experience in handling complex construction defect litigation and commercial litigation matters with an emphasis on class actions and trade secret lawsuits.

Devin's construction defect experience involves defending contractors, professionals and tradespersons in actions involving both commercial and residential buildings.

Devin's class action experience includes litigation of consumer actions involving software and internet cable. He has prosecuted and defended numerous actions under the California Uniform Trade Secrets Act, including representing a developer of technologies used to etch silicon wafers, an international waste paper trading company, a group of securities brokers, a producer of cultural events, and an owner of sober living environments. Devin has represented clients in both state and federal courts conducting all aspects of litigation. He has also advised employers on confidentiality measures required to protect trade secrets, and the drafting and enforceability of forum selection clauses, choice of law clauses, non-disclosure agreements, and non-compete and non-solicitation clauses in employment agreements.

REPRESENTATIVE EXPERIENCE

Representative Experience

- Represented limited partnership, managing general partner (a limited liability company), and the managing member of the limited liability company in action by plaintiff lender to recover on a promissory note. Presented defendants' rescission defense during a court trial and prevailed, resulting in no personal liability for the managing member and plaintiff abandoning his claims against the other defendants.
- Represented defendant manufacturer of Ethernet cable in putative class action litigation involving allegations of manufacturing defects in the cable. Successfully opposed class certification in the District Court, thereby reducing the potential exposure from the tens of millions to the tens of thousands of dollars. This led to settlement of the named (putative class representative) plaintiffs' claims for nominal sums.
- Retained by HVAC manufacturer to defend a \$26 million construction delay damage claim. Obtained dismissal through a motion to dismiss based on a forum selection clause, and after depositions of my client no party brought action in the proper forum. Matter settled with no contribution from my client.
- Represented plaintiff owner of sober living environment homes against former district manager who set up competing business and diverted clients from plaintiff. Obtained temporary restraining order and preliminary injunction, leading to favorable settlement.
- Successfully argued motion for preliminary injunction on behalf of plaintiff producer of cultural events against a former business partner, after being brought into the case two days before the hearing.
- Retained to represent a group of securities brokers accused by their former employer of misappropriation of trade secrets. This representation began after a temporary restraining order had been entered against the brokers, essentially prohibiting them from doing business. We defeated the former employer's application for a preliminary injunction through use of the unclean hands doctrine, thus permitting the brokers to resume operations. Thereafter, this matter settled to the satisfaction of our clients.
- Represented national payroll processing corporation in several actions for breach of payroll processing agreements, obtaining orders in each case compelling arbitration in the corporation's home state, and in one case convincing the Court that the unavailability of California's Unfair Competition Law in the selected forum would not violate California public policy.

CREDENTIALS

Admissions

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

Education

- J.D., Golden Gate University School of Law, 1998
 - Graduated with Highest Honors
 - American Jurisprudence Awards for Civil Procedure, Torts, Constitutional Law II
 - CALI Award for Real Estate Finance
 - GGU Award for Academic Excellence in Criminal Law
- B.A., University of California, Berkeley, 1994