



Richard R. Spirra

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RELATED SERVICES

- Commercial Litigation
- Unfair Competition
- Appellate
- Consumer Financial Services

OFFICES

- San Diego
- Irvine
- Los Angeles

OVERVIEW

Richard Spirra is a Partner in the San Diego office and a member of the Commercial Litigation, Intellectual Property, and Appellate practice groups. His practice encompasses a wide range of substantive and procedural aspects of business litigation in both trial level and appellate courts. Richard is considered one of the most experienced attorneys in San Diego in appellate matters and First Amendment/media law litigation. He has handled over 200 appeals and writs in various state and federal appellate courts, and has extensive experience representing members of the media such as The Copley Press, San Diego Reader, Citadel Broadcasting and several other newspapers, magazines, television and radio stations, authors and publishers.

Richard has also been lead counsel for clients in class actions, jury trial cases and arbitration proceedings in numerous other substantive areas, including manufacturer – distributor/dealer disputes

(representing Jack-In-The-Box, Gehl Co., FMD Medikal, Bekaert Specialty Films, Innovative Technologies, Inc.); product liability (representing Ford, General Motors, Chrysler, Atlantic Richfield Co., Sturm Ruger and Smith & Wesson); shareholder and partnership disputes; shareholder and consumer class actions, California B & P Code sec. 17200 claims; misappropriation of trade secrets and proprietary information; fraud/misrepresentations; professional malpractice; and breach of contract.

Other clients Richard has represented include the University of San Diego, the San Diego Chargers, Ernst & Young, SDG&E, Bayer Companies, Chevron USA, Reliant Energy Companies, Security Pacific National Bank, First United Bank, Jenny Craig, Archstone, AvalonBay Communities, Equity Residential, City of San Diego, County of San Diego, City of Chula Vista and County of Orange. Prior to joining Gordon & Rees, Richard was a partner in the business litigation group at Luce, Forward, Hamilton & Scripps with whom he had been affiliated since 1981.

REPRESENTATIVE EXPERIENCE

Representative Experience

Examples of Richard's extensive experience include the following:

- **Defamation – First Amendment Practice**

McGarry v. University of San Diego (San Diego County Superior Court) 154 Cal. App. 4th 97 (2007): Obtained an order dismissing claims for defamation and invasion of privacy that were filed by the University's head football coach after his employment was terminated.

Bishop George Mckinney and St. Stephen's Church of God in Christ v. The San Diego Reader (San Diego County Superior Court): Obtained summary judgment on behalf of a newspaper that was accused of having made false and defamatory statements concerning the use of loan funds and church proceeds by the bishop of a local church.

- **Class Action Defense**

Rosenblatt v. Ernst and Young International et al. (United States Dist. Ct. – So. Dist.-Cal): Obtained dismissal of class action claims against an accounting services firm that was accused by investors in Lloyds of London of having failed to warn the investors that they might be incurring substantial liabilities.

In re: First Capital Life Insurance Co. (San Diego County Superior Court and United States Dist. Ct.-Cent.Dist.-Cal): Obtained dismissal of class action claims that were initially filed by both policyholders and investors in numerous courts throughout the country, and eventually consolidated in joint state and federal actions in San Diego and Los Angeles, against officers of the life insurance company who were accused of having negligently permitted investment of the insurance company's funds in junk bonds.

- **Appeals**

In re Firearms Cases, 126 Cal.App. 4th 959 (2005): Obtained order affirming the trial court's ruling that, as a matter of law, firearms manufacturers could not be held liable for injuries sustained by criminals using stolen and/or illegal weapons.

McGarry v. University of San Diego, 154 Cal. App. 4th 97 (2007): Obtained order affirming the trial court's order dismissing claims for defamation and invasion of privacy that were filed by the University's head football coach after his employment was terminated.

- **General Business Litigation**

FMD Medikal v. Johnson & Johnson: (International Arbitration) Obtained arbitration award in favor of the Turkish distributor of Johnson & Johnson's blood glucose testing machines for several hundred thousand dollars of damages caused by Johnson & Johnson's breach of a distribution agreement.

CREDENTIALS

Admissions

- California

Memberships

- Media Law Resource Center Defense Counsel
- State Bar of California
- American Bar Association
- San Diego County Bar Association
- Association of Business Trial Lawyers (San Diego)
- Society of Professional Journalists

Community Involvement

Richard has served as a judge pro tem for the San Diego County Courts, and was a member and President of the Board of Trustees of the San Diego County Law Library Justice Foundation.

Education

- J.D., Stanford University Law School, 1982
- B.A., *summa cum laude*, Ripon College, 1979

Honors

- Top Rated Lawyer-AV® Preeminent™, Martindale-Hubbell
- *Super Lawyers*® distinction in the fields of Appellate Law; Business Litigation; First Amendment/Media/Advertising (2010-2012, 2015-2016, 2018)
- *San Diego Magazine*, Top Lawyers 2013, 2015 & 2017 (Commercial Litigation)