

## Retail

There are few industries that are as competitive and vital as retail. Having served as trusted legal advisors for some of the region's largest retail operators for more than 40 years, Downey Brand's Retail Industry Group understands the competitive environment and regulatory issues facing retailers.

With a multi-disciplinary approach we provide assistance to our retail clients on a full spectrum of matters covering corporate governance, mergers and acquisitions, financing, employment issues, supplier's contracts, **intellectual property**, licensing, real estate transactions, environmental and land use issues and governmental regulations. We have industry specific experience pertaining to corporate governance, retail wage-and-hour issues, disability access requirements, data security, and protection of intellectual property. Our litigation attorneys provide counsel to our retail clients in developing strategies for compliance, trade regulations, class action suits, employee relations and much more.

Downey Brand understands the many complexities retail clients confront from the products they sell, services they provide and the customers they serve. Our attorneys have the industry knowledge and experience to provide practical legal solutions, so our clients can focus on growing their business.

### Selected Experience

- Represented one of the largest grocery chains in the US to successfully solve a trade barrier with the state of California by helping to create a more efficient and less expensive legal approval process for internationally exporting goods.
- Represented a Fortune 500 consumer retailer against the California Attorney General's office where client's exposure exceeded \$100 million and successfully negotiated the case in a manner met client's goals and significantly reduced the exposure to class action and B&P Code Section 17200 lawsuits.
- Serves as lead attorney in representing one of California's largest grocery chains in business and technology transactions, including several multimillion dollar transaction involving the redesign of the client's IT infrastructure, websites, and customer programs.
- Defended large regional retailer in three week jury trial in Sacramento County involving disability discrimination, accommodation, failure to engage in interactive process and punitive damages claims. Obtained defense verdict and award of costs.
- Represented large retail company following employee fatality. Prepared appeals, assisted with abatement efforts and negotiated favorable resolution with OSHA District Manager prior to hearing.
- Represented regional furniture retailer in consumer class action involving claims of false advertising and fraudulent business practices. Drafted comprehensive demurrer attacking the complaint. The action settled on favorable terms while the demurrer was pending.
- Litigated trade secret and breach of contract action on behalf of an internet wine merchant against two former employees, resulting in a successful settlement.

- Co-Counsel for buyer in \$120 million cash merger of regional retail chain.
- Successful defense of race discrimination claim against multi-state grocer following three-week jury trial in Superior Court.
- Defended retail distribution company in national class action lawsuit through class certification proceedings.
- Worked with regional grocery chain to successfully implement a reduction in force of over 150 positions without any resulting litigation.
- Represented large grocery chain in successful appeal involving scope of state constitutional right to circulate petitions.

## Trade Groups

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- California Business Properties Association (CBPA)
- California Grocers Association (CGA)
- California League of Food Processors (CLFP)
- California Retailers Association (CRA)
- International Council of Shopping Centers (ICSC)
- The Illuminators (an association of grocery industry suppliers)
- NAIOP, San Francisco Bay Area Chapter
- National Grocers Association (NGA)
- Sacramento Metro Chamber of Commerce