



John C. McCarron

Partner / Co-Chair, Food & Ag Group

621 Capitol Mall | 18th Floor
Sacramento, CA 95814

916.520.5450 | Direct
jmccarron@downeybrand.com

Practice Areas

Class Action Defense | Complex Business Litigation | Food & Agriculture |
Food & Agriculture Litigation | Food Safety & Labeling | Products Liability |
Proposition 65

For more than three decades, John McCarron has focused his practice on assisting clients with complex business disputes.

John has successfully tried numerous cases in state and federal court, in arbitrations, and in administrative hearings. John is known for his practical and cost-effective approach to litigation and his aptitude for providing innovative solutions for sophisticated issues. One of John's unique strengths is his ability to guide clients through the ever-changing legal and regulatory issues facing business owners in California.

John's litigation practice is primarily focused on crop damage, food labeling, product liability, and business litigation. He also has extensive experience defending class actions involving employment issues, unfair competition claims, and false advertising. As a partner in the firm's food and agriculture practice group, John regularly represents farmers, processors, food retailers, and trade associations that are part of California's enormous food and agriculture industry. He has a thorough understanding of the myriad of issues facing California's food and agriculture companies, and clients turn to him for efficient, effective results.

Experience

Representative Crop Damage Experience

- Representing more than a dozen pistachio growers in product liability claims against several agriculture chemical companies involving millions of dollars in crop damage.
- Representing a pistachio processor in product liability claims against an agriculture chemical manufacturer.
- Representing pistachio grower and processor in product liability claims regarding crop damage issues.
- Represented multiple wine grape growers in resolving claims collectively worth several million resulting from a large herbicide drift event; cases settled in mediation.
- Represented an organic blueberry grower in two herbicide drift events; one went to trial and resulted in a seven figure verdict, and one settled in mediation.

- Represented an avocado grower in an accidental herbicide application claim that settled at mediation.

Representative Business Litigation Experience

- Represented a pistachio grower and processor in a complex business dispute involving millions of dollars that settled after three mediations and a lengthy arbitration hearing.
- Defended a local utility company against claims of negligence and breach of contract; obtained defense verdict for trial that was upheld on appeal.
- Defended a fertilizer manufacturer against product liability claims relating to damage to almond trees; case settled after 10 days of trial.
- Co-Counsel representing a coalition of egg farmers involving legal and regulatory issues pertaining to statutes imposing size dimensions on egg laying hen enclosures.
- Served as Co-Counsel in successfully defending a national food company against Proposition 65 and unfair competition claims.
- Defended a natural gas company against claims by former employees alleging breach of contract; obtained defense verdict at trial that was upheld on appeal.
- Defended a partnership in a dispute with former employee involving claims of breach of contract, fraud and business torts; obtained defense verdict against the partnership, and obtained a substantial verdict on behalf of the partnership.
- Served as Co-Counsel in representing the State of Alaska in gas royalty litigation against three major oil companies that resulted in a favorable settlement for the State.
- Represented the State of Alaska in a corporate income tax case against a multi-national oil company that resulted in a favorable settlement for the State.

Representative Class Action Experience

- Defended a large food processing company in class arbitration asserting violations of unfair competition laws and business torts; prevailed in an arbitration as to claims by one class and defeated class certification of another class.
- Defended an egg producer in a class action involving allegations of false advertising. After extensive discovery, settled the case favorably prior to certification of a class.
- Successfully resolved wage and hour class actions against a national auto parts retailer and against a car repossession company.

Professional & Community Service

- Western Plant Health Association
- Sacramento County Bar Association, Civil Litigation Law Section
- California Lawyers Association, Litigation Section

- Alaska Bar Association

Education

- J.D., Notre Dame Law School, 1987
- B.A., University of Illinois, 1983

Honors & Rankings

- AV Preeminent[®] Rating by Martindale-Hubbell[®]
- *Sacramento Magazine*, Top Lawyer, Business Litigation, Food & Agriculture Law, General Litigation, Class Action/Mass Torts, Nonprofit Organizations, 2015-2021
- Clerkship, Justice James Singleton, Alaska Court of Appeals, 1987-1988

Speaking Engagements / Events

- *Pesticide Drift: Compliance, Liability, and Protection*, Co-presenter, 10th Annual Spray Safe Program, February 6, 2019
- *Pesticide Drift: Compliance, Liability, and Protection*, Co-presenter, Yuba-Sutter Farm Bureau, March 28, 2018
- *Dealing with Unwanted Solicitors*, Presenter, California Grocers Association Webinar, November 4, 2015

Publications

- *A New Twist of False Advertising Lawsuits*, California Grocer, Issue 5, October 2013

Legal Alerts

- *Pistachio Bushy Top Syndrome - Down The Legal Rabbit Hole In Search Of A Remedy*, May 6, 2015