



Sean J. Filippini

Partner / Executive Committee Member

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Practice Areas

Complex Business Litigation | Construction Litigation | Food & Agriculture |
Food & Agriculture Litigation | Infrastructure | Real Estate | White Collar,
Investigations, and Compliance

Sean Filippini's practice focuses on litigation with experience in multiple practice areas, including construction, real estate, and commercial disputes.

Sean regularly litigates cases in California State Court, Federal District Court, State Appellate Court, and California's Office of Administrative Hearings. Sean also has substantial experience with private arbitration and mediation.

In his **construction** and **real estate** practice, Sean represents public entities, developers, general contractors, subcontractors, and material suppliers. Construction and real estate clients rely on Sean for guidance in all aspects of their business—from day-to-day advice about risk management issues to representing them as lead counsel in litigation.

In addition to his construction practice, Sean also has significant experience with **complex business litigation** on behalf of public entities, publicly-traded companies, regional companies, financial institutions, and individuals.

Experience

Construction

- Represented international construction surety and obtained full defense judgment with award of attorney's fees in litigation brought by commercial developer seeking in excess of ten million dollars in damages.
- Represented one of the largest HVAC manufacturers in the world and obtained full defense judgment in multi-party litigation brought by a commercial hotel owner seeking in excess of fifteen million dollars in damages.
- Represented numerous public entities in the drafting and bidding of hundreds of millions of dollars in public works contracts.
- Represented numerous public entities in the defense and prosecution of construction claims, including claims for delay, extra work, and deficient work.

- California counsel for national lumber company. Successfully prosecuted tens of millions of dollars in mechanic's lien and contract actions to favorable termination, including establishing priority of mechanic's liens over bank deeds of trust.
- Represented private owner in the negotiation and resolution of numerous construction claims on multi-million dollar river improvement construction project.
- Represented general contractor in litigation against public entity over extra work and delay claims on a public university dormitory construction project.
- Represented subcontractor in multi-party complex litigation over multi-million dollar high school construction project.
- Represented general contractor in arbitration and subsequent appeal over the propriety of default termination on a multi-million dollar public works project.
- Represented general contractor in litigation against subcontractors involving bond claims, stop notices, and prompt payment penalties on public works project.
- Represented subcontractor in extensive litigation against a general contractor involving extra work claims, delay claims, and bond claims on a multi-million dollar federal project.
- Represented numerous public entities in the drafting and bidding of hundreds of millions of dollars in public works contracts.
- Represented owners, contractors, design professionals, bonding companies, subcontractors, and materials suppliers in all facets of contract negotiations, contract drafting, and construction claims disputes.
- Represented numerous contractors in public works contract bid protests on total contract amounts in excess of one hundred million dollars.
- Outside general counsel for custom home builder. Represented contractor client in numerous mechanic's lien actions and claims for payment.

Commercial Litigation

- Represented public school district in litigation against publicly traded technology company regarding a failed technology project. Obtained multi-million dollar settlement for client.
- Represented shareholder in the negotiation and resolution of a complex, multi-million dollar settlement agreement that resolved numerous lawsuits through the \$12 million sale of a closely held corporation to a publicly traded company.
- Extensive experience litigating Anti-SLAPP Motions in cases involving protected speech. Obtained full defense judgments and recovery of attorney's fees in numerous cases.
- Lead counsel for contractor in numerous complex asbestos litigation cases. Successfully obtained dismissals for client in all actions after taking depositions and filing motions for summary judgment.
- Lead counsel for regional luxury car importer, broker, and seller.
- Represented regional telecommunications company in contract litigation against publicly traded corporation.

- Represented large fruit packing company in multiple litigation matters, including favorable termination of lawsuit over solar power installation.
- Representation of wineries and craft breweries in all aspects of litigation.
- Represented landlords and tenants in numerous landlord-tenant disputes, including filing and defense of unlawful detainer and breach-of-lease actions.
- Extensive general business litigation, including contract actions, personal injury actions, and wrongful death actions.
- Represented clients in virtually all facets of pre-trial civil litigation, including discovery, provisional remedies, motion practice, and mediation and negotiations.

Professional & Community Service

- Big Brothers Big Sisters of Greater Sacramento, Board of Directors, 2018-present; Chair, 2018-2022
- Big Brothers Big Sisters of Greater Sacramento, Big Brother, 2005-2013
- Big Brothers Big Sisters, Outside General Counsel, Pro Bono
- El Dorado Hills Little League, Baseball Coach, 2019-present
- Jackson Elementary School, 5th Grade Girls Basketball Coach, 2022-2023
- United Contractors
- Sacramento County Bar Association, Construction Law Section
- California Lawyers Association, Litigation Section

Education

- J.D., Santa Clara University School of Law, 2004
- B.A., University of California at Davis, 2000

Honors & Rankings

- Best Lawyers in America®, Commercial Litigation, Construction Law, Construction Litigation, 2023-2024
- *Super Lawyers*, Northern California Super Lawyer, Construction Litigation, 2019-2023
- *Sacramento Magazine*, Top Lawyer, Construction, Construction Litigation, General Litigation, 2015-2023
- *Sacramento Business Journal*, Best of the Bar, 2017-2018

Speaking Engagements / Events

- *COVID-19 Webinar No. 3: Considerations for Businesses & Employers*, Downey Brand COVID-19 Webinar Series, April 3, 2020

- *Introduction to Public Works Contracting & Claims Resolution*, Presenter, County Counsel, October 17, 2019
- *2018 ACWA Legal Briefing & CLE Workshop Presented by Downey Brand LLP*, ACWA 2018 Fall Conference & Exhibition, November 27, 2018
- *Legal Updates in the Construction Industry*, Presenter, Building Opportunity Conference, November 2, 2016
- *Construction Law 101: Covering the Basics*, Presenter, Metro Chamber 2016 Seminar Series, April 27, 2016

Legal Alerts

- *DB Construction Law Update—Licensing Developments*, September 2011
- *Changes in Prompt Payment Penalties Catch Attention of Construction Industry*, May 2011