



William R. Warne Partner / Chairman

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Practice Areas

Appellate & Writ Practice | Class Action Defense | Complex Business Litigation | Employment Litigation | Intellectual Property Litigation | Real Property & Land Use Litigation | Regulatory Law & Business Permitting

Bill Warne has built a reputation as one of Sacramento's top trial lawyers. Bill is retained by individuals, companies, and corporations with complex, high-profile, "bet the company" litigation issues.

Bill has successfully tried, arbitrated, and resolved high stakes commercial litigation matters throughout California and beyond in various areas of law, including real estate, intellectual property, class actions, wildland fire matters, partnership disputes, and health care.

In the summer of 2013, after four years of litigation, Bill and his team received dismissals and judgments in favor of his client Sierra Pacific Industries regarding six consolidated state court actions which sought expenses and damages for the 2007 Moonlight Fire, one of California's largest wildland fires. Bill's defense of these matters exposed unlawful conduct by Cal Fire with respect to its establishment of an "off-book" account without the approval of the Department of Finance, as reported by the Wall Street Journal, the LA Times, and the Sacramento Bee. Shortly after the dismissal of these actions, Bill and his team filed a motion for fees, expenses and sanctions against Cal Fire, which the trial court granted on February 4, 2014. The Court's order terminated Cal Fire's actions against all defendants for Cal Fire's egregious discovery abuses and ordered Cal Fire to pay full compensatory attorneys' fees, expenses and costs to all defendants, amounting to more than \$32 million.

[Read media coverage on the Moonlight Fire Litigation here.](#)

Bill served as the lead trial attorney for Park Cattle Company during a two month jury trial in Nevada which "turned the tables" on the original plaintiff, causing it to ultimately agree to pay Bill's client \$165 million just before closing arguments — one of the largest civil settlements in Nevada's history. Bill was also lead trial counsel for a medical group which brought an action against Freemont-Rideout Hospital for antitrust violations, and was lead trial counsel for an individual who obtained a \$6.2 million judgment in Los Angeles in a trust dispute involving breaches of fiduciary duties.

Bill, a former federal law clerk, works with individuals, principals and/or the general counsel of companies that seek creativity, efficiency, and excellence in those they partner with on their litigation disputes — whether as defendants or plaintiffs — and who want a skilled, trial-ready lawyer on their side if persuasively presenting their matter to a jury becomes necessary.

Martindale-Hubbell has given Bill its highest “AV” rating and Bill’s peers in Northern California repeatedly vote him a “Super Lawyer.”

Experience

General Matters

- Lead trial lawyer for Sierra Pacific Industries with respect to the Moonlight Fire, one of the country’s largest civil cost recovery actions. The Moonlight Fire matters were brought in both federal and state court, and initially resulted in a federal settlement with the USFS. Thereafter, Bill’s client was vindicated in state court when the trial judge dismissed the actions and entered judgment in favor of all defendants when, among other things, the plaintiffs failed to make a prima facie showing in support of their allegations. Thereafter, Bill filed a motion for fees, expenses and sanctions against Cal Fire under various legal theories and for discovery abuses. The motion was granted by the trial court on February 4, 2014. Among other things, the Court’s lengthy order terminated Cal Fire’s actions against all defendants for Cal Fire’s egregious discovery abuses and ordered Cal Fire to pay full compensatory attorneys’ fees, expenses and costs to all defendants, amounting to more than \$32 million, one of the largest sanction awards in history.
[Read media coverage on the Moonlight Fire Litigation here.](#)
- Lead trial lawyer for real estate holding company Park Cattle Co. in litigation against Bill Yung and his Tropicana gaming and holding companies regarding the enforcement of a ground lease for the Horizon Casino Resort in South Lake Tahoe. A two month jury trial in 2008 resolved two days before closing argument when Yung and Tropicana agreed to dismiss their complaints against Park Cattle, return the Horizon property, and pay \$165 million in damages, plus interest, to Park Cattle.
- Lead trial lawyer for defendants Charles Somers and Ron Alvarado, who were sued by AKT Development Corporation for fraud, breach of contract and breach of fiduciary duty regarding an alleged joint venture to purchase significant development property near Sacramento. After a three week trial, the jury returned a complete defense verdict in favor of clients.
- Lead trial lawyer in month long trial for builder Emerald Homes against a community facilities district to enforce contract relating to client’s expansion of sewer treatment facility. Client obtained judgment in its favor and complete dismissal of CSD’s cross-complaint. Client recovered its attorneys’ fees.
- Lead trial lawyer for Lennox in class action regarding gas fireplace inserts. Case resolved through confidential settlement.
- Lead trial lawyer for K. Hovnanian Homes in class action litigation in Southern California regarding alleged damages from pinhole leaks in copper piping. Case is ongoing.
- Lead trial lawyer for individual plaintiff in action involving breach of fiduciary duties. Trial in Los Angeles County resulted in \$6.2 million judgment for client.
- Lead trial lawyer for SBM Site Services in major trade secret theft action where Federal Court in Colorado held an evidentiary hearing on Bill’s client’s claims of trade secret theft and thereafter issued a lengthy written decision fully in favor of Bill’s client, finding trade secret theft, and ordering the immediate return of all stolen trade secrets.
- Lead trial lawyer for entity suing to enforce contract involving significant real estate purchase and defending against cross-complaint. Jury reached verdict in favor of Bill’s client in excess of \$1 million, and

also awarded punitive damages. Jury's verdict also required defendants to honor contract by selling 240 acres of development property to client.

- Lead trial lawyer for the administrator of an estate and individuals in four week jury and court trial in San Francisco involving, among other things, the interpretation of a partnership dissolution agreement and the payment of millions in attorneys' fees. Trial judge issued ruling consistent with clients' arguments as presented at trial, and found clients to be prevailing parties.
- Lead trial lawyer for Southern California based developer entity which had invested in a substantial project located in Chico, California. When the project was stymied due to unlawful decisions by County Board of Supervisors, Bill was retained to handle the case. After a two week jury trial, the jury decided in favor of Bill's client.
- Lead lawyer for Shea Homes in defense of an action brought by State Parks, alleging trespass and damage to environmentally sensitive land. After extensive fact and expert discovery, State Parks agreed to dismiss its action for a nominal settlement which involved its agreement to grant certain coveted easement to Bill's client.
- Lead counsel for Sierra Pacific Industries defending action brought by State of California for damages associated with the "Sour grass fire" in El Dorado County. Case settled favorably for SPI after mediation.
- Lead counsel for Sierra Pacific Industries with respect to damages from the "Fred's Fire" in El Dorado County and "Power Fire" in Amador County, both of which began in October of 2004. Both matters resolved in client's favor after settlement discussions.
- Lead counsel for Office Depot, successfully defending action filed in San Francisco County Superior Court under Proposition 65. Case dismissed after obtaining summary judgment in favor of Office Depot.
- Lead trial counsel for medical group in significant corporate practice of medicine, anti-trust, and Section 17200 litigation against major Northern California hospital. Bill argued an initial ruling on Motions for Summary Judgment to the Third District Court of Appeal, which found for Bill's client, remanded the action back to the trial court for a jury trial, and which caused an almost immediate settlement.
- Lead counsel for Dr. Chae Moon, Redding cardiologist, in successful defense of California Medical Board's effort to obtain a preemptory suspension of Dr. Moon's medical license, as reported in a story by 60 Minutes.
- Defended durable medical equipment supplier in multi-million dollar federal qui tam action in United States District Court, Central District of California. Matter resulted in favorable settlement for client.
- Lead counsel for California city in action alleging breach of contract against neighboring municipality regarding agreement to share State subventions arising from prison population.
- Lead counsel for plaintiff in United States District Court, Northern District of California against American participant in Russian joint venture. Defendant settled matter in plaintiff's favor on first day of trial.
- Lead counsel for State's largest private parking fee collection company in a matter against the Department of Motor Vehicles involving statutory interpretation. Received judgment against DMV.
- Lead counsel for plaintiffs in multi-million dollar trust dispute. The matter settled in clients' favor for \$2.75 million.

Intellectual Property

- Lead trial lawyer for SBM Site Services in major trade secret theft action where Federal Court in Colorado, after evidentiary hearing, issued decision ordering return of stolen trade secrets.
- Lead lawyer for plaintiff in trademark infringement action involving major financial institutions.
- Lead lawyer defending franchiser sued for copyright and trademark infringement action.

Employment Defense

- Lead counsel for Agilent in defense of action brought by former employee suing under California Labor Code Section 1102.5. Matter successfully resolved through mediation.
- Served as outside general counsel for J&W Scientific, a high technology company in Folsom, California. Handled numerous contract and employment issues, and successfully defended the company from various employment related complaints.

Real Estate & Land Use

- Lead litigation counsel for property owners sued by adjoining landowner for actions related to pursuit of development entitlements. Recently obtained complete dismissal of suit in its entirety under California's Strategic Litigation Against Public Participation ("anti-SLAPP") statute, based on client's constitutional free speech and public participation rights, and a decision awarding recoupment of attorneys' fees and costs.
- Lead trial counsel in 2008 for Southern California based commercial and residential developer seeking enforcement of easement rights against adjacent property owners in Butte County. Butte County jury rendered verdict in favor of client after trial.
- Lead trial counsel for major land developer in action seeking petition for writ of mandamus against City of Chico to enjoin City's action in directing developer to prepare supplemental environmental impact report. Obtained alternative writ at outset of case, staying any action by City pending trial. Court granted writ in favor of client after trial.
- Lead counsel for Stockton hotel owner in federal action in Eastern District of California against City of Stockton regarding City's unconstitutional taking of property, and to enforce terms of resulting favorable settlement. Action to enforce settlement decided in client's favor. Appeal pending.
- Lead counsel for landlord in commercial lease dispute with tenant. Matter resolved before trial through stipulated judgment against tenant.
- Lead counsel for California land owner in significant dispute regarding scope of aggregate mining lease with major mining company. Matter resulted in extremely favorable settlement for client after mediation.
- Lead counsel for large California mining company defending action filed in Yuba County Superior Court involving claims regarding company's Yuba River water usage.

Defense of Professional Licenses

- Lead counsel for Dr. Chae Moon, Redding cardiologist, in successful defense of California Medical Board's

effort to obtain a preemptory suspension of Dr. Moon's medical license.

- Lead trial counsel for land surveying company owner and president in successful defense of action brought by California Board of Professional Engineers & Land Surveyors regarding residential development surveys. 21 of 24 counts dismissed after three week trial.

Securities and Banking

- Lead counsel for financial products company in SEC enforcement action relating to commercial paper program. Matter settled in client's favor.
- Represented plaintiff in major federal action involving claim for breach of contract and securities fraud. Action settled in client's favor.
- Represented Nevada County, Lone and Wheatland in separate SEC enforcement actions pertaining to municipal bond issuance disclosure requirements.
- Defended large California credit union in legal action pertaining to legality of late charges. Action was dismissed after obtaining summary judgment in favor of client.

Professional & Community Service

- National Institute of Trial Attorneys (NITA), Team Leader and Instructor, 2012-present
- Bill has been honored with "team leader" status for a group of trial attorneys chosen from around the country to teach at LSU's summer trial advocacy program for second year law students. The program receives great reviews as it teaches trial skills including opening statements, direct examinations, cross-examinations, and closing arguments.
- Sutter Medical Center Foundation, Board of Trustees
- Sacramento Children's Choir, Former Board Member
- Sacramento Superior Court's Judicial Advisory Committee
- Sacramento Chapter of the Federal Bar Association, Former President
- Sacramento County Bar Association

Education

- J.D., University of California, Hastings College of the Law, 1988
- B.A., English, California State University, Sacramento, 1984
- B.S., Business Administration, California State University, Sacramento, 1984

Honors & Rankings

- AV Preeminent[®] Rating by Martindale-Hubbell[®]
- Best Lawyers in America[®], Commercial Litigation, Personal Injury Litigation-Defendants, 2012-2020

- *Sacramento Magazine*, Honoree, Sacramento 300 – the Most Powerful Business Leaders in Metro Sacramento, 2019
- American City Business Journals, Honoree, National List of 100 Influential Attorneys, 2018
- *Super Lawyers*, Top 25 Super Lawyer Sacramento, 2016
- *Super Lawyers*, Northern California Super Lawyer, Business Litigation, 2009-2020
- *Sacramento Business Journal*, Best of the Bar, 2013, 2015-2019
- *Sacramento Magazine*, Top Lawyer, Anti-Trust Litigation, Class Action/Mass Torts, Business Litigation, Commercial Litigation, Intellectual Property Litigation, Real Estate, General Litigation, 2015-2020
- Clerkship, Magistrate Judge Gregory G. Hollows, United States District Court, Eastern District of California, 1990-1991
- Clerkship, District Judge Raul A. Ramirez, United States District Court, Eastern District of California, 1988-1990

Speaking Engagements / Events

- *Preparing for, Taking and Using Depositions*, Speaker, Continuing Education of the Bar (CEB), 2000, 2003, 2005
- *Effective Closing Arguments – The Law and the Craft*, Co-Presenter with Judge Brian Van Camp, Sacramento Bar Association's Speakers Series
- *Taking Effective Depositions*, Presenter, CLE Program