


Michael S. Brophy

PARTNER | LOS ANGELES

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Michael is a partner in the trust and estate litigation team and is the Office Managing Director of the Los Angeles Office.

Michael has extensive experience representing individuals, families, charities, corporate trustees, private professional fiduciaries and creditors in litigation involving complex trusts and estates. Michael's diverse practice includes will and trust contests, accounting disputes, breach of duty actions, elder abuse and conservatorship disputes, document interpretation matters, and other contested probate and fiduciary-related matters.

Michael also has experience in business and commercial litigation, including contract, real estate, copyright, Lanham Act, trade secret, and unfair competition matters.

In addition to litigation and trial work, his practice includes risk assessment and counseling, alternative dispute resolution, and administrative proceedings. Michael frequently writes and speaks on trust and estate litigation topics and is active in bar leadership and committee work.

SECRETARY **LEIGH-ANNE LOCKE**

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TRACK RECORD

Represented an individual trustee in a bench trial obtaining a complete and decisive verdict in favor of the fiduciary. Defeated allegations of breach of duty and requests for surcharge.

Represented the co-trustees of the living trust of a deceased celebrity in defeating fraud claims in arbitration. Also represented the co-trustees in resolving untimely claims, including arguing and winning an appeal of a judge's decision dismissing the barred claims.

Represented the co-executors of the estate of a deceased celebrity in defeating and resolving creditor and contract claims.

Advised a trust-owned partnership and assisted it in successfully retrieving misappropriated funds.

Represented charity in a challenge to a charitable trust, successfully resolving the matter in mediation. Involved allegations of elder abuse and undue influence.

Obtained and enforced a default judgment for a major auction house in an art fraud matter, seizing known California assets.

Advised a trust beneficiary regarding certain trust administration disputes and successfully used litigation to compel an uncooperative trustee to take steps to distribute the assets according to the trust's terms.

Represented members of a limited liability company in the fashion industry defeating breach of fiduciary duty claims at trial.

Advised foreign entertainment client and successfully resolved a film finance dispute with a production company.

Advised an advertising agency in a dispute with a rock music group regarding music used in a commercial.

Counseled major television studio regarding risk management in non-scripted programming.

Represented family business in real estate dispute, prevailing before the California Court of Appeal.

Represented importer of book lights in defeating a request for a temporary restraining order and preliminary injunction regarding claims of trade dress infringement regarding product design.

ADMISSIONS

- State of California, 1998

- 9th Circuit Court of Appeals, 2000

- U.S. District Court for the Central District of California, 2000

- U.S. District Court for the Southern District of California, 2003

- U.S. District Court for the Eastern District of California, 2008

- U.S. District Court for the Eastern District of Texas, 2010

- Federal Circuit Court of Appeals, 2011

PUBLICATIONS

'Property Report,' Wall Street Journal - August 6, 2019, quoted

'Animal Capital,' Family Capital - February 27, 2019, quoted

'Preventing and Avoiding Costly Conflicts,' Trusts & Estates - July 25, 2018, co-author

'Zobebe Mexico alleges Auto Expressions, Kraco Enterprises owes more than \$800,000,' Northern California Record - July 3, 2018, featured

'Uber to Pay Waymo \$245 Million to Settle Blockbuster Self-Driving Secrets Case,' SF Gate and San Francisco Chronicle - February 9, 2018, quoted

'Four Days, \$245 million: How Waymo v. Uber Came to an End,' CNET and __iTruck.news - February 9, 2018, quoted

'Waymo Will Get Driverless Car Due Diligence Report, but Little Time to Use It,' The Recorder - September 14 2017, quoted

'Parse the Issues Involving Guardians in Legal Proceedings,' Estate Planning, July 2017, co-author

'Car Exec Sacked in Uber Stoush,' The Australian, June 2017, quoted

'Silicon Valley DNA vs. NDAs,' The Street - May 21, 2017, quoted

*'Silicon Valley DNA vs. NDAs,'*The Deal - May 19, 2017, quoted

*'Alphabet gets Access to Uber's Secrets,'*The Australian - May 17, 2017, quoted

'Uber Takes Hit in Car-Tech Fight,' Wall Street Journal, Fox Business, and 4-Traders - May 16, 2017, quoted

'Uber's Self-Driving Car Ambitions Live Another Day,' AZ Central, Springfield News Leader, Detroit Free Press, Cincinnati.com and USA TODAY - May 3, 2017, quoted

'Uber Says it's Not "Hiding Anything" in Waymo Case,' CNET - May 3, 2017, quoted

'Injunction Against Uber? No Decision Yet,' Uncova - May 3, 2017, quoted

'Uber to Waymo: We Aren't Using Your Self-Driving Car Tech,' CNET - April 8, 2017, quoted

'Uber Denies Using Waymo LiDAR In Google Tech Theft Case, Says It Has Its Own,' Forbes - April 7, 2017, quoted

'Facing A Self-Driving Smackdown, Uber Opts For Damage Control,' WIRED - April 7, 2017, quoted

'Arbitration: Beware of the Unintended Risks,' Los Angeles Daily Journal, co-author

'Privacy Protection: What Every In-House Counsel Needs to Know About: Managing and Protecting Private Employee, Consumer and Company Information,' Association Of Corporate Counsel of America, Southern California Chapter, contributor

'Largest Firm's Split Decisions,' Los Angeles Business Journal, referenced

MEMBERSHIPS

- Los Angeles Superior Court Civil Bench-Bar Liaison Committee

- LGBT Bar Association Board of Governors

- Los Angeles County Bar Association

- Diversity in the Profession Committee (LACBA)

- Beverly Hills Bar Association

TALKS

'Help! The Gardener is Stealing My Inheritance,' San Fernando Valley Bar Association, Probate and Estate Planning Section

'Help! The Gardener is Stealing My Inheritance,' South Bay Association, Trust and Estate Section

'The Kids Are Not Alright: Drafting Estate Plans to Prevent Future Public Family Disputes,' Conejo Valley Estate Planning Council

'Help! The Gardener is Stealing My Inheritance!' Beverly Hills Bar Association, Trusts & Estates Section

'What Every Future Lawyer Needs to Know About Serving as the Family Fiduciary,' UCLA Tax and Estate Planning Law Association

'Navigating Legal Issues in the Electronic Age,' Association of Corporate Counsel of America, Southern California Chapter

'Perspectives on Trustee Fees: Evaluating 'Reasonableness' in Trust Planning, Administration and Litigation,' Beverly Hills Bar Association

'Privacy Protection: What Every In-House Counsel Needs to Know About: Managing and Protecting Private Employee, Consumer and Company Information,' Association Of Corporate Counsel of America, Southern California Chapter

EDUCATION

American University, magna cum laude, B.A.
Harvard Law School, cum laude, J.D.

LANGUAGES

ENGLISH

DATES

JOINED: 2015
PARTNER: 2015

RECOGNITION

Super Lawyer Rising Star from 2008-2013

2014-2019 Super Lawyers

Los Angeles

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