STEVEN A. GOLDFARB
PARTNER

Hahn Loeser & Parks LLP

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Steven A. Goldfarb, co-chair of Hahn Loeser's national Litigation Practice Area, is a skilled and highly acclaimed trial lawyer practicing in California and Ohio with experience representing companies and individuals across the country in diverse business litigation matters. In addition to leading the firm's well-recognized Class Action and Title Insurance Industry Teams, Steve has significant experience in unfair competition/trade secrets, insurance coverage/bad faith, securities fraud and other contract/tort cases.

Under Steve's leadership, Hahn Loeser's Class Action and Title Insurance Industry Team has successfully defeated nearly 100 consumer class actions over the last 10 years not only in California and Ohio, but also in Connecticut, Kentucky, Texas, Illinois, Washington, Missouri and Colorado—mostly via dispositive and certification motion practice—but also by trials.

Steve's past trial victories include two record jury verdicts (Top 100 Verdicts by *The National law Journal*), both exceeding $40 million, in 2006 (Maricopa County, AZ) and in 2005 (Southern District of Ohio) on behalf of companies suing their competitors and former employees in wrongful recruiting cases involving tortious interference, non-competition covenants and breaches of fiduciary duty. Steve has successfully tried numerous other cases to verdict or judgment, including jury trials involving business fraud, trade secrets, age discrimination, wrongful death, medical malpractice and other personal injury cases.

Representative Experience

- Steve and his partner, Erica Calderas, obtained the dismissal in August 2019 of a class action against ServiceLink Field Services in the Eastern District of Washington. Plaintiffs claimed that ServiceLink impermissibly performed home protection services on their properties prior to foreclosure allegedly in violation of Washington law. Plaintiffs' counsel had succeeded in obtaining a landmark Washington Supreme Court opinion in a different case against Nationstar—that lenders who entered and preserved homes pending foreclosure could be trespassers—and had obtained summary judgment and significant settlements in multiple similar class actions. Steve and Erica overcame the momentum of the prior adverse rulings and settlements by pursuing aggressive class certification depositions and other discovery of the proposed class representatives and plaintiffs' damages expert. Armed with that testimony, Steve and Erica convinced the Chief Judge to grant ServiceLink's *Daubert* motion to exclude plaintiffs' expert and to deny plaintiffs' motion for class certification based upon inadequacy of the class representatives and the predominance of individual damage issues. Rather than seek an appeal of these rulings, plaintiffs' counsel dismissed the class action.

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- Steve successfully argued in the California Court of Appeal to affirm a substantial defense arbitration award in favor of multiple subsidiaries of Fidelity National Financial. The arbitration award was entered against two class representatives who were compelled to arbitrate individually their Unfair Competition Law (UCL) claims. The plaintiffs alleged that certain software sublicense fees paid by real estate brokers to the Fidelity subsidiaries were "kickbacks" and "secret profits" and sought restitution of significant real estate commissions. The Court of Appeal affirmed the defense judgment which included an award of attorney fees against the individual plaintiffs that now exceeds $1.6 million. In another appeal of a copycat class action, Steve convinced the Court of Appeal to reverse the trial court such that the plaintiffs' claims were compelled to arbitration. These victories led to voluntary dismissals in multiple other copycat class actions wherein the same plaintiffs' counsel sought to recover significant aggregate damages.
- Obtained substantial defense arbitration award against individual class representatives who were compelled to arbitrate Unfair Competition Law (UCL) claims alleging certain settlement service fees were "kickbacks" and seeking restitution of significant real estate commissions the plaintiffs characterized as "secret profits." The defense judgment included an award of attorney fees of almost $1.2 million against the individual class representatives, and the award was recently confirmed by the Superior Court in San Diego County.
- Successfully reached settlement of non-competition/ trade secret case brought in San Diego County, on behalf of Lawyers Title Company against a competitor and former officer seeking significant compensation for lost profits. As part of settlement, sexual harassment counterclaims against the company and its executives were dismissed.
- Successfully defended a federal non-competition lawsuit filed in the Northern District of Ohio that was designed to prevent our client – a nationally recognized dental/Botox instructor - from competing against the industry leader. Steve defeated the plaintiff's motion for temporary restraining order and obtained an excellent settlement for our client prior to trial, permitting unrestricted competition.
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- Achieved a successful settlement of a fidelity bond (FIB) insurance coverage/bad faith federal lawsuit filed in 2008 in the Southern District of California on behalf of plaintiff Fidelity National Financial against defendant National Union Fire Insurance Company. The case settled just prior to trial following a groundbreaking summary judgment ruling in favor our plaintiff client on the coverage and bad faith claims. The result in this case was similar to the related insurance coverage and bad faith case filed by Chicago Title in 2008 in Los Angeles County on an E&O Policy against ACE/Illinois Union. In 2010, Steve obtained a successful settlement of the E&O litigation after also obtaining a plaintiff's summary judgment ruling on the coverage and bad faith claims.
- Obtained a successful judgment in class action bench trial in Santa Clara County, CA (appeal pending) involving claims under California's UCL. Notwithstanding a finding that the client's conduct technically violated the California insurance rate filing law, Steve successfully argued that plaintiffs had not established any injury or harm necessary to an award of restitution, resulting in no damage award and no attorney fee award to plaintiff's counsel.
- Successfully defended a class action jury trial to verdict in Jackson County, MO in a case in which the plaintiffs were seeking over $211 million in punitive damages. Steve led our litigation strategy with an aggressive approach - admitting to a limited overcharge liability, but vigorously opposing plaintiffs' damages analysis and punitive damages request. After making our defendant client's case during the plaintiffs' two-week case-in-chief, our client rested and was rewarded with a jury verdict limited to a low compensatory damage number that was always acknowledged as owed by our client, and a defense verdict of zero punitive damages.

Publications & Speaking Engagements

- Speaker, *Post-Certification Strategies,* American Bar Association Class Action Litigation in America – A National Symposium, New Orleans, March 2016.

Professional History

- Partner, Hahn Loeser & Parks LLP, 1996-present; Board of Directors, 1999-present; Co-Chair, Litigation Area, 2003-present.

Admissions

- State of California; State of Ohio.
- U.S. District Courts for the Central, Northern and Southern Districts of California, Northern and Southern Districts of Ohio, and Eastern and Western Districts of Michigan.
- U.S. Circuit Courts of Appeal for the Fifth, Sixth, Eighth and Ninth Circuits.

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Education

- The Ohio State University College of Law, J.D., 1985.
- Indiana University, B.A., 1982.

Memberships & Affiliations

- American Bar Association, Member.
- State Bar of California, Member.
- Ohio State Bar Association, Member.
- Cleveland Metropolitan Bar Association, Member.
- San Diego County Bar Association, Member.

Awards & Distinctions

- *Ohio Super Lawyers*®, 2004-21.
- *ChambersUSA,* Commercial Litigation (Ohio), 2008-21.
- *The Best Lawyers in America*®, Commercial Litigation, 2007-22; Litigation-Banking and Finance, 2011-22; Insurance Law, 2013-22; Cleveland Lawyer of the Year, Litigation-Banking and Finance 2022.
- AV Preeminent®, Martindale-Hubbell.

Community Involvement

- Shaker Schools Foundation, Board of Trustees, 2010-present; President, 2014-15; Vice President, 2012-13; Secretary, 2011-12.
- Montefiore, Board of Directors, 2015-present.
- President's Club of The Ohio State University, Member.
- The Ohio State University Alumni Association, Member.