

PERSUASIVE COURTROOM COMBATANT

Trial lawyer Steven Strauss wields a combination of skills and tenacity in securing big judgments in high-profile cases

By Dave Schwab

For trial lawyers like Steven M. Strauss, the courtroom is the thing.

"You have to have a theatrical side to be an effective legal advocate," said Strauss, an attorney with the San Diego office of Cooley LLP, a law firm with 700 attorneys throughout the U.S. and China.

Noting there's "a lot of work that goes into a courtroom presentation," Strauss pointed out a trial lawyer "has got to be able to command a room."

Strauss referred to trying a case as "the ultimate challenge on multiple levels."

"It's about your credibility, and your ability to persuade, making sure evidence meets legal standards and that your appeal to the judge or jury is seamless and effective," he said. "I love it."

Being a winning trial lawyer is all about "the art of persuasion," said Strauss, who'll tell you the key to being persuasive in the courtroom, besides being talented, is being prepared.

"It takes the proper skills plus preparation, doing your homework, being willing to commit to really learning the facts of your case, being creative in the legal and factual arguments you make," he said, adding, "When you go in a courtroom, whether it's a judge or jury, it's all about credibility. And the way you portray credibility to a judge or jury is by having command of the facts, of the evidence."



Steven Strauss has never lost in handling more than 30 major cases during his long legal career during which he's obtained trial verdicts and settlements in excess of \$8 billion.

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Strauss said he's never lost in handling more than 30 major cases during his long and distinguished legal career during which he's obtained trial verdicts and settlements in excess of \$8 billion.

Strauss' cases have included some of the more notable — and memorable — in San Diego County history involving some of the region's best-known personalities.

Among them:

- Strauss is currently representing the family of late NFL star linebacker Junior Seau in their wrongful death lawsuit against the NFL asserting Seau developed chronic traumatic encephalopathy after being hit repeatedly in the head over the course of his football career.
- A summary judgment in favor of Qualcomm in a \$1 billion trade secret and patent case filed by Gabriel Technologies that alleged Qualcomm and subsidiary, Snaptrack, had stolen trade secrets and patents from the plaintiff relating to Assisted GPS technology. The court found the case was "baseless" and brought in "bad faith," awarding Qualcomm all \$12.4 million in fees/costs it requested.
- A unanimous jury verdict in favor of Ernest Rady, a prominent San Diego business leader and philanthropist who faced a lawsuit filed in 2009 by several family members seeking \$272 million in damages over a purported contract to buy out their shares in American Assets Inc., a family-owned corporation.
- His representation of Kinder Morgan in a lawsuit filed against the company in 2007 by the city of San Diego alleging failure to clean up a fuel plume on property adjacent to Qualcomm Stadium, which led to the contamination of soil and groundwater beneath the sports venue. The court granted all of the summary judgment motions and dismissed the case with prejudice. The city was seeking more than \$350 million in damages.

Strauss has also represented Manchester Financial Group on the development of the Navy Broadway Complex, aka Pacific Gateway, a 3-million-square foot, \$1.3 billion redevelopment of a 14.7-acre, four-city block waterfront site on the western end of Downtown San Diego.

Strauss' law practice encompasses business, intellectual property and real estate litigation matters including representation of business entities, corporate officers and directors, owners, developers, investors, and high net worth individuals. He specializes in complex business litigation, including intellectual property, real estate, partnership and hospitality disputes.

The son of a successful real estate developer, Strauss said he knew he wanted to be an attorney early on. And, it really helped that he excelled in debate, which led to his being recruited to Georgetown University where he competed on their top-



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ranked national debate team.

Pursuing a double major in political science and English literature at the university level, Strauss graduated from UCLA Law School. After that, he said he had a big decision to make as to where he would "land," and what direction his career would take.

"I knew I wanted to try lawsuits, so for me it was important to get that opportunity early," he said.

He got that opportunity at Procopio, Cory, Hargreaves & Savitch LLP, one of the largest business law firms in California.

"I got to try cases right away and ended up heading Procopio's trial department," Strauss said.

Strauss noted his "courtroom mentality" has remained all-important to his methodology.

Every case I take, I'm prepared to be in the courtroom and try it," he said.

Asked about his success in representing one high-profile case and client after another, Strauss said clients "either come to

me or are referred to me," adding his trial record speaks for itself.

"I try cases. I get results," he said.

Concerning his most recent involvement in the Junior Seau case, Strauss said his relationship with the former Chargers star linebacker and his family goes back more than a decade ago to money lost by Seau, and a number of other entrepreneurs, in a criminal ponzi scheme to which they all fell prey.

"I was able to help get Seau's The Restaurant out of bankruptcy and helped him put together a money management team repositioning him and putting his financial affairs in order moving forward," Strauss said, adding he was instrumental in helping Seau set up his well-known charitable foundation which has survived his death.

"We were friends," Strauss said of the relationship, though he and Seau didn't see much of each other after he moved on from the Chargers to other NFL teams.

After his tragic suicide last year, Strauss said the Seau family reached out to him to represent them in a lawsuit against the NFL.

Strauss said the crux of the case will be to prove that "the brain injury he (Seau) suffered when he played football caused him to commit suicide."

Fully recognizing that football is a violent and dangerous sport, Seau's family, and a growing number of other NFL veterans, are suing the NFL contending the professional sports league knowingly suppressed information about the true impact of concussions on players and what medical dangers the side effects of those concussions actually presented to them.

"We want the league to be truthful with them (players) and maintain a safe playing environment that is independent of their collective bargaining agreement," Strauss said of the desired outcome in the case, which, if it goes to trial, will be held in San Diego, he said.

In his spare time, the 56-year-old Strauss likes to golf and ski.

"To do both you have to be in the moment, focus on your game," he noted.

Strauss is looking forward to many more legal challenges ahead.

"When people are facing their most significant legal challenges, I want them to come to me," he said.