



## **John A. O'Hara**

Partner

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Malcom Gladwell had it right when he asserted that it takes 10,000 hours of serious commitment and practice to get to the top of your field. Sometimes there is just no substitute for experience. Mr. O'Hara's experience includes over 34 years of handling complex and high stakes litigation. He has put in his 10,000 hours and then some. There are not many business litigation situations that he has not seen, analyzed, litigated and successfully resolved.

Mr. O'Hara has been with the Firm since 1987. He is a litigation partner in the Newport Beach and Las Vegas offices with a varied civil litigation practice involving construction, business, insurance coverage, real estate and class action claims.

John's construction practice focuses on the representation of residential real estate developers in complex, multi-party construction matters and the counseling of these clients in risk management, insurance and alternative dispute resolution. In the insurance arena, he represents corporate and individual policyholders in disputes with insurers, including insurance bad faith litigation. With respect to business litigation, his experience includes breach of contract claims, partnership disputes, trade secret disputes, fraud claims, franchise litigation, lender liability and unfair business practice claims.

### **Services**

- Business & Commercial Litigation
- Construction Defect Litigation
- Risk Avoidance, Transfer & Management
- Real Estate Litigation

## **Awards & Recognition**

- Selected to the Southern California Super Lawyers list, 2005-2018
- Selected to the Southern California Super Lawyers Top 50 Orange County Lawyers list, 2008
- AV® Preeminent Rating by Martindale-Hubbell Peer Review
- Selected to the Orange County Best Lawyers list, Construction Litigation, 2016-2020

## **Professional Affiliations**

- Orange County Bar Association
- Association of Southern California Defense Counsel
- American Bar Association
- Association of Business Trial Lawyers
- Clark County Bar Association
- District of Columbia Bar Association
- Fellow - Construction Lawyers Society of America

## **Admissions**

- California, 1985
- District of Columbia, 1986
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. Court of Appeals, Ninth Circuit
- United States Supreme Court
- U.S. District Court, District of Nevada

## **Education**

- The Catholic University of America Columbus School of Law (*J.D.*, 1985)
- University of California, Irvine (*B.A.*, 1982)

## **Matters**

### **Insurance Bad Faith**

Represented a large public company client in dozens of lawsuits initiated by a mammoth insurance company who was attempting to intimidate the client into walking away from significant policy benefits. We were able to turn the tide on the insurance company by weaving together from the evidence a compelling story of a pattern and practice of bad faith claims handling conduct. Once the insurer realized that we were going to be able to tell a compelling story at trial, and the risk of huge punitive damage award was real, a favorable settlement was reached.

### **Recovery of Policy Benefits**

Insurance companies never volunteer policy benefits or search for coverage. Instead, they write insurance policies that are confusing and obtuse and sit back and wait to see if the policyholder is willing to chase the benefits. In order to maximize recovery of policy benefits, the policyholder needs to understand the policy terms, determine the full range of benefits to which it is entitled, make the claim, support the claim, argue the claim and effectively litigate the claim if necessary. I have represented multiple clients in maximizing the insurance coverage to which they are entitled and recovered tens of millions of dollars that the clients never expected.

### **Insurance Litigation**

Primary day-to-day supervision of an insurance coverage lawsuit involving a carrier's duty to defend its insured, a national builder, in over 70 underlying construction defect actions. Resulted in a multi-million dollar settlement to the insured.

### **Insurance Litigation**

Defended dozens of contentious lawsuits by a major insurance carrier seeking to shirk its obligation to defend its insured and/or to seek reimbursement for policy benefits already paid. These actions ended favorably to the insured.