



## **Joseph A. Ferrentino**

Partner

[joe.ferrentino@ndf.com](mailto:joe.ferrentino@ndf.com)

Newport Beach, CA: 949-271-7111

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“The only real lawyers are trial lawyers...” – Clarence Darrow. While Mr. Darrow’s opinion is extreme, trial lawyers are definitely a different breed – bold, calculated, and quick thinking; and Joe is a proven member. In his first jury trial twenty years ago, he recovered over \$25 million from the City of Anaheim due to its leaking reservoir. In a recent case, he represented over 500 student tenants in a class action and recovered reimbursement of rent for each of the students due to the owner’s violation of the Building Code.

Joe has been a proud member of the firm since 1995 and his civil litigation practice encompasses business, real estate, construction, and insurance litigation throughout California. He leads our construction litigation department and has counseled local and national developers and property owners in some of the most publicized construction cases, including the infamous Laguna Niguel landslide. Joe constantly strives to improve efficiencies in defending complex, multi-party litigation. He assists clients with simple business disputes as well as real estate litigation involving varying types of transactions gone awry. Over the years, Joe has recovered over \$50 million in defense, indemnity, and bad faith damages from a multitude of the largest insurance companies in the world.

Very few cases actually reach a jury, but Joe’s trial record and reputation provide him with added leverage to negotiate settlements that favor his clients. Settlement terms can be as tricky as trial strategies and Joe ensures to protect our client’s future interests.

### **Services**

- Business Litigation
- Construction Litigation
- Coverage & Bad Faith Litigation
- Risk Avoidance, Transfer & Management

- Real Estate Litigation

### **Awards & Recognition**

- Named Orange County “Attorney of the Year” by Best Lawyers, 2013
- Selected to the Southern California Super Lawyers list, 2004-2018
- Selected to the Orange County Best Lawyers list, Real Estate and Construction, 2012-2020
- Selected to the Super Lawyers list of Top 50 Orange County Lawyers, 2010, 2012 & 2013
- AV Pre-eminent Rating by Martindale-Hubbell Peer Review

### **Professional Affiliations**

- Richard Banyard Inn of Court
- Orange County Bar Association

### **Charitable & Civic Involvement**

Joe is a member of the Board of Directors for Human Options, a charity committed to a future in which every person experiences safe, healthy relationships, free from fear. He and his wife, Noelle, are also annual supporters of the City of Hope, the Multiple Sclerosis Society, Special Olympics, and the Cal Poly Business and Athletic Department. He is also a member of the Villa Park Rotary.

### **Admissions**

- California, 1992
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Southern District of California

### **Education**

- Loyola Law School, Los Angeles (*J.D.*, 1992)
  - St. Thomas More Honor Society
- California Polytechnic State University, San Luis Obispo (*B.S.*, 1989)

## **Successes**

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### **Recovery of over \$25 Million from City of Anaheim**

After negotiating a multi-million dollar settlement with fourteen homeowners and two homeowners' associations damaged from a landslide in the City of Orange, Joe Ferrentino and Greg Dillion represented a homebuilder in a five-month trial against the City of Anaheim, which owned a reservoir that leached water into the neighboring slope. The jury awarded over \$25 million to Newmeyer Dillion's client and its homeowners.

### **Complete Defense of Construction Defect Claims**

The owners of 28 homes in Oxnard filed a construction defect lawsuit against a national homebuilder alleging defects in virtually every component of the home. Joe Ferrentino and Len Polyakov represented the homebuilder at trial. The homeowners sought over \$50,000 per home in damages. After a three-week trial, the jury returned a complete defense verdict and Newmeyer Dillion's client recovered over \$100,000 in costs from the homeowners.

### **\$26 Million Jury Award against Farmers Insurance**

Following the representation of a homebuilder in a construction defect case, Joe Ferrentino and Greg Dillion represented the builder in a bad faith lawsuit against Farmers Insurance Company due to Farmer's failure to provide the homebuilder with a defense. The homebuilder was owed \$1 million in defense fees. Following a trial, the jury awarded the homebuilder \$1 million in compensatory damages and another \$25 million in punitive damages. Unfortunately, the Court then reduced the punitive damage award to \$1 million.

### **Recovery from Geotechnical Engineer for Shady Canyon Home**

Joe Ferrentino and Ben Ammerman represented the owner of a custom home in a very exclusive neighborhood in Orange County. The home was suffering from damage due to settlement of the soil below the home. The firm recovered \$800,000 to repair the home for the client from the soils engineer, general contractor, and pool installer, among others.

### **ND Successfully Defended Residential Homebuilder in Construction Defect Claim Resulting in Savings of Over \$2.7M**

#### **Overview**

Joe Ferrentino defended a top five national homebuilder in a construction defect litigation claim involving high-end homes in Ladera Ranch. The bench trial involved 19 homes where homeowners claimed defects from the dirt to the roofs and started trial with a cost of repair estimate of almost \$2.7 million. To add to the complexity, the homes were mixed between being covered by the Right to Repair Act and pre-dating the Act.

Because the homes looked beautiful, Joe convinced the judge to inspect each of the homes herself. After visiting the homes and over 20 days of testimony, Newmeyer Dillion's client completely defended the claims of seven homes and the Court agreed with the scope of repair offered by the defense on the remaining homes. The cost of repair for the remaining twelve homes will be well below the offer made and should result in ND's client recovering most of its trial costs.

Read the full story [here](#).

### **Class Action Victory for Cal Poly Student Tenants vs. Landlord**

An owner of student housing a few blocks from Cal Poly San Luis Obispo modified the apartment units during the summer to fit more students without obtaining the proper permits and violated the Building Code. These code violations created fire hazards and water leaks. Joe Ferrentino filed a class action lawsuit on behalf of 500 student tenants. He took the case to the local press and after hearing of the lawsuit, the City of San Luis Obispo ordered the apartment owner to immediately repair the units and obtain the proper permits. Shortly thereafter, the apartment owner agreed to settle with the student tenants to reimburse them a portion of their rent.

### **Multi-Million Dollar Recovery of Defense Fees**

A national homebuilder hired ND to recover defense fees from five insurance carriers and several subcontractors that had breached their duty to provide a defense. Joe Ferrentino pursued these insurers in federal court and the subcontractors in state court and recovered millions of dollars in defense and bad faith damages from the insurers and subcontractors.

### **Defeating Class Action Claims Based on Right to Repair Act**

Joe Ferrentino and Jeff Brower represented developers against class action claims involving copper pipe in hundreds of homes throughout Rancho Santa Margarita, Fullerton, and San Clemente. The homeowners claim that their copper pipes were corroding due to a chemical reaction between the local water and the copper pipe. ND asserted that class action claims are not allowed under the Right to Repair Act. After several years of litigation, the trial Court finally agreed with the defense position. The class action claimants have now appealed the decision of the trial court and the firm handling the appeal.

### **Pursuit of Seller of 19,000 Square Foot Home in Ranch Santa Fe for Fraud**

After purchasing a 19,000+ square foot home in beautiful Rancho Santa Fe, the purchaser discovered that the decks and arches in the home leaked severely. Joe Ferrentino represented the purchaser against the seller as well as the general contractor and subcontractors who built the home. He successfully recovered the amount needed to repair the leaky conditions.

### **Verdict against Subcontractor for Concrete Slab Defects**

After settling with twenty homeowners for multiple defects, including alleged damage to concrete slabs and foundations, Joe Ferrentino and Nathan Owens represented a national builder in the pursuit of the concrete subcontractor for reimbursement. After a two-week trial, the jury came back after less than one hour of deliberation and awarded the builder \$991,000, which was 100% of the amount that the firm asked the jury to award.

### **Big Arbitration Award Resulting from Defective Grading**

Joe Ferrentino represented a national builder seeking reimbursement from a grader and sewer and water pipe installer following the development and repairs of sinkholes and damage to streets and gutters. The arbitrator awarded the firm's client \$1,818,248 in damages, which was more than twice the amount for which the client would have settled.

## **Publications**

November 7, 2019

**Deck Police - The New Mandate for HOA's Takes Safety to the Next Level**

## **News**

August 20, 2020

**12 Newmeyer Dillion Attorneys Named to 2021 U.S. News Best Lawyers in Multiple Practice Areas**

March 17, 2020

**Newmeyer Dillion Attorneys Named to 2020 Super Lawyers List**

August 15, 2019

**Newmeyer Dillion Attorneys Selected to *The Best Lawyers in America*® and Orange County "Lawyer of the Year" 2020 in Multiple Categories**

February 7, 2019

**Joe Ferrentino Quoted in "Problems in The SLO Apartments Remain After Class-Action Lawsuit"**

January 30, 2019

**Nine Newmeyer Dillion Attorneys Recognized as Southern California Super Lawyers**

August 17, 2018

**Newmeyer Dillion Attorneys Selected to Best Lawyers in America® and as Orange County Attorneys of the Year 2018**

August 15, 2018

**Nine Newmeyer Dillion Attorneys Selected to The Best Lawyers in America® 2019**

January 30, 2018

**11 Newmeyer Dillion Attorneys Recognized as Southern California Super Lawyers**

June 5, 2017

**Newmeyer Dillion Attorneys Selected to the 2017 Southern California Super Lawyers Lists**

August 15, 2016

**Newmeyer Dillion Attorneys Listed in *The Best Lawyers in America*® 2017**

## **Beyond the Office**

Joe grew up in Anaheim, California, and is a proud alum of Loara High where he lettered in football, basketball, and baseball. He went on to play football at Cal Poly, as well as compete on the Cal Poly debate team before moving on to Loyola Law School.

Joe and his wife of 28 years, Noelle, are the proud parents of three successful adult children. Now that his Little League and Pop Warner coaching days are over, they enjoy traveling and spending time in June Lake.

In his spare time, Joe loves basketball, golf, hiking, and snowboarding. He is also an avid fan of the Raiders, Lakers, Angels, and Ducks.