



## **Philip D. Kopp**

Of Counsel

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Philip Kopp is of counsel in the Newport Beach office focusing his practice on business, real estate, and commercial litigation, with an emphasis on construction and property damage matters. Phil's unique background, which includes both operational management experience and nearly four decades of representing clients in high-stakes, complex litigation, enables him to provide practical and effective pre-lawsuit counseling to businesses to help them address a broad range of risk management challenges.

Previously with Centex Homes, Phil held the positions of Regional General Counsel for the West Coast Region, where he was responsible for managing all litigation and claims in California, Nevada, Oregon and Washington, and Senior Vice President of Operations, Southern California Coastal Division, where he was responsible for estimating/purchasing, construction, customer service, product development, and design studio functions. Prior to joining Centex, he was a partner with Luce Forward Hamilton & Scripps in San Diego and later with Dowling, Aaron & Keeler in Fresno.

Phil also served in the United States Air Force and received the Air Force Commendation Medal for meritorious service in the aftermath of Hurricane Camille.

### **Services**

- Business Litigation
- Real Estate Litigation
- Construction Litigation

### **Awards & Recognition**

- AV® Preeminent Rating by Martindale-Hubbell Peer Review

### **Professional Affiliations**

- Orange County Bar Association
- Orange County Building Industry Association
- American Inns of Court

### **Admissions**

- California, 1979
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Southern District of California
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Federal Circuit
- United States Supreme Court

### **Education**

- University of California, Los Angeles (*J.D.*, 1979)
  - Law Review
  - Moot Court Honors Program
- California Lutheran University (*B.A.*, 1976)

## **Matters**

### **Anti-SLAPP**

Represented developer in litigation matter involving the development of land in Northern California. Case was voluntarily dismissed by the plaintiff following successful demurrer and special motion to strike (anti-SLAPP).

### **Chief Operating Officer – Business Litigation**

Phil successfully defended the chief operating officer of a publicly traded cable company in a \$200 million, bet-the-company lawsuit over the company's acquisition of most of its markets. The jury returned a defense verdict at the conclusion of a four-week trial.

### **National Homebuilder – Construction Litigation**

Newmeyer Dillion partners, Philip Kopp and Leonard Polyakov, successfully defended a national homebuilder in a construction defect lawsuit involving the owners of 71 homes. Plaintiffs' counsel asked the jury to award the homeowners more than \$24 million in damages. At the conclusion of a trial that lasted more than six months, the jury returned verdicts totaling less than one percent (1%) of the amount requested.

**Private Developer – Real Estate Litigation**

Newmeyer Dillion partners, Philip Kopp and Leonard Polyakov, negotiated a multi-million dollar settlement on behalf of their client, a private real estate developer, in a breach of contract lawsuit against a land seller over property contaminated with asbestos.