



Richard W. Protzmann

Associate

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Newport Beach, CA: 949-271-7198

Richard is an associate in the Newport Beach office of Newmeyer Dillion and focuses his practice on areas of business litigation, eminent domain, environmental law, zoning and land use, and general real estate litigation. Richard assists with investigations, analysis, remediation, and related litigation involving federal, state, and local hazardous waste regulations. He also handles litigation matters involving state and local eminent domain, including regulatory and physical takings, and other inverse condemnation disputes. He represents various business entities, real estate developers, and individuals. Richard has extensive experience in complex business litigation, real estate, contractual, trademark, and copyright issues.

He has an established reputation as a driven, pragmatic, solution-oriented attorney who succeeds for his clients in a wide range of situations. Richard is able to effectively navigate complex legal issues efficiently to save clients money and achieve desired results. He represents large and small business entities in federal and state courts, as well as alternative dispute resolution (ADR) venues.

Outside of litigation, Richard advises clients on general corporate issues, restructuring, contract negotiations, and risk management. He spends significant time helping clients avoid the pitfalls and risks in litigation by proactively creating strategic non-litigation alternatives and to help preserve business relationships following a dispute.

Services

- Appellate
- Business Litigation
- Intellectual Property - Trademarks & Licensing
- Eminent Domain & Real Estate Valuation
- Environmental

- Zoning and Land Use – Entitlements & Litigation

Awards & Recognition

- Selected to the Rising Star list by Super Lawyers in 2020

Professional Affiliations

- Orange County Bar Association
- Association Business Trial Lawyers

Charitable & Civic Involvement

- Tiger Woods Foundation
- November 10th Association
- Veterans Legal Institute

Admissions

- California, 2011
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- United States Tax Court

Education

- Pepperdine Law (*J.D.*, 2011)
- Pepperdine University (2011)
 - Strauss Institute for Dispute Resolution, Certificate
- Principia College (*B.A.*, 2008)

Successes

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).

Insurance Code section 11580

Successfully litigated cross-motions for summary judgment/adjudication against insurance carrier that wrongfully denied defense obligations to insolvent named insured. Trial court ordered that the insurance carrier had a duty to defend the named insured and a duty to pay the full amount of the default judgment regardless of the named insured's failure to satisfy the self-insured retention (SIR) amount.

Business Litigation

Defeated motion for summary judgment on contract claims that forced favorable settlement for the client on the eve of trial. This was achieved after obtaining crucial testimony in deposition of key representatives at the defendant's company.

HUD Regulations

Advised and prepared client for negotiations with representatives at the Department of Housing and Urban Development, United States Congress, and the White House regarding proposed reverse mortgage regulation revisions to be implemented in 2018.

Shareholder Dispute

Advised majority shareholders of international petroleum company in dispute with minority shareholders and officers that resulted in successful removal of self-dealing officer and discovery of evidence supporting further misconduct that would have led millions of dollars in additional liability.

Military Experience

In 2015, Richard took a leave of absence from Newmeyer Dillion in order to join the United States Marine Corps. Richard received his commission in August 2015, attended follow-on training, and returned to Newmeyer Dillion in July 2016. He is currently serving in the Marine Reserves and has held billets of platoon commander, company executive officer, and company commander with his reserve unit at Marine Corps Air Station Miramar. He is currently the detachment operations officer and oversees all planning, training, and deployment of the unit's personnel and equipment for all unit activities and events. Richard is also a member of the All Marine Hockey Team.

Richard has participated in multiple training exercises in the United States and overseas, to include deployments with Third Marine Division to Asia in support of Exercise Key Resolve and Ulchi-Freedom Guardian. Richard's personal awards include the Navy and Marine Corps Achievement Medal, Select Marine Corps Reserve Medal, Global War on Terrorism Service Medal, National Defense Medal, and Outstanding Volunteer Service Medal.