NEWMEYER DILLION



Trevor B. Potter

Counsel

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Trevor Potter is counsel in Newmeyer Dillion's Newport Beach office, where he advises developers, homebuilders, contractors, and business owners on complex real estate and construction matters — from litigation and disputes to insurance issues and the drafting, negotiation, and administration of commercial and residential construction agreements.

For nearly three years, Trevor held in-house roles with national homebuilders, where he managed a 150+ matter litigation and claims portfolio across five states, resolved construction defect claims worth tens of millions of dollars through mediation and arbitration, and oversaw a public company's insurance program, including the negotiation and placement of general liability, builder's risk, D&O, EPL, and cyber coverage. He also directed nationwide updates to the company's contractor, consultant, and design professional form agreements, and led their negotiation and administration across the company's Arizona, Texas, and Florida divisions.

Before moving in-house, Trevor spent eight years as a construction and real estate litigator at Cox, Castle & Nicholson, representing owners, developers, contractors, and lenders in disputes involving luxury hotels, multifamily and mixed-use projects, and commercial construction, including substantial litigation under AIA, Design-Build, and GMP contract forms. His results include a $48 million summary judgment for an international lender in multi-jurisdictional lender liability litigation, and a $1.8 million recovery, plus attorneys' fees, for a restoration contractor in a dispute with a homeowners' association and its insurers.

That in-house and private-practice experience means Trevor doesn't just litigate risk — he has lived with its operational and financial consequences, and now counsels clients on how to avoid and mitigate risk before litigation arises.

Representative Matters

- Represented a signature-brand, luxury hotel owner in a multimillion-dollar construction defect lawsuit against the general contractor arising from defects in the building's exterior skin and waterproofing.

- Defended a national homebuilder against an encroachment action, implementing an aggressive discovery strategy that exposed the opposing party's own misconduct and led to summary judgment on the majority of claims.
- Defended an insurance company in contentious federal court litigation involving $30 million in breach of contract and bad faith claims arising from alleged environmental pollution in Southern California.
- Represented individuals and corporate entities in a wide variety of title insurance claims, including easement disputes, encroachments, clouds on title, and lender priority disputes.
- Represented eight defendants — including a major department store, a television production company and its principals, an appliance manufacturer, and a television personality — in state and federal litigation over a celebrity-chef television show, obtaining dismissal of the plaintiffs' complaint as to all defendants at the pleading stage.

Services

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

Awards & Recognition

- Nominated, Top Young Attorney, San Diego Daily Transcript (2014)

Professional Affiliations

- Legal Advisory Committee, Associated General Contractors of California (2020-2023)
- Orange County Bar Association — Construction Law and Litigation Sections
- Association of Business Trial Lawyers – Orange County
- Georgetown Law Alumni Association
- UCLA Alumni Association

Admissions

- California, 2009
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. Court of Appeals, Ninth Circuit

Education

- Georgetown University Law Center(J.D., 2009)
  - Deans List
  - CALI Awards for Highest Grades in Constitutional Law II and International Commercial Arbitration,
- University of California, Los Angeles(magna cum laude, B.A., 2005)
  - Political Science, History
  - Theta Xi Fraternity - Scholarship Chair

Publications & Speaking

- *Extreme Remedies to License Violations — Know the Risk*, Construction Executive, 03.17.2020
- *Ensuring Efficient Arbitration of Construction Disputes Involving Mechanic's Liens,* Construction Executive, 01.20.2020
- *General Contractors Must Serve A Preliminary Notice,* California Constructor, 03.04.2019
- *Liquidated Damages: A Dangerous Afterthought*, Construction Executive, 12.03.2018
- *Subcontracting with Suspended and Debarred Entities: Find Out How Your Contracts are Affected,* Webinar 09.29.2020