



## JOHN E. BOWERBANK

Partner and Shareholder

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Mr. Bowerbank holds more than 21 years of experience focusing his practice in the areas of business, real estate, insurance, and construction litigation. Mr. Bowerbank has a proven track record of success in the litigation of complex disputes concerning commercial transactions, real estate matters, lender and broker liability, defense of consumer class action disputes, supply-chain disputes, collections, mechanic's liens, design professional liens, breaches of fiduciary duty, payment disputes, insurance coverage, unfair competition, business interference, trade secrets, foreclosures, and partnership disputes.

Prior to joining Garcia, Rainey, Blank & Bowerbank, LLP, Mr. Bowerbank was a partner at the highly rated law firm of Newmeyer & Dillon, LLP, where he worked from 2006-2015. Before that, Mr. Bowerbank worked as a trial attorney at Sheppard, Mullin, Richter & Hampton, LLP, one of the top law firms in the country.

Mr. Bowerbank is known for his vigorous litigation strategies, passionate advocacy, and creative problem-solving approach, while maintaining the highest level of ethical standards. Mr. Bowerbank has prevailed at trials as lead counsel in jury trials and has successfully tried bench trials. Mr. Bowerbank has tried cases both virtually and in person. Mr. Bowerbank has also settled numerous disputes at mediations, settlement conferences, and informally. Mr. Bowerbank has a broad range of clients, including developers, large and small businesses, publicly traded companies, entrepreneurs, investors, start-ups, brokers, lenders, and individuals.

From 2016 to 2023, has continuously been named as a distinguished Super Lawyer on Southern California's Super Lawyers list by Super Lawyers Magazine. From 2020-2021, he has been designated as a Top Attorney in Southern California by Orange Coast Magazine. Mr. Bowerbank previously served as the Chairman of the Orange County Bar Association – Real Estate Section. He has been a member of the American Business Trial Lawyers Association. He previously served as an Assistant Deputy District Attorney with the Orange County District Attorney's Office in the Trial Attorney Partnership Program where he tried and prevailed in jury trials and felony preliminary hearings. Mr. Bowerbank has been published in Orange County Lawyer, Orange County Business Journal, California Real Estate Journal, and Builder and Developer Magazine.

### EDUCATION

- » University of Southern California, J.D., 2000
- » University of California at Santa Barbara, B.A., 1996; with honors

### ADMISSIONS

- » All courts of the State of California
- » U.S. District Court, Central District of California and Southern District of California

## PROFESSIONAL HIGHLIGHTS

Mr. Bowerbank has prevailed as lead trial counsel in jury trials and bench trials. Select examples include:

- » a judgment valued in excess of \$7,000,000 on behalf of a client involved in a real estate development project.
- » a complete defense judgment for a publicly traded company in Orange County sued by a European company in a breach of contract and fraud case alleging failure to pay royalties under a license agreement.
- » pre-judgment remedies for clients, including writs of attachment involving secured/unsecured collections and motions for preliminary injunction involving trademarks, unfair competition and trade secrets.
- » dismissals of lawsuits against his clients through aggressive dispositive motions at early stages in litigation, such as prevailing on a motion to dismiss a \$6,900,000 breach of contract claim brought by a general contractor against a developer client.
- » an order striking an entire cross-complaint arising from an Anti-SLAAP motion that Mr. Bowerbank filed for his client after the Court of Appeal granted his appeal.
- » settlements on behalf of plaintiff clients for several million dollars.

Mr. Bowerbank has also been selected to the Southern California Rising Stars list by *Super Lawyers* magazine from 2009-2014. Mr. Bowerbank has been given the highest possible AVVO.com rating.

## HONORS

From 2016 to 2020, Mr. Bowerbank has been named as a distinguished Super Lawyer on the Southern California's Super Lawyers list by *Super Lawyers* magazine. Mr. Bowerbank has also been selected to the Southern California Rising Stars list by *Super Lawyers* magazine from 2009-2014. Mr. Bowerbank has been given the highest possible AVVO.com rating.

## COMMUNITY

Mr. Bowerbank formerly served as the Chair of the Orange County Bar Association – Real Estate Section in 2017. Prior to that, Mr. Bowerbank volunteered as the Treasurer and Secretary of the Orange County Bar Association – Real Estate Section and on the Executive Committee for the Orange County Bar Association – Real Estate Section. He also was recognized for volunteering as an Assistant Deputy District Attorney with the Orange County District Attorney's Office in the Trial Attorney Partnership Program.

Mr. Bowerbank played on the NCAA - Division I, Men's Tennis Team at the University of California at Santa Barbara, and he actively supports the team by hosting fundraising events.

## PUBLICATIONS

- » Do's and Don'ts about a Nonparty's Response to Federal and State Court Deposition Subpoenas Involving Civil Litigation, *Orange County Lawyer*, June 2006
- » Tips to Compelling Arbitration in Construction Defect Claims, Builder and Developer, September 2007
- » Protecting Against Mechanic's Lien Filings and Foreclosures, *California Real Estate Journal*, May 2008.
- » The Bonded Stop Notice Claim – A California Contractor's Best Potential Remedy to Be Paid During This Economy, *Residential Contractor Magazine's 2012 Sourcebook*.
- » Managing Change Orders, Construction – *Today.com*, October 2014.

## SPEECHES

- » Changes to California Mechanic's lien law, 2011, MCLE Credit Certified. Hosted by Newmeyer & Dillion, LLP.