



Nick Cipiti has practiced law in the state of California since 1981. His practice involves all types of civil litigation in state and federal courts. His emphasis is large, complex cases. Nick practices in the areas of torts, premises and product liability, business litigation, real estate law, construction litigation, environmental and pollution claims, and professional liability. He has been requested to speak to many clients and insurance carriers on topics involving his areas of practice. Nick has been involved in numerous trials, several binding arbitrations, and has mediated hundreds of cases to resolution.

Nick led the trial team featured on the *Daily Journal's* 2015 Top Defense Results for its win in *Macpherson v. Pace*.

For information on Nick's mediation and arbitration practice, including fee information, please email him at ncipiti@wfbm.com or click [here](#).

REPRESENTATIVE SUCCESSES

- *Macpherson v. Pace* – After an eight-week jury trial, secured a defense verdict in favor of a small Bakersfield oil producer, who was sued by over alleged contamination of its neighbors oil wells. The client was sued by one of the largest California onshore oil producers, and others, for subsurface trespass and nuisance. The plaintiffs sought more than \$35 million in damages relating to an alleged decrease in oil production. The jury deliberated for less than five hours before returning a defense verdict in favor of the client.
- *City of Pomona v. John Michael Faull, et al.* – Successfully secured a defense verdict in an environmental contamination case involving numerous chemicals where we were asked to represent the defendant less than two months before trial. The City of Pomona alleged that the defendants' operation of a bulk storage and distribution facility of hazardous chemicals for 50 years resulted in the contamination of soil and groundwater on its site and adjacent areas. Soil borings and groundwater logs detected significant concentrations of hazardous chemicals in each and every sample. With only three defendants remaining at the conclusion of trial, our client was the plaintiff's target defendant. After a hard-fought bench trial, the judge ruled that plaintiff did not prove a single cause of action.
- *Lopez v. Volk* – Successfully resolved a difficult lead exposure case involving eight children claiming exposure to excessive amounts of lead in an apartment complex.
- *Jassim v. Village Builders* – Successfully defended a general contractor in a 12-week jury trial against the owner of a custom home built by the client in Laguna Beach, California.
- *PK Contractors v. Griffin DeWatering* – Successfully defended a de-watering subcontractor in a two-week trial against a suit by the general contractor on a public works contract. Received a defense verdict, and the client's unpaid contract damages.
- *Hehr International, Inc. v. Harding Lawson Associates, et al.* – Construction/Product Liability, Settlement of multi-million dollar claim stemming from the renovation of the San Mateo Bridge in Northern California. The claim involved the failure of coating material applied to new pylons used for supporting the bridge renovations. After proving the failures were due to poor installation, the coatings manufacturer client settled for a small fraction of plaintiff's demand.
- *Yarnell v. General Contractor* – Construction Defect. Negotiated a favorable

Contact Information

Email: ncipiti@wfbm.com
Office: (714) 634-2522
Fax: (714) 634-0686

Areas of Practice

- Construction Law
- Environmental Law
- General Liability
- Product Liability
- Professional Liability
- Toxic Tort Law
- Trial and Appellate Work
- Benzene, Silica and Other Chemicals Litigation

Education

- Loyola Law School, Los Angeles, J.D.
- Loyola Marymount University, B.A.

Admissions

- California

resolution of significant mold claim that released defendant from all alleged construction defects, damages and bodily injury claims.

INDUSTRY INVOLVEMENT

Professional Affiliations:

- American Bar Association
- Defense Research Institute
- Los Angeles County Bar Association
- Orange County Bar Association, Construction Law Section

Speaking Engagements:

- “Multi-State Construction Defect Law Review”
- “What Every California Insurer Should Know: California’s Fair Claims Settlement Practices”
- “The Nuts and Bolts of Construction Defect Litigation”
- “SB800: The Aftermath”
- “Getting the Most Out of Your Negotiations”
- “Evaluating & Defending Inverse Condemnation Claims”

NEWS

- Supreme Court Ruling Benefits Homebuilders in Construction Defect Lawsuits
- Walsworth Partner Nick Cipiti and Senior Associate Jennifer Morin to Present on “Multi-State Construction Defect Law Review”