



Ferdie Franklin has been representing and counseling clients on a variety of legal matters since 1975. Ferdie is an experienced trial attorney and has tried both jury and non-jury cases in state and federal courts in a number of venues in California. He has represented clients at arbitrations and administrative proceedings, as well as in front of various government agencies. He is a member of the American Board of Trial Advocates (ABOTA).

Ferdie's trial experience includes representation of both plaintiffs and defendants and trying different types of cases, encompassing product liability, environmental claims, toxic exposure, employment matters and a variety of business matters. He has been on litigation teams serving as national coordinating counsel on cases involved in multi-district litigation.

Ferdie's broad experience underlies a rare ability to analyze legal problems and execute or direct the best approaches to solving these problems. Ferdie is Martindale-Hubbell AV Peer Review rated. In law school he was a contributor to the Law Review.

REPRESENTATIVE SUCCESSES

- Represented a golf car manufacturer against the heirs and the estate of a man who died while using the manufacturer's car. A defense verdict was given at trial.
- Represented the plaintiff in a false arrest case against a major department store. Defense did not make an offer on the case. Jury returned a verdict in favor of the plaintiff and awarded damages. Case settled during the punitive damages phase of the trial for a confidential amount.
- Achieved a dismissal by aggressive discovery in a case brought by an individual who makes a practice of buying contaminated properties and then suing insurance companies to collect for that contamination. Aggressive discovery led to the plaintiff dismissing the case, without any payment by the insurance company.
- Successfully obtained a defense finding in an employment case heard during a bench trial in Federal Court.
- In Federal Court employment case, successfully brought a motion to determine a preliminary fact. The trial judge found in favor of the defendant, thereby avoiding a trial by jury.
- Brought a motion to compel arbitration, based on the fact that the plaintiff was a member of an LLC that was the employer and the plaintiff had signed an agreement that included an arbitration provision. The trial court denied the motion to compel arbitration. The appellate court reversed the trial court and sent the case back for arbitration. The case settled shortly thereafter.
- Represented a national company in a dispute over the lease of a wharf in the Los Angeles/Long Beach harbor. The rate for this lease was well under market, so the landlord took the position that the client had breached the lease and brought a suit to terminate it. Case was dismissed before trial, without any payment by the client, and with a stipulation that the lease had not been breached.
- *Doe v. Various Defendants* – Obtained a grant of new trial on all causes of action after a jury awarded damages roughly halfway between demand and offer in an alleged breach of contract, fraud and business tort case. The case subsequently settled for an amount substantially less than the verdict.
- *Golden Rain Foundation v. Woolslair* – Obtained a defense verdict and award of costs on behalf of elderly individual defendant and her son in an attempted eviction by retirement community owners.
- *Goodwin v. Club Car* – Obtained a defense verdict in a wrongful death/products liability case.

Contact Information

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Areas of Practice

- Environmental Law
- Product Liability
- Toxic Tort Law
- Business and Real Property Litigation

Education

- Loyola Law School, Los Angeles, J.D.
- California State University, Long Beach, M.A.
- Pepperdine University, B.A.

Admissions

- California
- United States Court of Appeals, Ninth Circuit
- United States District Court, Central, Southern, Eastern and Northern Districts of California

- *Cline v. Bastanchury* – Defense judgment in case brought by a former driver/distributor who made allegations of wrongful termination, breach of contract, and other claims.
- *Lopez v. Volk* – Successfully resolved a difficult lead exposure case involving eight children claiming exposure to excessive amounts of lead in an apartment complex.
- *Johnson v. Scheuneman* – Successfully defended a partnership dispute in a complaint where the plaintiff sought dissolution, winding up and accounting as well as a substantial personal judgment. We successfully prosecuted and obtained judgment in a cross-complaint brought against plaintiff and had the plaintiff sentenced to 15 days in jail for contempt of court as the result of the handling of partnership assets in violation of a preliminary injunction.
- *Doe v. Roe Retailer* – Obtained a verdict for plaintiff in a false arrest case, which settled during the punitive damage phase of trial.
- *Weston v. EMPI* – Defense judgment in a bench trial on contract interpretation issues. The court’s findings on these issues in favor of our client negated the need for a jury trial.
- *Doe v. Various manufacturers and distributors of diacetyl-containing products (popcorn lung case)* – Settled during trial.
- *Doe v. Roe Water Retailer* – Case brought by minor plaintiffs against supplier of household water for lead poisoning claiming brain damage and other injuries. Settled during trial.
- *Brady v. Woodcrest* – Obtained verdict for clients against developer for misrepresentations.
- *Doe v. Roe Freight Company* – Defended case through verdict, which was overturned on motion for new trial – case then settled for a fraction of the demand.
- *60 plaintiffs v. Roe Manufactured Housing Defendants* – Multiple claims alleging toxic exposure to chemicals in manufactured housing settled during trial.

INDUSTRY INVOLVEMENT

Professional Affiliations:

- Orange County Bar Association
- Trial Attorneys of America
- American Board of Trial Advocates

Recognitions/Awards:

- Martindale-Hubbell AV Peer Review rated

NEWS

- Litigation Financing Details Remain Elusive
- Is There Hope That Discovery Might Be Subject To Reasonable Limits?