



John J. Quinn

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Practice Areas

Litigation & Trial

Corporate & Finance

Media & Entertainment

Garment & Textile

Education

Albany Law School of Union
University
(J.D., 1975)

New York University School of Law
(LL.M. in Corporation Law, 1982)

Adelphi University
(B.A., 1972)

Admitted

New York, 1976

California, 1987

U.S.D.C. Southern District of New York

U.S.D.C. Eastern District of New York

U.S.D.C. District of Connecticut

John Quinn is Of Counsel at Russ August & Kabat, where he practices in the litigation and corporate and finance departments.

Mr. Quinn has extensive experience advising and representing business interests in all manner of disputes and transactions. Previously, Mr. Quinn was a partner at the national law firm Kelley Drye & Warren, in its New York and Los Angeles offices, and Riordan & McKinzie in Los Angeles. From 1978 to 1982, Mr. Quinn was an Assistant District Attorney in the Manhattan District Attorney's Office, where he worked for Robert M. Morgenthau in the Trials and Rackets Bureaus. In addition to his legal work, Mr. Quinn served as a member of the Board of Directors of Skechers USA, Inc. (SKX, NYSE), where he served on the Audit and Compensation Committees from 1999 to 2001 and as Chief Strategy Officer of Skechers from 2001 to 2007. In that position, Mr. Quinn was responsible for brand acquisitions and development, supervised Skechers licensing portfolio and oversaw the growth of its e-commerce business. During Mr. Quinn's tenure at Skechers, the company grew from one brand to ten, and from \$900 Million in sales to \$1.4 Billion. More recently, Mr. Quinn served as a consultant to the frozen yogurt retail brand Pinkberry following an investment in the brand by the venture capital firm Maveron.

Mr. Quinn has litigated and tried numerous cases, civil and criminal, in over two dozen different state and federal courts, arbitration proceedings, and before government and industry regulatory agencies. Mr. Quinn developed a specialty in representing clients that are the subject of multiple – parallel – proceedings such as S.E.C. enforcement actions, D.O.J. investigations and class action law suits arising from insider trading and accounting fraud allegations. For example, Mr. Quinn successfully negotiated plea agreements for corporate clients that enabled the clients to continue supplying products and materials to federal purchasing agencies and avoid debarment proceedings. In one such situation, Mr. Quinn represented the interests of a major teaching hospital where a patient's death gave rise to five separate legal proceedings, including a grand jury investigation, regulatory and disciplinary actions and two civil lawsuits. Mr. Quinn provided similar advisory services to the Regents of the State of California in proceedings arising from the fertility clinic scandal at a California State teaching hospital and medical school.

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United States Court of Appeals for
the Second Circuit

U.S.D.C. Central District of California

U.S.D.C. Southern District of California

United States Court of Appeals for
the Ninth Circuit

United States Court of Appeals for
the Federal Circuit

United States Court of International
Trade

During his career, Mr. Quinn has advised public and private company clients on corporate governance issues, including various disclosure obligations, commercial relationships, and business transactions, including mergers and acquisitions. These services range from assisting in and conducting due diligence pre-transaction, negotiating acquisition valuation, pricing and material terms, and representing buyers seeking recovery of damages post transaction. For example, Mr. Quinn secured a substantial settlement for a client that discovered, post closing, that owner/seller's employee had falsified inventory value and profits that led to higher purchase price paid by firm. The absentee owner/seller of the company disgorged the increase in the purchase resulting from the inflated valuation. In another post closing situation, Mr. Quinn negotiated settlement, pre-litigation, on behalf of buyer, from a Big 5 accounting firm arising from accounting errors in closing financial statements that triggered liability under a Material Adverse Change provision in the Purchase Agreement.

Mr. Quinn developed trademark enforcement and anti-counterfeiting programs for several consumer product clients and successfully sued and obtained injunctions and money damages in trademark counterfeiting cases, including award of treble damages and attorney's fees. In one such case, Mr. Quinn was appointed Special Prosecutor by Federal Judge to prosecute criminal contempt action against a defendant charged with violating an injunction issued in a trademark infringement case and secured the maximum six-month sentence against the offender.

Some additional highlights include:

- Secured acquittal in Federal criminal antitrust case involving allegations of price fixing and territorial allocation among road construction companies.
- Secured acquittal of client, a private college, accused of criminal contempt in California state court proceeding involving construction of new facility in historic preservation district.
- Obtained summary judgment in Federal employment discrimination case, affirmed on appeal, including hostile work environment claims, on behalf of major pharmaceutical company.

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- Successfully negotiated Medi-Cal reimbursement rate dispute with State of California on behalf of major pharmaceutical company.
- Obtained dismissal on motion, affirmed on appeal, of Federal consumer class action fraud on behalf of Fortune 500 consumer products company.
- Obtained summary judgment, affirmed on appeal, in California State court action on behalf of Investment Bank that underwrote Mello-Roos financing for City of Tehachapi.
- Obtained summary judgment, affirmed on appeal, on behalf of mortgage insurance underwriter in state action seeking indemnity by largest national bank issuer of home mortgages.
- Represented major investment bank and broker dealer firm in a series of raiding cases involving trade secret and unfair competition claims and customer claims for fraud and suitability in federal and state courts and arbitration proceedings.
- Represented construction company specializing in demolition services in project disputes in California, New York, New Jersey and Boston's ten-year Big Dig project.
- Successfully negotiated settlement during arbitration hearing by which client reclaimed distribution rights to valuable international territories that generated over \$30 Million in new revenue.
- Successfully obtained reversal of \$16.5 Million judgment awarded under Texas Deceptive Trade Practices Act.
- Represented Japanese trading company that imported machine tool and printing press equipment to the United States in a variety of business, regulatory and litigation matters. Successfully recovered equipment in replevin proceeding in Pennsylvania state court action against fraudulent shell company that led to conviction and sentence of principal to eight-year federal term.
- At the request of the California Department of Corporations, assisted receiver in recovering over \$60 Million diverted in a \$90 Million Ponzi scheme case.
- Participated as a speaker and panelist at Galef Symposium *Conference on Corporate Governance and Equity Offerings* presented by The Harold Price Center for Entrepreneurial Studies and the Anderson School of Management at UCLA on the topics "Corporate Disclosure and "View from Inside the Audit Committee".

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