Louise M. McCabe

Partner

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OVERVIEW

Louise has extensive litigation experience at both the trial and appellate court levels in matters involving insurance coverage, accounting and legal malpractice, broker liability, directors' and officers' liability, and commercial litigation. She has served as regional and national coordinating counsel for clients with litigation pending in a number of jurisdictions and is experienced in all aspects of pretrial and trial preparation in complex matters. Louise has also represented clients in international and domestic arbitrations.

Louise's clients have included banks, insurance companies, retailers, accounting firms, energy companies, manufacturers, foreign governments, oil companies, real estate brokers, and developers.

REPRESENTATIVE MATTERS

Business Litigation

- Successfully represented industry publication and its authors in a dispute over rights and royalties to publication.
- Successfully defended owner/seller of an automobile franchise in private arbitration proceedings concerning dispute over buyer's inability to obtain approval from manufacturer to acquire dealership.
- Representation involving breach of contract and fiduciary duty pertinent to trustee sale of land and rights to large residential real estate development in Southern California.
- Successfully defended major oil company, defeating class action certification of plaintiffs claims emanating from plant upset and fire.

Insurance Litigation

- Significant experience handling complex insurance coverage litigation in federal and state courts throughout the U.S. in matters involving a variety of professional liability, E&O, and D&O coverage issues and including CGL environmental and asbestos coverage disputes.
- Significant first party and third party, and extra contractual "bad faith" cases in personal and commercial lines of insurance.
- Served as national and regional coordinating counsel to various insurance companies.

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Professional Liability and Directors and Officers

- Defended directors and officers of failed savings and loan against mismanagement claims.
- Obtained summary judgment in favor of major international accounting firm in shareholder action for professional negligence and breach of fiduciary duty arising from subsequent bankruptcy of retail audit client.
- Defended a variety of third party subpoenas served on accounting firms by various governmental agencies and private parties.
- Represented hedge fund in accountants' professional negligence claim.
- Defeated class certification of claims against bank arising from alleged Ponzi scheme.
- Defeated class certification and obtained summary judgment in favor of bank in dispute involving check cashing and fund transfer issues.
- Successfully represented bank in matter involving dispute over early termination of SWAP agreement.
- Defended paper mill in a personal injury litigation resulting in no monies recovered by plaintiff.
- Served as trial counsel for hospital in breach of contract action resulting in favorable verdict for client.
- Achieved summary judgment for celebrity chef and restaurant owner in employment termination and personal injury claims.
- Achieved favorable verdict and monetary damages judgment at trial for owner/developer of an upscale Northern California shopping center in breach of contract action against tenant, and successful removal of tenant from property.
- Represented owner of mobile home park in dispute over ownership and lease interests.
- Achieved favorable result for wind energy company in dispute over lease payments and violations of long term lease by operator.
- Obtained summary judgment on behalf of D&O insurer against health insurer arising from multimillion-dollar underlying dispute in Pennsylvania.
- Achieved favorable outcome for San Francisco real estate company defeating discriminatory housing claims filed by DFEH and Fair Housing Board.

International Arbitration

- Successfully defeated enforcement of a $25 million international arbitration award in the United States on behalf of a foreign government entity.
- Represented Indonesian conglomerate in UNCITRAL arbitration concerning dispute over joint venture retail operations.
- Successfully represented and defended offshore energy service company in dispute arising from foreign offshore construction project.

AWARDS

- *Thomson Reuters* Stand-out Lawyer (2023-2024, 2026) – independently rated lawyers
- Recognized by Legal Aid at Work with a 2020 Meritorious Service Award
- Achieved an AV Preeminent® Peer Review Rating from *Martindale-Hubbell*
- Recognized as a Top Lawyer in San Diego by *San Diego Magazine* (2013-2019)

TOP AREAS OF FOCUS

- Business Litigation

- Environmental Insurance Coverage
- Insurance + Reinsurance
- Professional Liability

ALL AREAS OF FOCUS

- Bad Faith
- Business Litigation
- Directors + Officers Insurance
- Employment Practices Liability
- Environmental Insurance Coverage
- General Liability
- Insurance + Reinsurance
- International
- International Arbitration
- Litigation + Trial
- Mass Torts Claims + Litigation
- Media, Technology + Cyber Liability Insurance
- Privacy + Cyber
- Professional Liability

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, International Association of Privacy Professionals
- American Bar Association Section on Taxation
- Bar Association of San Francisco
- Member, Claims and Litigation Management Alliance
- Member, PLUS

PROFESSIONAL EXPERIENCE

- Tax manager, Touche Ross & Company

EDUCATION AND CERTIFICATIONS

EDUCATION

- Santa Clara University School of Law, J.D.
- Santa Clara University, M.B.A.
- University of California, Los Angeles, B.A.

BAR ADMISSIONS

- California

COURT ADMISSIONS

- U.S. District Court, Eastern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. Tax Court
- Supreme Court of the United States