

Peter N. Villar

Partner

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OVERVIEW

Peter is a tenacious trial attorney who has successfully litigated and tried dozens of high-stakes commercial disputes throughout California and across the U.S. involving billions of dollars in damages. Most recently, Peter won a multiweek trial for the minority shareholders in a derivative action achieving a dissolution of the corporation and a \$3 million attorney fee award among other relief. Peter represents companies across a wide spectrum of industries, including private equity, technology, aerospace, apparel, construction, manufacturing, energy, entertainment, financial services, life sciences, telecom, and real estate, and he has litigated claims of breach of fiduciary duty, unfair competition, fraud, racketeering, defamation, false advertising, tortious interference, conspiracy, theft of intellectual property, and all forms of contractual disputes. Peter also has extensive experience defending companies, broker-dealers, accounting firms, and financial institutions in lawsuits arising out of the purchase or sale of securities as well as investigations and enforcement actions by the SEC, PCAOB, FINRA, and other regulatory agencies.

Peter litigates business, securities, and intellectual property cases in state and federal courts throughout the U.S. and in arbitration. He also has successfully briefed and argued numerous cases in the California Courts of Appeal and the Ninth Circuit Court of Appeals. Recently, Peter prevailed in a unanimous published decision by the California Court of Appeal upholding the right to continue operation and development of the iconic oceanfront Belmont Park in San Diego.

Peter also has served on the board of directors of the Association of Business Trial Lawyers, Federal Bar Association, and Constitutional Rights Foundation. Additionally, Peter has been repeatedly recognized as a *Best Lawyer in America* "Lawyer of the Year" in the area of Commercial Litigation and Securities Litigation.

REPRESENTATIVE MATTERS

- Lead trial counsel in a high-stakes shareholder derivative action on behalf of the minority shareholders of a prominent family-owned corporation in San Diego Superior Court in 2024. After a multiweek bench trial, the court ruled in the plaintiffs' favor and against the defendants on causes of action for breach of fiduciary duty, minority shareholder oppression, and corporate waste. As a remedy, the court ordered a dissolution of the corporation and awarded plaintiffs \$3 million in attorneys' fees.
- Lead trial counsel in a multimillion-dollar litigation involving the international sale of N95 respirators in Los Angeles Superior Court in 2023. At trial, achieved a complete defense verdict on all counts and prevailed on appeal.

- Lead trial counsel in a high-stakes breach of contract and tort action brought against a leading energy company for tens of millions in alleged damages in Ventura Superior Court in 2022. At trial, achieved a complete defense verdict on all counts and prevailed on appeal.
- Lead trial counsel in a multimillion-dollar real estate dispute on behalf of a real estate investment firm in Los Angeles Superior Court in 2020. Obtained a complete defense verdict on all counts and prevailed on appeal.
- Lead trial counsel in a high-stakes investor fraud case in Orange County Superior Court in 2020. Obtained a complete victory on all counts and was awarded all damages sought on behalf of the plaintiff venture capital firm.
- Lead counsel for the defendant in a complex contract dispute on behalf of a real estate development company. Obtained a complete defense victory following a AAA arbitration hearing in 2020.
- Obtained summary judgment on behalf of the plaintiff and cross-defendant investment company in a multimillion-dollar securities fraud litigation in 2020.
- Successfully defended a multibillion-dollar contract and fraud dispute involving the aerospace industry.
- Successfully defended a high-stakes lawsuit against the developer of the historic oceanfront Belmont Park in San Diego. Obtained a complete defense judgment in trial court, achieved a unanimous published decision affirming the judgment by the California Court of Appeal, and defeated plaintiff's petition for review by the California Supreme Court.
- Defended world's leading manufacturer of military vehicles in complex breach of contract action arising out of an alleged \$500 million deal with a foreign government. Obtained dismissal of action prior to trial and prevailed on all related appeals in the California Court of Appeals and Ninth Circuit.
- Defended private equity company in breach of contract and fraud action arising out of a \$500 million acquisition. Obtained summary judgment.
- Successfully defended a high-profile international money laundering case.
- Defended venture capital firm in a high-profile case involving claims of fraud, racketeering, conspiracy, trademark, and copyright infringement seeking hundreds of millions in damages. Obtained summary judgment of all claims against client prior to trial.
- Successfully defended officers and directors of bio-tech company against shareholder derivative suit. Obtained motion to dismiss all claims.
- Defended brokerage firm in \$100 million action involving the issuance of mortgage backed securities. Settled case for less than costs of defense.
- Represented global auto manufacturer in trademark infringement lawsuit against competitor. Competitor agreed to cease infringement prior to trial.
- Represented music record label in high-stakes trademark infringement lawsuit against television network and broadcasting company.
- Defended brokerage firm in multimillion-dollar professional negligence claims. Obtained complete dismissal of claims at arbitration.
- Defended brokerage firm in breach of fiduciary duty action brought by foreign investor. Achieved a complete dismissal of action prior to trial.
- Defended Big 4 accounting firm in \$30 million accounting malpractice action involving the reporting of advertising costs. Achieved favorable settlement for less than cost of defense.
- Represented Big 4 accounting firm in stock options backdating investigation by SEC. Persuaded SEC to drop the charges.
- Defended publicly traded, global wireless communications company in multimillion-dollar antitrust and unfair competition actions. Achieved favorable settlement for client.
- Defended publicly traded, owner and operator of national restaurant chain in \$25 million breach of contract action involving the sale of franchises. Obtained a complete defense verdict at trial and was awarded attorneys' fees and costs.
- Defended publicly traded, international media company in multimillion-dollar securities fraud action brought by

shareholder. Obtained a complete defense verdict at trial.

- Represented national health care provider as plaintiff in fraud action against reinsurance broker. Obtained summary judgment and recovered all requested damages.
- Represented national furniture manufacturer as plaintiff in breach of contract action against distributor. Obtained summary judgment on complaint and cross-complaint and recovered all requested damages.
- Defended venture capitalist in partnership dispute involving real estate venture. Obtained summary judgment and was awarded attorneys' fees and costs.
- Defended real estate developer in multitort action filed by adjacent landowner. Obtained summary judgment.
- Represented technology company in declaratory relief action against insurance company for breaching its duty to defend company in a suit brought by former employee. Obtained summary judgment and successfully argued to affirm the judgment in the California Court of Appeal.
- Defended geotechnical engineering company in breach of fiduciary duty action brought by shareholders. Achieved favorable settlement for client.
- Defended pro bono client in defamation action. Achieved complete dismissal of action prior to trial.

AWARDS

- *Best Lawyers in America*®: “Lawyer of the Year” in Litigation – Securities (2023)
- *Best Lawyers in America*®: Litigation – Securities (2022-2026), Commercial Litigation (2023-2026)
- Constitutional Rights Foundation, “Attorney Mock Trial Coach of the Year” Award (2008)
- Orange County Pro Bono Award (2007, 2012)
- Former Chairman, Judicial Council, Northwestern University School of Law
- Former Member, National Moot Court Team, Northwestern University School of Law
- “Best Speaker” Award, Moot Court Competition, Northwestern University School of Law

TOP AREAS OF FOCUS

- Business Litigation
- Securities Litigation
- Trademark + Copyright

ALL AREAS OF FOCUS

- Anti-Money Laundering
- Business Litigation
- Financial Services Litigation
- Securities Litigation
- Trademark + Copyright
- White Collar Litigation + Investigations

PROFESSIONAL/COMMUNITY INVOLVEMENT

- American Bar Association
- California Bar Association
- Federal Bar Association

- Orange County Bar Association
- Association of Business Trial Lawyers
- Board of Directors, Federal Bar Association of Orange County (2012–present)
- Board of Directors, Constitutional Rights Foundation (2005–present)
- Board of Directors, Association of Business Trial Lawyers (2018–present)
- Coach, Woodbridge High School Mock Trial Team (2000–2012)
- Coach, U.C. Irvine Business Plan Competition (2008)

EDUCATION AND CERTIFICATIONS

EDUCATION

- Northwestern University Pritzker School of Law, J.D., 1999
- University of California, Santa Barbara, B.A., 1994
- Spanish American Institute of International Education, 1993

BAR ADMISSIONS

- California

COURT ADMISSIONS

- 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. District Court, Eastern District of California
- U.S. Court of Appeals, Ninth Circuit

LANGUAGES

- Spanish (intermediate)

SPEAKING ENGAGEMENTS

- Moderator, “Winning at Mediation: Tactics and Tools for Negotiating a Favorable Settlement,” FBA Civil Practice Seminar, May 2016.
- “*Berg & Berg Enterprises, LLC v. Boyle*: California Court of Appeal Clarifies Fiduciary Duties Owed by Directors to Insolvent Corporations,” December 2009.
- “FDA Regulations Prohibiting Drug Companies from Off-Label Promotion Under Challenge; 2nd Circuit Says Off-Label Promotion is Protected Free Speech,” December 2012.
- “Best Practices and Tips for Dispositive Motions,” *FBA Civil Practice Seminar Panel*, June 2014.

PUBLICATIONS

- Co-author, “Not So Fast! Ninth Circuit Clarifies the Role of Materiality in Triggering SLUSA’s Class Action Bar,” *Troutman Pepper*, April 16, 2021.
- Co-author, “First Diversity-Driven Derivative Suit in Facebook Case Tossed by Northern District of California”

,” *Troutman Pepper*, March 31, 2021.

- Co-author, “California Court Upholds Exclusive Federal Forum Provision in Post-Cyan Securities Class Action,” *Thomson Reuters*, September 18, 2020.