



## Fred A. Fenster

Partner

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Fred A. Fenster resolves complex business disputes for a diverse cross-section of clients, ranging from multinational corporations to private individuals and such sports luminaries as Pete Rose, Pete Sampras, Keyshawn Johnson, Troy Polamalu, Lindsay Davenport and Lynn Swann.

Although litigation has been the cornerstone of Fred's practice, he also represents clients in arbitration, mediation and other alternative dispute resolution proceedings. Fred has successfully tried over 100 cases involving business contracts, unfair competition, trade disparagement, misappropriation of trade secrets and interference with advantageous business relationships. He also has significant expertise in business torts, fraud, partnership and corporate dissolutions, defamation, injunctive relief and various employment matters such as wrongful termination and non-competition covenants.

Fred is an Adjunct Professor of Law at the University of Southern California and a Member of the Board of Editors of California Pretrial Practice & Forms which gives him a unique perspective on the law and timely insight on issues that may pivotally impact the manner in which a case should be handled from pretrial through trial.

### Professional Affiliations

- Board of Governors, Beverly Hills Municipal League
- Member, Beverly Hills City Counsel/Sunshine Task Force Ad Hoc Liaison Committee
- Board of Editors, California Pretrial Practice & Forms
- Adjunct Professor at University of Southern California Law Center

### Charitable & Civic Involvement

- Former Member, Board of Directors, Temple of the Arts
- Member, Beverly Hills Citizens Oversight Committee
- Former Legal Counsel, [The Hawn Foundation](#), Goldie Hawn's charity dedicated to finding alternate approaches to treat children's mental disorders

- Former Member of the Board, Summa Kids, an organization that raises funds to donate to charitable organizations assisting disadvantaged youth in Los Angeles

### **Awards**

- Rated: "AV Preeminent 5 out of 5," Martindale-Hubbell
- Listed, "Southern California Super Lawyers" in Business Litigation, 2006-2009, 2011, 2015
- Member of the Board and participant in the Moot Court Honors Program, University of Southern California Law Center: Order of the Coif; Receipt of the Best Brief Award

### **Bar Admissions**

- California

### **Court Admissions**

- United States District Court for the Central and Southern Districts of California

### **Education**

- University of Southern California Gould School of Law (J.D., *Order of the Coif*)
- University of Southern California (B.S., *magna cum laude*)
  - Political Science
  - Phi Beta Kappa, Phi Kappa Phi, Magna Cum Laude, Pi Sigma Alpha and Blue Key

## **Professional Experience**

- Prevailed in defending an action seeking to both judicially foreclose on a 52 acre golf course and collect a deficiency of \$12,600,000
- Won a jury verdict on behalf of a seller who was sued by the buyer to rescind the transaction based on a mutual mistake of fact as to the property's boundaries which resulted in a shortfall of 11,000 square feet
- Successfully defended a tenant against a landlord who sought to cancel a master lease that would have resulted in the landlord's capture of \$100,000,000 directly from the tenants
- Won a Motion for Summary Judgment that was upheld on appeal involving an attempt by a seller of land to obtain millions of dollars in tax reimbursements received by the buyer
- Obtained a major settlement in favor of a banking client from an armored car company that failed to properly account for funds being transported from the client to ATMs located throughout the United States
- Defeated a newspaper's claim that a newly established competitive publication owned by our client and plaintiff's ex-employees, appropriated its trade secrets and confidential business information

## Insights

May 10, 2018

**Court Rules In Favor Of Beverly Hills Unified School District, Overturns \$23M Karen Christiansen Verdict**  
*Beverly Hills Courier*

April 25, 2018

**Baseball document, thought worth millions, spurs court fight**  
*Associated Press*

January 25, 2018

**BHUSD Returns To Court Feb. 14 To Appeal \$23M Karen Christiansen Verdict**  
*Beverly Hills Courier*

April 1, 2012

**When Corporate Officers Are Personally Liable**  
*Smart Business Los Angeles*

March 2, 2007

**Pickup Styx**  
*Los Angeles Daily Journal*

January 1, 2007

**Parental Control**  
*Los Angeles Daily Journal*

January 2005

**Authored Articles**  
*Westside Chronicles*