



Paul A. Tyrell, Partner

Practice Areas	Litigation Trade Secrets Corporate and Commercial Litigation
Admissions	California
Direct Phone	619.515.3237
Email	paul.tyrell@procopio.com

Professional Summary

Mr. Tyrell serves as lead trial counsel in complex and high-stakes business disputes for the firm's clients. Mr. Tyrell has handled litigation and arbitration cases in a variety of matters relating to corporate governance, partnerships and other fiduciary relationships, contracts, unfair competition, trade secrets, intellectual property, real estate, false claims/qui tam and employment. He has also counseled and defended government officials regarding conflicts of interests and statutory compliance issues, served as outside litigation counsel for municipalities and other government agencies and represented court-appointed receivers in complex financial litigation. In addition to his trial practice, Mr. Tyrell works with clients to avoid disputes by advising on various business and governance issues and assisting the firm's transactional attorneys in drafting and negotiating contracts.

Representative Matters

- Defended a publicly-traded energy company and its executives against a false claims/qui tam action which sought more than \$100 million in damages and penalties. Filed and argued pretrial motions which resulted in the dismissal of all claims.
- Lead trial counsel for the City of Carlsbad in a copyright infringement and unfair competition action to enforce intellectual property rights associated with the City's municipal golf course.
- Lead trial counsel for one of San Diego's largest developers in a commercial lease dispute involving multiple claims including fraud. After trial, the court denied all of the opposing party's claims, awarded the developer 95% of the requested damages and ordered the opposing party to pay attorneys' fees and costs.
- Defended the former mayor of San Diego and other City officials against multiple conflict of interest claims filed by the San Diego City Attorney; obtained complete dismissal of all claims.
- Advised the co-founder and director of a San Diego-based defense contractor in connection with a post-merger lawsuit filed by a dissenting director, resulting in favorable settlement.
- Defended a group of professional baseball players against breach of contract claims by removing the case from state court in Kansas. After the federal district court dismissed the case, served as lead appellate counsel and successfully argued the case before the Tenth Circuit Court of Appeals in Denver, Colorado, which upheld the district court's dismissal of the entire action.
- Lead trial counsel in the defense of a shopping center's anchor tenant in a commercial lease dispute resulting in complete defense judgment after trial.
- Represented publicly-traded health care technology company in trade secrets claim against a former employee who started a competing business; obtained favorable settlement prior to trial.

- Lead trial counsel in the successful trial of unfair competition claims on behalf of an Internet marketing firm against a principal competitor. After negotiating a favorable pre-trial settlement, of the competitor's claims, continued to trial and obtained judgment for our client on the remaining claims.
- Represented the City of San Diego in litigation between the City and the San Diego Chargers football team relating to the Qualcomm Stadium lease.
- Defended publicly-traded semiconductor company against breach of contract and breach of fiduciary duty action filed by development partner. Defeated preliminary injunction motion which led to favorable settlement.
- Lead arbitration counsel in the defense against a business broker's claim for six-figure commission on a transaction that never closed. After a multi-day hearing, the arbitrator denied all claims.
- Obtained a defense verdict on behalf of a real estate developer against breach of contract and breach of fiduciary duty claims.
- Testified before government agencies in connection with client's redevelopment project and related litigation.
- Obtained settlement before verdict in a jury trial against a multinational software company.
- Successful prosecution and defense of domain name disputes subject to arbitration under the ICANN Uniform Dispute Resolution Policy.

Education, Distinctions & Community Involvement

Education and Admissions

Mr. Tyrell earned a bachelor of arts degree in political science from The Johns Hopkins University. He received his law degree from the University of Virginia School of Law, where he was on the managing board of the *Journal of Law and Politics*.

Mr. Tyrell has been admitted to practice law in all California state courts since 1997. He is also admitted to practice before the United States District Courts for the Southern and Central Districts of California and in the United States Court of Appeals for the Tenth Circuit.

Distinctions

- "Super Lawyer" selection by *San Diego Super Lawyers* magazine. Only 5% of the total lawyers in the state of California are selected as Super Lawyers.
- "Top Attorney" semi-finalist, *The Daily Transcript*.
- "40 Under Forty" honor roll by *San Diego Metropolitan Magazine*.
- "Volunteer of the Year" award recipient, San Diego Combined Health Agencies.
- "Bar Star" recognition by the San Diego County Bar Association.

Community Involvement

Mr. Tyrell is an active member of the Association of Business Trial Lawyers (ABTL) and sits on its Board of Governors and is a member of the planning committee for the 38th ABTL Annual Seminar (*Complex Issues in Complex Cases: A Focus on Damages, Daubert & Ethics*). His other professional memberships include the San Diego County Bar Association, the American Bar Association and the California Receivers Forum.

Mr. Tyrell is very active in the San Diego community. He helped launch and continues to serve as Chairman of the San Diego's Father's Day Council, which presents the San Diego Father of the Year Awards and has raised more than \$1.5 million for the

American Diabetes Association. Mr. Tyrell was also a volunteer with the ESPN X-Games and the 1998 and 2003 Super Bowls.

News, Publications & Events

Recent News Coverage

- Wahowiak, Lindsey. "Honoring Dads: Paul Tyrell finds extra meaning in this year's 'Father of the Year' ceremonies," *Diabetes Forecast Magazine*, July 2011.
- Himchak, Elizabeth Marie. "Del Sur, Poway men among region's 'Fathers of the Year'," *Rancho Bernardo News Journal*, July 9, 2009.

Articles/Publications

- "The Lessons Of California's Prop. 211: The Ballot Initiative As A Vehicle For States To Sidestep Federal Securities Litigation Reform" 13 *Journal of Law & Politics* 965, Fall 1997.

Recent Seminars and Speeches

Mr. Tyrell has presented numerous in-house training classes on matters concerning litigation, pre-trial remedies, receivership and alternative dispute resolution (ADR).