



# Paul Richard Brown

Partner

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A highly experienced attorney, Paul is particularly skilled in high-stakes, multijurisdictional litigation matters.

He has represented clients in more than 100 bench trials and numerous jury trials, negotiated multimillion-dollar settlements for international high-tech businesses and worked with investigators throughout the United States and in 20 foreign countries. Paul has litigated matters in Asia, Europe and the Americas, including the Cayman Islands, Belize, BVI, Hong Kong, Australia, Canada, France, Isle of Man, Colombia and Mexico. He also represents high net worth individuals and financial institutions in asset recovery and financial fraud matters, including in regard to digital assets.

## Services

- Litigation
- Financial Restructuring & Bankruptcy
- Fintech & Digital Assets
- International
- Latin America
- Receiverships

## Before Fox Rothschild

Prior to joining Fox Rothschild, Paul was a shareholder in a Seattle-based law firm.

## Bar Admissions

- Washington

## Court Admissions

- U.S. Supreme Court
- U.S. District Court, Eastern District of Washington
- U.S. District Court, Western District of Washington
- U.S. Court of Appeals, Ninth Circuit

## Education

- Seattle University School of Law (J.D.)
- University of Puget Sound (B.A.)

## Memberships

- Federal Bar Association
- Washington State Bar Association
- Washington State Patent Law Association
- King County Bar Association
- National Association of Federal Equity Receivers

## Honors & Awards

- Recognized by the *Chambers USA* Guide for Litigation: General Commercial in Washington (2024-2025)
- Selected to the list of "Super Lawyers" for Business Litigation in Seattle (2015-2021)

## Complex Litigation

- *Litvack v. University of Washington* Case No 20-2-16750 SEA (King County Superior Court) Served as co-lead counsel and secured complete dismissal of discrimination and retaliation claims filed against the University of Washington by a surgeon at UW Medical Center. The plaintiff sued the university, claiming four causes of action. Filed a motion for summary judgment that resulted in dismissal of three claims, then defeated the fourth claim in a three-week trial in which the jury found in favor of the university and awarded zero damages.
- *Corker, et. al. v. Costco, et. al.* Case No. 2:19-CV-00290-RSL (W.D. Wash). Appointed as co-lead plaintiff's class counsel in Lanham Act false designation of origin claims class action. To date, settlement with various defendants for both injunctive relief and monetary charges. Claims involve allegations defendant supplier and retailers labeled, market and sold coffee as 100% "Kona Coffee" where scientific testing evidence demonstrated defendants coffee actually had little to no Kona Coffee.
- *Federal Trade Commission (FTC), et. al. v. Dalbey, et. al.* Case No. 11-CV-01396 (District of Colorado, pending). Serve as lead counsel for Dalbey, et. al. Defended principals against claims by the Federal Trade Commission and Colorado Attorney General for false and deceptive advertising, violations of the Telemarketing Sales Rule and violations of state consumer protection laws. Claims challenged defendants' infomercials, print advertising and telemarketing calls. The FTC seeks a permanent injunction and consumer redress for over \$350 million in company sales. Case involved discovery on a national level, and motions for governmental misconduct sanctions, dismissal, summary judgment and exclusion of survey expert reports and testimony.
- *Atlas, Inc. v. Weir Slurry Group, Inc. and Weir Minerals Australia.* Case No. 2:07-CV-01358 (W. D. Wash). Serve as lead trial counsel for Atlas, Inc., in trade dress litigation. Atlas filed an action of Declaratory Judgment that it did not infringe on any of Weir's claimed trade dress. Weir counterclaimed alleging trade dress infringement; reverse palming off; contract interference; and consumer protection violation. Supervised and directed multiple lawyers in depositions in Madison, WI; Sydney, Australia; Hong Kong; Cleveland, OH; Salt Lake City, UT; Phoenix, AZ; and Seattle, WA. Won on motion for summary judgment; all counterclaims dismissed; affirmed—Ninth Circuit Court of Appeals.
- *Dallen and Peggy Wendt v. HTD, et al.* Case No. 08-CV-03612 (N.D. Ill). Served as lead trial counsel for Wendts. Case involved offshore asset recovery with claims of fraudulent misrepresentation, conversion, unjust enrichment, breach of fiduciary duty, unfair and deceptive trade practices, and civil conspiracy. The case settled in favor of Wendt.
- *Zipfizz adv. Young.* Case No. BC 397830 (Los Angeles County Superior Court). Served as lead trial counsel for Zipfizz. Case involved a class action lawsuit against defendant for violating wage order and labor laws in the State of California. Achieved a favorable settlement for Zipfizz.
- *WMS, LLC adv. Henry Cameron Holdings, LLC.* Case No. 08-22373 (Circuit Court of Cook County, Illinois Chancery Divisions), and Case No. 080500552 M (Third Judicial Court in Summit County, Utah). Served as lead trial counsel for WMS, LLC. The case settled in favor of WMS, LLC prior to trial. Successfully defended WMS, LLC in a membership interest purchase and sale agreement, and tenants in common agreement dispute.
- *Lakeside Technologies, LLC v. Lakeside ISC, LLC.* Case No. CV-07-26-RHW (E.D. Wash). Served as lead trial counsel for Lakeside Technologies, LLC. The case settled in favor of Lakeside Technologies, LLC, prior to trial. Successfully

pursued claims against defendants for breach of the settlement agreement and violation of trade secrets of computer software.

- *Millcreek Country Club Association v. Trajal USA, Inc., et al.* Case No. 06-2-09052-5 (Snohomish County Superior Court). Served as lead trial counsel for Millcreek Country Club Association. Successfully forced sale of ownership to members of the country club.
- *Hansen Beverage v. Zipfizz.* Case No. CV 07-07689 R (FFMx) (C.D. Cal). Served as lead trial counsel for Zipfizz. The case settled in favor of Zipfizz prior to trial. Successfully defended Zipfizz against false advertising claims.
- *Kenexa Technology v. Clearwire Corporation.* Case No. 07-CV-771 (W.D. Wash). Served as lead trial counsel for Kenexa Technology. The case settled in favor of Kenexa Technology prior to trial. Successfully pursued claims for breach of contract of employment recruiting and outsourcing services.
- *Ritchie, et al. v. WMS Debt Management, LLC.* Case No. 04-2-03402-7SEA (King County Superior Court). Served as lead trial counsel for WMS Debt Management, LLC. The case settled in favor of WMS Debt Management prior to trial. Successfully defended WMS Debt management against securities fraud claims.
- *Nutrition and Fitness, Inc. v. Enfission.* Case No. 5:05 CV 175-FL(1)(E.D. NC). Served as lead trial counsel for Enfission. This case settled in favor of Enfission prior to trial. Defended Enfission in a trade dress litigation.
- *Pitney Bowes v. Nexxpost.* Case No. 05-2-29988-6SEA (King County Superior Court). Served as lead trial counsel for Nexxpost. The case settled in favor of Nexxpost prior to trial. Successfully defended start-up company, Nexxpost, regarding allegations by Pitney Bowes against former employees' alleged breach of employee agreement.
- *USA Prescription, Inc. v. Jude Lacour.* Case No. 01-018115-CACE-18 (District Court of the 17th Judicial Circuit, Broward County, Florida). Served as lead trial counsel for Jude Lacour. The case settled in favor of Jude Lacour prior to trial. Represented Jude Lacour in trade secret litigation related to online subscription services. Successfully defended numerous preliminary injunction motions for false designation, copyright infringement and unfair business practices.
- *HJC Company Limited, et al. v. Soaring Helmet Corporation, et al.* Case No. LACV03-6460 ABC (Mcx). (C. D. Cal.). Served as lead trial counsel for Soaring Helmet Corporation. This case settled in favor of Soaring Helmet prior to trial. This case involved patent infringement claims.
- *Scimage, Inc. v. Robert and Kimberly Jones, et al.* Case No. CV2003-020839 (Superior Court of the State of Arizona, County of Maricopa). Served as lead trial counsel for Scimage, Inc. Successfully pursued breach of employee agreement, Uniform Trade Secrets Act violations, intentional interference with business relations, conversion, trespass, promissory notes and breach of contractor agreement.
- *Leaver v. Zipfizz.* Case No. 05-2-06985-4 (Snohomish County Superior Court). Served as lead trial counsel for Zipfizz. The case settled in favor of Zipfizz prior to trial. Successfully defended Zipfizz in breach of agreement and product claims in shareholder derivative suit.
- *Display Research Laboratories, Inc. v. Telegen Corporation, et al.* Case No. 00-4261-SI (N.D. Cal.). Served as lead trial counsel for Telegen Corporation. This case settled in favor of Telegen Corporation prior to trial. Successfully defended claims for patent infringement, trade secret violation and asset recovery.

## Asset Recovery

- Represented Trustee in U.S. Bankruptcy Court. Defendant ordered to relinquish and surrender assets to Trustee. Instead, he fled the U.S. and was a fugitive overseas. We located, recovered and retrieved for the Trustee millions of dollars of assets. We also prevailed in a dispute with the Department of Justice concerning the Trustee's title and legal authority to retain assets on behalf of creditors. Jurisdictions included France, Canada, Belize, Portugal, Switzerland and Isle of Man.
- Represented creditors unwittingly involved in an international Ponzi scheme headquartered in central Texas that involved fraudulent investments of approximately \$90 million. On behalf of clients we exposed and set up for federal agents to gather, prosecute and indict corporate counsel, government lawyer and perpetrator.
- Recovered approximately \$3.4 million for a widow in funds moved from Switzerland, Guernsey, Jersey and Isle of Man. A trust was set up by now-deceased husband, but the brokers for the offshore insurance and trusts attempted to keep the money. Pressure on the local financial services commission and investigators and a threat of injunctive relief led to the release of funds.
- Retrieved over \$3 million for an individual from a fraudulent offshore investments and insurance scheme. Defendants are being sued in several domestic and international courts. Our client is to date the only party to regain any monies. The case involved multiple offshore jurisdictions and over \$500 million in dishonestly obtained funds.
- Recovered \$3 million for a financial institution. Our efforts prevented the perpetrator from moving assets offshore and we successfully seized funds despite efforts by opposing counsel to establish the fraudulent scheme.

- Represented a local celebrity in 110% recovery of his money in a sham intellectual property investment where proceeds were diverted offshore. We recovered over \$1 million and the persons responsible were ultimately found criminally liable and are serving time in federal prison.
- Assisted international counsel in locating and seizing \$30 million for an aggrieved party in international investment securities scheme. British Virgin Islands and other offshore jurisdictions.

## Trial Strategist

Trials are risky and fraught with uncertainty. That's a significant reason so few cases end up before a judge or jury.

Paul leverages insights gleaned from three decades of courtroom experience to cut through that uncertainty, helping clients facing litigation or potential litigation in both domestic and international matters:

- assess their risk
- make an informed decision about going to trial versus settlement
- determine the optimal venue
- select a favorable jury
- design and execute an effective trial strategy

Paul provides litigation audits and asset evaluation/recovery and is often consulted by outside firms whose clients are facing multiple lawsuits to determine which should be settled and which to take to court.

### Pretrial Preparation

Paul helps clients lay the groundwork for success long before the judge brings down their gavel. Confident, persuasive and direct, Paul is adept at conducting depositions, structuring his questioning to elicit optimum testimony. He works with subject matter experts to prepare them for trial, assisting them in understanding how to frame answers for the nonexpert judge and/or jury. And he serves as a quarterback and chief strategist, ensuring decision-makers have all the information they need to present a strong and persuasive case.

### In the Courtroom

At trial, Paul is skilled at jury selection, helping to create a favorable playing field for his clients by filtering out jurors who are unfairly biased, connecting with jurors who are selected, educating them and leveraging favorable connections in his client's favor. Once a proceeding begins, from jury selection to closing argument, he is a seasoned tactician, working alongside attorneys in specialized disciplines, such as employment law, intellectual property, class actions and bankruptcy adversary proceedings, to provide seasoned advice on trial strategy implementation.