

DAVID A. HARFORD

Partner

Irvine

E: david.harford@bclplaw.com

T: [+1 949 223 7107](tel:+19492237107)

BIOGRAPHY

David Harford is a seasoned trial attorney specializing in business and commercial disputes within BCLP's Business & Commercial Disputes group. With a particular focus on franchise law, David brings a wealth of experience and a results-driven approach to resolving complex legal issues for his clients.

David's franchise law practice is extensive and multifaceted. He has litigated numerous cases involving the termination of franchise and distribution rights, the assertion of franchise rights, and the intricate relations between franchisors and franchisees. His expertise also extends to disputes concerning representations made during the purchase and sale of franchise, trademark, and distribution rights. His deep understanding of the franchise industry allows him to provide strategic and effective legal counsel, ensuring his clients' interests are vigorously protected.

Beyond franchise law, David has represented a diverse array of commercial institutions, including lenders, food ingredient manufacturers and distributors, consumer technology companies, new and traditional media companies, and financial institutions. His comprehensive litigation practice encompasses the prosecution and defense of complex business disputes, as well as the defense of consumer and personal injury claims brought by individual and class action plaintiffs.

David is known for his aggressive and proactive litigation style. He has extensive experience with pre-judgment remedies such as attachment, receivership, and injunctions, bringing a tactical advantage to his clients in the early stages of litigation. Throughout his career, David has tried numerous cases, including lengthy arbitrations, bench and jury trials, and has handled a multitude of appeals. His ability to navigate all phases of litigation with skill and precision has earned him a reputation as a formidable advocate in the courtroom.

David's expertise is recognized by his certification as a Specialist in Franchise and Distribution Law by the State Bar of California. Additionally, he serves as an associate editor for the Franchise Law Journal, contributing to the development and dissemination of knowledge within the field. His involvement in professional organizations and publications underscores his commitment to advancing the practice of franchise law and staying at the forefront of legal developments.

David Harford's dogged dedication to achieving extraordinary results for his clients, coupled with his extensive legal knowledge and trial experience, makes him an invaluable asset in any business or commercial dispute.

CIVIC INVOLVEMENT & HONORS

David was included in the 2024 edition of the *Best Lawyers: Ones to Watch[®] in America* for his work in Commercial Litigation.

David served as a volunteer trial attorney for the Anaheim City Prosecutor's Office for the month of October 2016 through the Los Angeles County Bar Association's Traditional Trial Advocacy Program.

ADMISSIONS

- California, 2010
- New York, 2010

EDUCATION

Columbia University, J.D., 2009, Stone Scholar

Emory University, B.A., with highest honors, 2005

RELATED CAPABILITIES

- Business & Commercial Disputes
- Franchising
- Intellectual Property and Technology
- Corporate
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory

EXPERIENCE

- Key member of trial team that obtained a \$28 million jury verdict in a patent ownership dispute.
- Obtained order vacating JAMS arbitration award because JAMS failed to disclose that the arbitrator was a JAMS shareholder who shared in the profits of 97 other arbitrations in which adversary was a party in *Monster Energy Corp. v. City Beverages, LLC*, 940 F.3d 1130 (9th Cir. October 22, 2019).
- Obtained district court order denying request for preliminary injunction filed by franchisee seeking to enjoin expiration of franchise agreement in *Terrier, LLC v. HCA Franchise Corporation*, Case No. 2:22-cv-01325, 2022 WL 4280251 (D. Nev. Sep. 15, 2022).
- Obtained dismissal on forum non conveniens for franchisee client in *Carl's Jr. Restaurants LLC v. 6 Points Food Services, Ltd., et al.*, No. CV-15-9827-GHK, 2016 WL 3671116 (C.D. Cal. July 7, 2016).
- Obtained a pre-judgment order for receivership over operating company in *TCJ v. Trimed Medical Wholesalers, et al.*, 217CV04656PSGJEM, 2017 WL 10543659 (C.D. Cal. Sept. 19, 2017).
- Obtained a pre-judgment temporary protective order against all the assets of a large film distribution company, resulting in immediate payment in full for individual client.
- Key lawyer on a team that won defensive summary judgment and a sizeable cost award for a major financial institution in a 50 plaintiff construction defect/fraud class action suit.

- Won bench verdict in civil contempt trial for large financial institution.

RESOURCES

PUBLICATIONS

Educating Courts: Using Franchise Lawyers and Consultants as Expert Witnesses in Franchise Cases and Avoiding Exclusion of Testimony as “Legal Opinion”, Franchise Law Journal, Vol. 42:2.

LADR Case Notes and FLJ Currents, Franchise Law Journal, Vol. 41:4.

Franchising & Distribution Currents, Franchise Law Journal, Vol. 41:2.

Stradivarius Revisited: Re-Tuning Your Franchise Arbitration Instrument, Franchise Law Journal, Vol. 40:1.

The Basics Of The California Consumer Privacy Act (CCPA) For The Franchise Industry

The Scouts Teach Us All a Lesson About Trademark Law

SPEAKING ENGAGEMENTS

“The Importance of Materiality in Franchise Disputes” ,ABA 2023

RELATED INSIGHTS

Awards

Aug 17, 2023

The Best Lawyers in America® 2024

News

Jun 08, 2023

BCLP Litigation team wins jury trial for McLear

News

Nov 14, 2022

BCLP announces 2023 partner class

Insights

May 07, 2020

The Hidden Cost of PPP Loans: U.S. Businesses Receiving Loans May Risk Civil Suits

News

Feb 24, 2020

Ninth Circuit's Vacating of Arbitration Award Due to Lack of Disclosure by JAMS is named as one of the "Largest and Most Significant Verdicts and Appellate Reversals in California in 2019" by the Daily Journal

News

Jan 17, 2020

Two BCLP Matters Make 'Daily Journal' List of Top 2019 Cases