



## JOSEPH J. POPPEN

Counsel

San Francisco

E: [joseph.poppen@bclplaw.com](mailto:joseph.poppen@bclplaw.com)

T: [+1 415 675 3470](tel:+14156753470)

## BIOGRAPHY

Joseph J. Poppen is a member of the firm's Business & Commercial Disputes Practice Group, as well as the Appellate Team. Joseph is certified as an Appellate Specialist by the California State Bar Board of Legal Specialization, and has been named a Northern California "Rising Star" by *Super Lawyers Magazine* every year from 2011 to the present.

Joseph has successfully represented appellants, respondents and amicus curiae before the U.S. Court of Appeals for the Eighth and Ninth Circuits, and before the First, Second, Third and Sixth Districts of the California Court of Appeal.

Joseph has equally extensive experience in the state and federal trial courts, having represented clients in jury trials, bench trials and arbitrations throughout the state of California. His jury trial experience includes a three week products liability trial in which his clients prevailed, and a three

week premises liability trial that resulted in a hung jury, and settled soon thereafter. He also served as first chair in a four week breach of contract jury trial in which his clients prevailed, and a three week breach of fiduciary duty jury trial that settled on favorable terms after the close of his clients' case. In addition to his trial experience, Joseph has extensive law and motion skill and experience, including pleadings motions, summary judgment, and all other pre and post-trial motions. He is also highly skilled in discovery proceeding, and has taken or defended well over 100 depositions, propounded and responded to all forms of written discovery, and he enforces his clients' discovery rights by motion whenever necessary.

In recent years, Joseph's practice has focused on complex commercial and real estate matters, often involving claims of breach of contract, unfair competition, misrepresentation, quiet title, negligence, wrongful foreclosure, interpleader, suits involving municipal sale restrictions, purchase options and mechanic's liens, as well as claims under the Truth in Lending Act, the Real Estate Settlement Procedures Act and the Fair Debt Collection Practices Act. He is also experienced in litigation involving employment law, trust and will contests, breach of trust claims against trustees of private trusts, construction, as well as claims for premises and products liability.

During law school, Joseph served as the Managing Editor of the Hastings West-Northwest Journal of Environmental Law and Policy. He also served as an extern with the Civil Division of the U.S. Attorney's Office for the Northern District of California. As an undergrad, he studied philosophy and focused on contemporary metaphysics and ethical theory.

## **COMMITTEE CONTENT**

Recruiting Committee

## **ADMISSIONS**

- California, 2005
- U.S. Court of Appeals for the Ninth Circuit, 2005
- U.S. Court of Appeals for the Eighth Circuit, 2017
- U.S. District Court – Northern District of California, 2005
- U.S. District Court – Eastern District of California, 2011
- U.S. District Court – Central District of California, 2017

## EDUCATION

University of California-Hastings, J.D., 2005

University of California-Berkeley, B.A., 2001

## RELATED CAPABILITIES

- Business & Commercial Disputes
- Financial Services
- Catastrophic Accidents
- Consumer Fraud
- Consumer Products
- Food, Ag & Nutrition
- Insurance (Class Actions)
- Pharmaceutical & Medical Devices (Class Actions)
- Pharmaceutical & Medical Devices (Mass Torts)
- Financial Institutions
- Litigation & Dispute Resolution
- Class Actions
- Finance
- Appellate
- Mass Torts & Product Liability

## EXPERIENCE

### Representative Appellate Opinions

- *Wheatley v. JPMorgan Chase Bank, N.A.*, 860 F.3d 629 (8th Cir. 2017)
- *Halajian v. JPMorgan Chase Bank.*, 688 Fed.Appx. 500 (9th Cir. 2017)
- *Dahnken v. JPMorgan Chase Bank*, 705 Fed.Appx. 508 (9th Cir. 2017)
- *White v. JPMorgan Chase & Co.* 702 Fed.Appx. 642 (9th Cir. 2017)
- *Ratliff v. EMC Mortgage, LLC*, 2017 WL 1075432 (Cal. Ct. App. 2017)
- *Mendoza v. JPMorgan Chase Bank, N.A.*, 6 Cal.App.5th 802 (Cal. Ct. App. 2016)
- *Brown v. Deutsche Bank Nat'l Trust Co.*, 247 Cal.App.4th 275 (Cal. Ct. App. 2016)

- *LSREF2 Clover Prop. 4, LLC v. Festival Retail Fund 1, LP*, 3 Cal.App.5th 1067 (Cal. Ct. App. 2016)
- *Nguyen v. J.P. Morgan Chase Bank, N.A.*, 669 Fed.Appx. 347 (9th Cir. 2016)
- *Rosenblum v. Mortgage Electronic Registration Systems, Inc.*, 2016 WL 5404370 (Cal. Ct. App. 2016)
- *Malek v. JP Morgan Chase Bank, N.A.*, 2016 WL 3356233 (Cal. Ct. App. 2016)
- *Diller v. JPMorgan Chase Bank, N.A.*, 2016 WL 3640480 (Cal. Ct. App. 2016)
- *Agmata-Rivac v. JP Morgan Chase Bank, N.A.*, 2016 WL 280015 (Cal. Ct. App. 2016)
- *Hewlett v. JPMorgan Chase Bank, N.A.*, 2016 WL 6311107 (Cal. Ct. App. 2016)
- *Smith v. EMC Mortgage LLC*, 2016 WL 4001271 (Cal. Ct. App. 2016)
- *Lam v. JPMorgan Chase Bank N.A.*, 605 F. App'x 600 (9th Cir. 2015)
- *Patinio v. EMC Mortgage, LLC* 2015 WL 2156649 (Cal. Ct. App. 2015)
- *McIntosh v. Mathison*, 2011 WL 1535401 (Cal. Ct. App. 2011)
- *Anderson v. 11th & Folsom Community and Preservation Society*, 2010 WL 891694 (Cal. Ct. App. 2010)

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