



BGA Update
WINTER 2016 ISSUE

Bridgford Gleason & Artinian

THIS ISSUE

- 02 Daily Journal Profiles BGA
- 04 National Clothing Retailers Hit With "Wage Theft" Lawsuits
- 05 Settlement Approved for Ladera Homeowners with MBK Builders

Firm Wins Final Approval in \$7 Million Settlement for Homeowners Over Damages Caused by Copper Pipe Leaks

Richard Bridgford and Mike Artinian of Bridgford, Gleason and Artinian LLP in Newport Beach, won approval of a \$7 million settlement on December 11, 2015 on behalf of 444 homeowners in Ladera Ranch who purchased their homes from William Lyon Homes. The members of the class action, whose homes were built between May 9, 2003 and May 9, 2013, were seeking compensation to repair defective copper pipes alleged to be corroding and causing leaks. Based on this settlement, Homeowners are entitled to their choice of a PEX Repipe or an Epoxy Coating of their existing copper pipes. The settlement also includes patch and paint costs. Single family home owners will receive a repair up to \$14,860; and for each condo unit, the total repair costs are up to \$11,700. For those who previously paid for their own repairs, they are entitled to a reimbursement up to the above amounts with sufficient proof.

"We are pleased that William Lyon is being a good corporate citizen, taking care of their customers who have made one of the biggest investments of their lives," says Richard Bridgford, founding partner of the Newport Beach plaintiff law firm. "We can only hope the other builders will step up and do the right thing for their customers. Copper pipes continue to be a big problem in Orange County."



From left to right: Bridgford, Gleason & Artinian LLP Partners John Gleason, Richard Bridgford and Michael Artinian in their Newport Beach office

bridgfordlaw.com
(949) 831-6611



Daily Journal Profiles BGA

Much of Richard K. Bridgford's work ethic can be attributed to his family, and more specifically his grandfather, Hugh H. Bridgford, who started Bridgford Foods Corp. in 1932 in San Diego and, with the help of other relatives, ultimately built it into a worldwide business.

Childhood memories of his family's small business having to compete against larger, multi-national corporations instilled in Bridgford a strong sense of defending the underdog.

"I developed a very refined sense of life's injustices," he said. "That, and being the youngest male of 14 cousins, made me a fighter."

Coming from a family of entrepreneurs, yet fiercely independent, the trial attorney started his own law firm at age 30. Bridgford & Associates opened its doors in Newport Beach in 1990 and went through several incarnations before eventually settling as Bridgford, Gleason & Artinian.

Though it first started out defending large developers, the firm switched gears after about five years and started doing more plaintiff work, which Bridgford said is closer in alignment with his core values. The firm's practice areas include business litigation; real estate; insurance and bad faith; personal injury and wrongful death; employment; and construction defect.

Headquartered in Orange County, the firm also has a satellite office in Los Angeles that handles consumer-protection suits on a joint-venture basis with plaintiffs attorney Patrick McNicholas of McNicholas & McNicholas LLP.

McNicholas describes Bridgford's firm as "a unique combination of intellectual horsepower, exceptional skill and years of courtroom experience."

"Over the years McNicholas & McNicholas has engaged Bridgford, Gleason & Artinian on a variety of contingency-fee cases because they always add huge value to the case," McNicholas said. "They are uniquely situated in the market, and especially in Orange County, to provide clients with the best possible outcome."

Bridgford traces his easy rapport with jurors and clients from all walks of life to selling bread dough and deli meats to supermarket chains, restaurants and hotels starting at age 16. The street credibility and approachability he fostered with working-class people was easily transferable to the courtroom, he said. He often feels more comfortable with jurors than fellow lawyers, he conceded.

"No one in my family was a lawyer and I knew very few lawyers [when I first started out]," he said. Bridgford started his firm as a sole practitioner, getting a lot of help early on from attorney Paul R. Hamilton after working for Hamilton & Samuels in Orange County for three years. Hamilton offered Bridgford a partnership after having been a lawyer for only five years, but Bridgford decided instead to start his own firm.

A year into his small firm, Bridgford brought on attorney John S. Gleason as partner, and in 2008 was joined by Michael H. Artinian. In total, there are five full-time attorneys at the firm.

Continued on page 3



Gleason wrote, argued and won the landmark decision of *Furla v. Jon Douglas*. This real estate fraud case centered on the misrepresentation by a broker of the square footage of a home in Los Angeles. Gleason's argument honed in on the fact that even an "as is" clause and a disclaimer do not relieve a seller of the duty to not misrepresent or conceal material facts.

Artinian also desired more trial experience and found plenty of opportunity at Bridgford's firm. His areas of specialty include insurance and bad faith, construction defect, business litigation and employment.

Since joining Bridgford and eventually becoming partner, Artinian has tried several cases, including a series of current class actions over copper pipe pinhole leaks, which he co-leads with Bridgford. "Rich has a keen ability for identifying key issues in a case early on," Artinian said. "He is a quick study, and is very involved in every case we take on together."

The copper pipe leaks in the Ladera Ranch enclave of Orange County spawned a series of class actions against 10 home builders in 2013. These lawsuits were atypical as far as copper pipe leak litigation goes because Bridgford decided not to sue the water districts, as many developers have done, alleging that chemicals in the water cause the leaks.

Artinian called this decision "prophetic," as Judge Thierry P. Colaw, who is presiding over the Ladera Ranch class actions just ruled against Shappell Industries Inc. and two homeowners associations, which sued the Moulton Niguel Water District.

Instead, Bridgford's firm went after homebuilders like MBK Homes LLC and William Lyon Homes. In early August, Bridgford's firm received final approval on the first class settlement of the series: a \$1.3 million deal with MBK. A second settlement with Lyon for roughly \$7.1 million received preliminary approval in July and is scheduled for a final approval hearing in December.

The rest of the eight class actions were on hold pending decisions in two of the cases, one against K. Hovnanian Companies LLC and the other against D.R. Horton Inc. In both cases, the homebuilders contested the certification of the class and prevailed on demurrer, but Bridgford's firm appealed. On Aug. 19, the appellate court sided with Bridgford, sending both class actions back to the trial court to certify the classes. These two cases affect 2,500 to 3,000 homeowners, and perhaps more than 8,000 more in other locales, Bridgford said.

Continued on page 4





Bridgford has obtained numerous six- and seven-figure verdicts and awards over the years. In terms of settlements, one of the most meaningful results was winning a \$5 million settlement in a catastrophic personal injury case, the largest amount for a wrongful death claim among those killed in the 2003 Metrolink train crash. This catalyzed Bridgford to advocate for the state and federal governments to expedite the requirement of automatic braking technology for trains operating on the West Coast, as it's already more prevalent on the East Coast.

One of the biggest challenges his firm faces is the perception about the plaintiffs bar, Bridgford said. This rankles him, he confessed, but he copes by

doing his part to change that perception by giving back to the community, which he considers an obligation of the well-off. As part of his philanthropic efforts, he serves as a trustee on the UCI Law Advisory Board. He encourages giving back among his partners and associates as well.

"Money's always a challenge, hard work is always a challenge, but to me the biggest challenge as you grow older is you want your life to have meaning," he said. "And I feel that what we do is very important and it does have meaning and we've made the world a better place and we've forced changes that are positive."

National Clothing Retailers Hit With “Wage Theft” Lawsuits

Richard Bridgford was quoted in a Law360 article that ran October 15, 2015 about a class action lawsuit filed in California against Forever 21 Retail Inc. over the practice of using on-call shifts. The lawsuit alleges that the retailer failed to compensate employees who report but ultimately aren't put to work.

According to the complaint, Plaintiff Raalon Kennedy asserts claims for failure to pay reporting time pay, failure to pay all wages earned at termination, failure to provide accurate wage statements and unfair business practices and asks for the payment of unpaid wages as well as compensatory and economic damages and attorneys' fees and costs, among other claims for relief.

Bridgford, an attorney for Kennedy, said that the suit is really about how the retailers' actions deprive employees of their ability to earn a living wage.

“These practices prevent them from obtaining employment from another employer because they're tied up on-call and they're required to be available. Therefore, in the process, they're prevented from obtaining other employment, and yet they're not being compensated for the time they're tied up,” Bridgford said.

The lawsuit is one of several that Bridgford Gleason & Artinian has filed against retailers including The Gap Inc., Tilly's Inc., PacSun, and BCBG Max Azria.



Settlement Approved for Ladera Homeowners with MBK Builders

In October 2015, Bridgford, Gleason & Artinian LLP won a nearly \$2 million settlement in a class action for damages and other relief on behalf of Ladera Ranch homeowners whose homes were built by MBK Builders, Inc.

Plaintiffs who live in several Ladera Ranch neighborhoods alleged that the copper pipe utilized was inadequate and/or defective for the water conditions in the area. Plaintiffs also named a plumbing subcontractor and pipe manufacturer as defendants in this case. In that settlement,

MBK agreed to make funds available to the Class Administrator to fund either a complete re-piping of Class Members' homes using a PEX pipe, or for an epoxy treatment of existing copper piping, up to \$11,000 per home (inclusive of costs to restore drywall/paint as necessary due to the repair).