

## Paul R. Johnson

Partner

*Trial and Global Disputes*

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Paul Johnson litigates large, complex cases in California state and federal courts. As a partner in our Appellate, Constitutional and Administrative Law practice, Paul represents clients in appellate proceedings. Paul's work for clients in trial courts often involves unsettled legal issues or complex civil procedure.

Paul's litigation experience—over 30 years—includes all phases of appellate-court and trial-court proceedings. Certified by the State Bar of California's Board of Legal Specialization as a specialist in appellate law, Paul has argued before state and federal appellate courts inside and outside California. Paul previously chaired the Committee on Appellate Courts of the State Bar of California and has presented on appellate law and practice.

Paul's experience as lead trial counsel (both bench and jury) informs his work as an appellate advisor on trial teams. At the trial court level, Paul also consults on strategy and handles procedural matters such as personal jurisdiction, *forum non conveniens*, state-vs.-federal jurisdiction, and choice of law, often in mass litigation.

Paul's broad substantive-law experience includes administrative review, antitrust, arbitration review, employment, energy, environmental, infrastructure, intellectual property, land use, mass torts, pharmaceuticals and medical devices, other product liability, punitive damages, reputation, securities and constitutional issues.

Paul is a Fellow of the American Bar Foundation.

### Matters

*Brown v. McKesson Corporation* (Cal. Ct. App. No. B266990, Jan. 26, 2017) (affirming judgment against dozens of pharmaceutical-product-liability plaintiffs based on exclusion of medical expert opinion on general causation).

*Orrell v. AstraZeneca Pharmaceuticals LP* (9th Cir. No. 14-56845, Oct. 28, 2016) (affirming judgment against hundreds of pharmaceutical-product-liability plaintiffs based on exclusion of medical expert opinion on general causation).

*Non-California-Resident Plaintiffs v. AstraZeneca LP* (Cal. Ct. App. B260895, July 15, 2016)

(obtaining dismissal of appeal by hundreds of pharmaceutical-product-liability plaintiffs who challenged *forum non conveniens* dismissal).

*Suffolk County Water Authority v. The Dow Chemical Company*, 991 N.Y.S.2d 613, 121 A.D.3d 50 (N.Y. App. Div. 2d Dept., 2014) (dismissing numerous well-water contamination claims by a major public water supplier).

*Macasa v. Dole Food Company, Inc.* (Cal. Ct. App. No. B245138, 2014) (rejecting assertion of longer, foreign limitations period by several thousand plaintiffs who alleged toxic exposures in the Philippines; affirming dismissal of claims as untimely).

*Laguna v. Dole Food Company, Inc.* (Cal. Ct. App. No. B233497, 2014) (affirming decision to vacate judgment for plaintiffs upon finding fraudulent scheme to assert toxic exposures at Nicaraguan banana farms).

*Bombardier Recreational Products, Inc. v. Dow Chemical Canada ULC*, 216 Cal. App. 4th 591, 157 Cal. Rptr. 3d 66 (2013) (holding successor to Canadian component manufacturer not subject to personal jurisdiction in California product liability action).

*HH, LLC v. WestLB AG* (Cal. Ct. App. No. D060531, 2012) (holding that cross-complaint in real estate financing litigation was not a SLAPP suit).

*Enayati v. UOP, LLC* (Los Angeles County Super. Ct. No. BC430304, 2012) (nonsuit judgment based on legal standard of care for engineering professionals).

*Pacific Rim Mechanical Contractors, Inc. v. Aon Risk Insurances Services West, Inc.*, 203 Cal. App. 4th 1278, 183 Cal. Rptr. 3d 294(2012) (holding that insurance broker did not have ongoing duty to additional insured).

*City of Modesto etc. et al. v. The Dow Chemical Company et al.* (San Francisco County Super. Ct. Nos. 999345, 999643; Cal. Ct. App. No. A134419 *et al.*) (post-trial motions; appellate matters); *The Dow Chemical Company v. Superior Court* (Cal. Ct. App. No. A125426, 2009) (alternative writ granted and followed by trial court; partial judgment following mistrial).

*Dow Chemical Canada ULC v. Superior Court*, 202 Cal. App. 4th 170, 134 Cal. Rptr. 3d 597 (2011) (holding successor to Canadian component manufacturer not subject to personal jurisdiction in California product liability action).

*Dow Chemical Canada ULC v. Fandino*, 131 S. Ct. 3088 (June 28, 2011, No. 10-250) (GVR: granting certiorari petition challenging personal jurisdiction, vacating judgment, and remanding for further consideration in light of *J. McIntyre*).

*J. McIntyre Machinery, Ltd. v. Nicaastro*, 131 S. Ct. 2780 (2011) (amicus brief for Dow Chemical Canada ULC, asserting due process insufficiency of stream-of-commerce test for personal jurisdiction).

*Jones v. ConocoPhillips*, 198 Cal. App. 4th 1187, 130 Cal. Rptr. 3d 571 (2011) (addressing pleading standards for toxic-tort actions).

*Abrego v. The Dow Chemical Company* (Cal. Ct. App. No. B222612, 2010) (affirming *forum non conveniens* dismissals).

*GCM Air Group LLC v. Chevron U.S.A. Inc.* (9th Cir. No. 09-15825, 2010) (defending property contamination claims).

*Safeway Inc. v. Pivotal Sales Company* (Cal. Ct. App. No. A116637, 2010) (commercial and antitrust issues; judgment for client affirmed).

*Clayworth v. Pfizer Inc.*, 49 Cal. 4th 758, 233 P.2d 1066, 111 Cal. Rptr. 3d 666 (2010) (industry-wide pharmaceutical antitrust litigation; blocking "pass-on" evidence), (Cal. Ct. App. No. A131804, 2012) (affirming summary judgment on merits for defendants), (Cal. Ct. App. No. A132527, 2014) (affirming award of costs to defendants).

*Texaco Inc. v. Superior Court* (Cal. Ct. App. No. B216264, 2009) (alternative writ granted and followed by trial court; dismissal of asbestos action based on construction of California borrowing statute).

*In re Asbestos Products Liability Litigation (No. VI)* (E.D. Pa., MDL Docket No. 875) (litigation of federal jurisdiction, government contractor defense).

*Longs Drug Stores California, Inc. v. Shea*, 2005 Cal. App. Unpub. LEXIS 414, 2005 WL 91682 (2005) (overcoming anti-SLAPP opposition to business defamation claim).

*Drolla v. ChevronTexaco Corp.*, 2004 Cal. App. Unpub. LEXIS 11025, 2004 WL 2750328 (2004) (defense of maritime employment claim alleging disability discrimination).

*Berry, et al. v. Chevron U.S.A. Inc.* (N.D. Cal., No. C 00-1353 SBA, 2002) (dismissal of class action claims alleging employment discrimination), 2003 U.S. App. LEXIS 25920, 2003 WL 23098426 (9th Cir. 2003) (defense of individual discrimination claims).

## Credentials

### EDUCATION

J.D., University of California, Berkeley

B.A., Yale University, cum laude

### ADMISSIONS

U.S. Court of Appeals for the Federal Circuit

Supreme Court of the United States

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the D.C. Circuit

California

### ASSOCIATIONS

State Bar of California

Certified Specialist, Appellate Law (State Bar of California, Board of Legal Specialization)

## News

### IN THE NEWS

August 3, 2021 • Source: *Law360 and Daily Journal*

Ed Kehoe, Brian White, Peter Strotz, Patrick Collins, Charlene Sun, Paul Johnson and Patrick Otlewski represent Dentons in its dispute with a former partner

June 18, 2020 • Source: *Daily Journal*

Paul Johnson represents Johnson & Johnson in a mesothelioma case before the 2nd District Court of Appeal in California

January 23, 2020 • Source: *Law360*

Paul Johnson and Julia Romano counsel Johnson & Johnson before a California appeals panel, which upheld a favorable verdict for the company

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