

BIOGRAPHY

Brian Z. Bark
Partner

300 Spectrum Center Drive, Suite 1550
Irvine, CA 92618

bbark@lbslawyers.com
T (949) 383-9585
F (714) 242-1544
M (949) 923-5094



Practice Areas

- Litigation
- Insurance

Education

UCLA School of Law (J.D., 2001), Order of the Coif

California State University, Fullerton (B.A., Economics)

Professional Profile

Brian Z. Bark is a seasoned litigator with a unique background. As a former attorney at Irell & Manella LLP, Brian brings big firm experience, passion, and attention to detail to each of his representations. Before that, he worked at one of the world's largest insurance companies where he adjusted, investigated and resolved a wide variety of claims. This background provides him with the skills to aggressively litigate cases as well as the ability to find creative and exceptional solutions to resolve matters.

Brian's litigation practice includes representing businesses and individuals in prosecuting and defending against complex, multi-party cases. Brian has litigated a variety of matters ranging from typical business disputes to bet-the-company litigation with hundreds of millions of dollars on the line. Such matters have included everything from business and contract disputes, defective construction, water and mold damage, building fires, car accidents, trade secrets, consumer, employment, and trademark disputes.

Brian's insurance practice focuses on litigating complex first-party and third-party insurance coverage disputes. He has assisted individuals and companies in the recovery of hundreds of millions of dollars under various insurance policies,

including commercial general liability, directors and officers, professional liability, fidelity and crime, multi-media, homeowners, employment practices liability, property, fine arts, environmental, and umbrella and excess liability insurance.

Brian has also advised on the placement of billions of dollars of insurance coverage, including the drafting of complex insurance products, directors and officers policies, errors and omissions, projectspecific property insurance programs, wrap-up programs, and difference-in-conditions coverage. He routinely reviews policy language, insurance programs, and insurance requirements on behalf of public and private companies, foundations, museums, and trusts, as well as individuals.

Mr. Bark has been named as a Southern California "Rising Star" by *Los Angeles Magazine* in 2006 and again in 2009.

Mr. Bark has also engaged in numerous pro bono activities including assisting non-profit organizations in various disputes. Mr. Bark litigated on a pro bono basis the rights of members of the Catholic Worker movement to pursue their religious mission to feed, clothe and shelter the homeless after a city declared their work a public nuisance. Mr. Bark also participated with a team of Irell & Manella and ACLU attorneys who successfully represented homeless residents on a pro bono basis against a city's anti-camping ordinance that essentially criminalized homelessness. The ACLU Foundation of Southern California awarded the firm's litigation team, including Mr. Bark, the 2010 Social Justice Award for their work on this matter.

Bar and Court Admissions

2001, California

2001, U.S. District Court for the Central District of California

Publications and Seminars

Brian's publications and co-authorships include: *Some Pragmatic Advice for the Non-Insurance Litigator* (Los Angeles and San Francisco Daily Journal) (2012); *White Collar Litigation's Attendant Insurance Issues* (Law360) (2012); *California Insurance Law & Practice*, Ch. 13: Claims Handling and the Duty of Good Faith, Ch. 13.01 (LexisNexis) (2010); *A Few Random Insurance Issues in Business Litigation* (OC Lawyer) (2007); *Nimmer on Copyright*, Ch. 19c on insurance coverage (2006); *A Long Walk On A Short Pier: 16 Months Of Insurance Law For Real Estate Lawyers* (presented at Benjamin S. Crocker Real Estate Symposium) (2004); *EPL Insurance – Punitive Damages, Intentional Acts and Public Policy* (Presented at Mealey's) (2002).

Mr. Bark has given lectures on insurance law including, *Litigating Insurance Issues and Bad Faith Claims in the Construction Industry* (presented at The Seminar Group in 2016); *Identifying and Using Insurance Coverage in Business*

Litigation (presented at CEB in 2002). Mr. Bark has also been a guest lecturer at UCLA School of Law relating to courses on insurance law.

Representative Matters

Brian's experience includes:

- Provided insurance advice concerning a litigation action involving \$150 million in coverage for asbestos claims.
- Represented a project developer in connection with severe and catastrophic water damage to a waterfront eight story apartment building.
- Assisted numerous large entertainment clients with various insurance issues, including acting as coverage counsel for class action lawsuits.
- Represented the owners of large commercial and apartment buildings that sustained severe damage, including water damage, mold damage, and soil movement.
- Negotiated over a billion dollars of insurance coverage to facilitate public museum display of private art collections.
- Provided insurance advice for construction projects valued at hundreds of millions of dollars.
- Represented numerous broker-dealers in obtaining insurance recoveries as a result of various Ponzi schemes.
- Prosecuted bad faith claims against insurance companies on behalf of clients in numerous industries resulting in hundreds of millions of dollars in settlements.
- Acted as co-trial and insurance counsel in a federal jury trial involving breach of contract and bad faith by an insurance company that denied coverage for a construction defect lawsuit, resulting in a jury verdict of six times the policy limits.
- Provided handling and advice on cyber claims and insurance recovery in connection with the loss of tens of thousands of private records.
- Provided advice and policy negotiation for complex international art insurance relating to what was internationally recognized as the world's most valuable painting at the time.