

Marco Quazzo



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Practice Areas

Business Litigation Trust and Estate Litigation
Real Estate Litigation Trustee and Fiduciary Litigation

Education

University of California Berkeley
School of Law (Boalt Hall), J.D., 1989
(Order of the Coif)

Harvard University, A.B., Magna Cum Laude
(Economics and History), 1984

Professional Affiliations

Association of Business Trial Lawyers

Faculty Member, National Institute for
Trial Advocacy (NITA)

Faculty Member, University of San Francisco
Law School, Intensive Advocacy Program

Bar Admissions

State Bar of California

Ninth Circuit Court of Appeals

U.S. District Courts for the Northern, Central and
Eastern Districts of California

Experience

Marco Quazzo is a Principal of the firm. He is a trial lawyer with broad experience in business and real estate litigation including disputes arising from the purchase and sale of businesses and real property, partnership and shareholder disputes, corporate governance disputes, trustee disputes, disputes arising from real property leasing, disputes involving manufacturers, dealers, distributors or suppliers, and disputes involving business torts, fraud, breach of contract and breach of fiduciary duty. Marco has tried many cases to verdict in U.S. District Court and California Superior Court and frequently represents clients in arbitration and mediation proceedings. He is a former law clerk of the Hon. D. Lowell Jensen of the United States District Court for the Northern District of California.

Representative Cases

Marco has represented and continues to represent retail tenants throughout the United States in litigation with commercial landlords arising from the COVID-19 pandemic, and has obtained several favorable settlements for retail tenants in cases involving lease terminations and/or rent abatement.

Marco defended the directors and officers of a mortgage bank against breach of fiduciary duty claims by shareholders who sought \$30 million in damages.

Marco represented a real estate investment trust in pursuing breach of contract and fraud claims against a property management company entrusted with managing and selling a shopping center portfolio of 60 properties.

Marco successfully defended commercial property sellers against claims by a title insurance company for \$3.3 million in damages by obtaining a dismissal before trial with the plaintiff recovering nothing.

Marco represented two real estate developers in an eight-week jury trial in California Superior Court against claims of fraud and breach of contract.

Marco represented a major automobile company in a \$3 million dispute with two suppliers involving the shipment of hundreds of thousands of vehicles between California and Hawaii.

Honors

Honored as a Northern California “Super Lawyer” by Thomson Reuters more than a dozen times since the inception of its annual survey

Rated “AV Preeminent” by Martindale-Hubbell, indicating very high legal ability and ethical standards

Recipient of the Golden Eagle award from The Guardsmen for work on behalf of at-risk youth in the Bay Area

Recipient of the Community Service Award from the Jack Berman Advocacy Center for legal work on behalf of victims of gun violence

Publications

5 Guidelines Courts Will Use to Decide Force Majeure Claims in COVID-19 Cases, Los Angeles & San Francisco Daily Journal (May 4, 2020)

Corporate Officers and Directors Face Personal Liability Under The Responsible Corporate Officer Doctrine, Bloomberg BNA Corporate Accountability Report (August 2013)

Speaking Engagements

Frustration, Impossibility and Force Majeure: A Litigator’s View of Whether COVID-19 Can Be Invoked to Avoid Lease Obligations, Speaker and Co-Author; International Council of Shopping Centers – U.S. Law Conference, November 2021

The Litigation Wave and Impact of COVID-19 on Retail Lease Obligations, Speaker and Co-Author; International Council of Shopping Centers – U.S. Law Conference, October 2020

Guest Lecturer, University of San Francisco Law School, Corporate Governance Seminar

Representative Cases [Continued]

Marco defended the selling shareholders of a high technology company against indemnity claims totaling \$25 million asserted by the buyer after losses arose from patent infringement litigation that was pending at the time of sale.

Marco represented the general partner of a family investment partnership against claims of breach of fiduciary duty and fraud asserted by 15 limited partners after the general partner adopted a diversified investment strategy.

Marco defended a corporate officer against claims by dozens of investors for breach of fiduciary duty and fraud after the corporation filed bankruptcy.

Marco secured summary judgment in U.S. District Court on behalf of an investment bank against a company which refused to pay a \$2 million “success fee” after the company was acquired in a private equity transaction.

Marco’s client, a shipping company, prevailed at trial in U.S. District Court on all claims against a medical clinic in a dispute arising from the clinic’s negligent treatment of the company’s employee. *SeaRiver Maritime, Inc. v. Industrial Medical Services, Inc.*, 983 F.Supp. 1287 (N.D. Cal. 1997).

Marco litigated claims against a real estate broker for breach of fiduciary duty and fraud on behalf of a commercial property developer.

Marco litigated premises liability claims against a building owner and security company, and negligence claims against a gun manufacturer and retailer on behalf of a shooting victim at 101 California Street in San Francisco.

Marco litigated claims for breach of contract, non-disclosure, fraud and construction defects on behalf of a property owner who incurred more than \$1 million in water damage against the seller, developer and contractor for the property.

Marco prosecuted inverse condemnation and negligence claims for property damage after a city-owned water main burst, causing a flood on an automobile dealer’s lot that damaged dozens of new vehicles.

Marco secured a favorable settlement in a JAMS arbitration proceeding on behalf of the estate of a deceased shareholder of a closely held company that refused to repurchase his shares upon his death.