

Judge Brian R. Van Camp, Ret.

Alternative Dispute Resolution Experience

ARBITRATION IN COMMERCIAL AND COMPLEX CIVIL CASES
Arbitrator of over 100 cases, over 75 to final award, including—

CONTRACT/BREACH OF FIDUCIARY DUTY

- Without telling partner, managing partner of real estate venture sells son an option on partnership property for \$1,000, strike price of \$8 million. Son sells property for \$45 million. Given no proceeds, partner sues for \$28 million.
- Venture partner sues General Partner for \$11 million for failure to distribute profits according to his "waterfall" distribution rights.
- LLC Members sue Manager for \$4 million for self-dealing and failure to timely obtain permits and develop agriculture property.
- Co-venturers in physicians clinic sue partner for \$9.2m for establishing similar clinic nearby, allegedly breaching non-compete clause.
- Physician sues her group for \$3.4 million for wrongful expulsion from group's auxiliary profit center.
- Shareholder/Director of Crypto-currency investment house sues for books, records and distributions.

CONTRACT/TRADE SECRETS/NON-COMPETE CLAUSE

- Insurance agency sues former manager for \$3.7m for theft of customers lists, employees and breach of non-compete clause; former manager counter-claims for defamation.
- Franchisor Broker/Dealer sues former franchisee for breach of contract and theft of customer lists; damages for \$1.7.

CONTRACT/PURCHASE/MISREPRESENTATION

- Seller of industrial cleanup franchise sues for \$2 million balance on note; buyers cross for \$2.2 million for misrepresentation of books.
- Buyer of insurance agency sues for misrepresentation of books and breach of non-compete.

CONTRACT/PERFORMANCE

- Software developer sues for balance of fees owed; purchaser credit union counter claims for \$1.8m for defective software.
- Broker of crypto advertising sues for fees; author/advertiser sues for fraudulent publication numbers.

- Former CEO of high technology company sues for \$3.8 million for severance and to compel issuance of vested stock options.

CORPORATE/DERIVATIVE ACTIONS

- Shareholders of corporation sue former Chair/CEO for assigning largest customer of health care insurance to his private, captive company.
- Members of LLC sue managing member for fraudulent purchase of property for his own account with LLC's funds.

CLASS ACTIONS

- SECURITIES AND TAX FRAUD--Four thousand investors sue for \$1B, after alleged tax-favored investments were disallowed by IRS. (Member of three-judge panel)
- GIG Workers sue for state and federal employment/labor law violations, including misclassification of work.

REAL ESTATE

- Buyers of 80 acre vineyard sue for \$2.9 million for misrepresentation of boundaries.
- Tenant of 200 acre orchard sues to compel renewal of two, ten-year leases, or \$13.1m in damages.
- Major chain grocery store tenant sues mall owner to approve assignment of lease; landlord argues assignee is only a "junior" grocery store.
- Cannabis retailer sues landlord to remove "medicinal" restriction on allowable products sold in building, or for \$4.2 million damages.

OTHER

- INSURANCE COVERAGE--Farmers sue crop insurance carrier for coverage on crop loss.
- Purchaser of office building sues title insurance company for failure to disclose lien.
- LEGAL SERVICES--Attorney sues client and her subsequent lawyers to impose lien of \$5m on ultimate recovery; cross action for malpractice.
- ATTORNEYS' FEES--(Judicial reference) Determine reasonableness of \$1.2 million in fees spent by shareholder/director to obtain accounts, books and records from ag co-op.
- PENSION/PROFIT SHARING PLAN members sue company's plan committee and advisors for lost profits of plan assets of \$600 million.
- While serving on the bench, tried over 250 jury trials and 40 bench trials to Statement of Decision.