

Snell & Wilmer



William S. O'Hare

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Main Bio

Bill O'Hare's practice is concentrated in commercial litigation, arbitration, and mediation including corporate, partnership and trust disputes, franchising, intellectual property and unfair competition litigation, and class action defense.

Representative Experience

Corporate and Partnership Litigation

- Lead trial counsel in three-month jury trial and on appeal in defense of shareholder claims relating to IPO against internet ticketing and ticketing software company
- Defense of involuntary dissolution and derivative claims against medical device company
- Defense of shareholder derivative and direct action against regional refrigeration supply company
- Lead trial counsel in defense of involuntary dissolution and derivative claims brought by dissenting shareholders of self-storage business
- Lead trial counsel in two-month jury trial in defense of claim of oral partnership in commercial, hotel, and residential properties
- Counsel for plaintiff limited partners in California action against general partner for breach of fiduciary duty and dissolution in connection with industrial real estate partnership
- Lead trial counsel for general partner in arbitration hearings in Miami in defense of claims by investors in real estate partnership
- Prosecution of California action to enforce director inspection rights and appointment of provisional director
- Lead trial counsel in California jury trial for plaintiff partners against general partners for breach of contract and fiduciary duty in connection with sale of hotel properties

Franchise and Distribution Litigation

- Lead trial counsel in JAMS arbitration hearings in New York and New Jersey to enforce franchisor's claims against regional franchisee for abandonment of franchise
- Lead trial counsel for global electronics distributor in two-month jury trial in San Francisco in defense of fraud and contract action relating to distribution of computer memory products
- Lead trial counsel in California trial in defense of franchisee claim of territorial encroachment

- Lead trial counsel in California jury trial in defense of Japanese printing press manufacturer against claims brought by U.S. distributor
- Defense of multiple nationwide class actions in Los Angeles federal court, on appeal to Ninth Circuit, and in arbitration brought by participants in multilevel marketing apparel company
- Prosecution of actions in California and Pennsylvania federal courts and on appeal to Third and Ninth Circuits to enforce franchisor's right of first refusal
- Prosecution of action under Lanham Act and for unfair business practices to enjoin nationwide telemarketing investment scam and infringement of marks of national franchisor
- Defense of action in New Jersey state court to enjoin territorial expansion by California-based franchisor
- Prosecution of interference action in federal court in Maryland and on appeal to Fourth Circuit against competitor of national franchise system
- Prosecution of actions on behalf of franchisors to enforce franchise contract including actions regarding termination, abandonment, and collection of royalties

Intellectual Property, Unfair Competition, and Trade Secret Litigation

- Lead trial counsel for plaintiff in jury trial in patent infringement action in San Diego federal court concerning water park attractions
- Lead trial counsel for defendant university in trial of trademark lawsuit in Tennessee federal court
- Prosecution of claim in Los Angeles federal court arising out of product development and licensing agreement for plasma display power supply
- Defense of consumer class actions and unfair business practices actions involving automotive retailing, education, and childcare businesses
- Lead trial counsel in California jury trial in defense of claims arising out of patent sale and licensing agreement brought by founder of dental products corporation against current management and shareholders
- Defense of copyright and VARA actions brought by artists against distributor of decorative and fine art
- Prosecution of unfair competition, trade secret, and breach of fiduciary duty claims against former officer of Northwest regional company engaged in escrow accounting and software business
- Prosecution of Lanham Act claims arising out of wrongful use of internet domain names
- Prosecution and defense of Lanham Act claims in Los Angeles federal court arising out of disputed use of service marks in connection with real estate sales and property management
- Co-counsel prosecuting and defending patent infringement cases in federal courts in California and Minnesota involving medical devices and LED lighting and displays

Employment Litigation

- Lead trial counsel in one-month jury trial in Santa Barbara in defense of "whistle blower" lawsuit arising out of ranching operations of Chicago-based company
- Lead trial counsel in jury trial in defense of wrongful termination and breach of contract actions by officers of clean room system manufacturer
- Defense of global distributor of electronic components in wrongful termination lawsuit
- Defense of sexual harassment and discrimination actions on behalf of restaurant and retail clients

- Defense of ERISA actions in state and federal courts in Los Angeles brought by employees of Southwest regional distributor of heating and air conditioning equipment

Trust and Probate Litigation

- Lead trial counsel for defendant trustees in California Probate Court trial on breach of fiduciary duty claims by beneficiaries
- Lead trial counsel for beneficiary in California Probate Court trial against trustee for improper allocation of estate taxes
- Defense of institutional trustee in multiple actions in California Probate Court and general civil courts by beneficiary alleging improper administration of trust
- Prosecution of claims in California Probate Court by beneficiary alleging breach of fiduciary duty by trustees of complex trust whose assets include industrial coating business
- Prosecution of claims in California Probate Court by beneficiaries alleging dissipation of trust assets by trustee
- Defense of national law firm and estate planning lawyers in professional liability lawsuits
- Representation of institutional and individual trustees on petitions for instructions in California Probate Court
- Lead trial counsel in California jury trial and on appeal (and subsequent North Carolina bankruptcy court trial) for conservator to recover funds stolen from incapacitated conservatee

Other Business Litigation

- Defense of Orange County hospitality non-profit in malicious prosecution action, and on appeal from anti-SLAPP motion
- Defense of public employee retirement administrator in class action lawsuits in San Francisco and Los Angeles brought by Northern California school district and employees
- Prosecution of action in federal court in Fresno to recover damages for breach of warranty on sale of agricultural optical sorting equipment and software
- Defense of mortgage loan fraud claims brought by institutional mortgage purchasers against national title company
- Defense of malicious prosecution actions in Los Angeles and Miami on behalf of title company and national law firm
- Lead trial counsel in arbitration hearing in defense of bridge contractor for Los Angeles public work on claims brought by steel fabricator
- Defense of national law firm in California malicious prosecution action by former defendant in trade secrets lawsuit
- Lead trial counsel for defendant manufacturers in multiple California jury trials on product liability claims

Education

- University of California, College of the Law, San Francisco (J.D., 1978)
 - Order of the Coif
 - Thurston Society
- Loyola University of Maryland (A.B., 1974)

Professional Memberships & Activities

- American College of Trial Lawyers, Fellow
- Ninth Circuit Judicial Conference, Lawyer Representative (1992-1997)
- Orange County Bar Association
 - Business Litigation Section, Chair (1991)
 - Board of Directors (1990-1997)
 - Masters Division, Board Member (2011-2018)
 - Resolutions Committee & Conference of Delegates (1985-1995)
 - Chair (1989-1990), Vice Chair (1988)
- Orange County Bar Foundation
 - Director (1993-present)
 - President (2002)
- State Bar of California
 - Section on Litigation
- American Bar Association
 - Section on Litigation, Forum on Franchising
- State Bar of California
 - Conference of Delegates (1985-1995), Delegation Chair (1989-1990)
- Orange County Superior Court Civil Case Management Committee, Lawyer Member (1992-2000)
- Federal Bar Association
- Association of Business Trial Lawyers

Professional Recognition & Awards

- Los Angeles Daily Journal feature article, "[Soccer field encounter forms lasting relationship](#)" (March 16, 2012)
- AV Preeminent[®] Peer Review Rating from Martindale-Hubbell[®]
- Southern California Super Lawyers, Business Litigation (2004-2023)
 - Top 50 in Orange County (2007-2020)
- Super Lawyers, Business Litigation - Business Edition (2011)
- Super Lawyers, Business Litigation - Corporate Counsel Edition (2008-2010)
- The Best Lawyers in America[®], Bet-the-Company Litigation, Commercial Litigation, Intellectual Property Litigation, Trusts and Estates Litigation (2005-2024), Securities Litigation (2005-2013)
- The Best Lawyers in America[®], Business Edition, Bet-the-Company Litigation, Intellectual Property Law, Trusts and Estates Litigation (2012)
- Lawdragon Top 3000 Leading Lawyers in America (2010-2011)
- Marcus Kaufman Jurisprudence Award, Anti-Defamation League of Orange County/Long Beach (2009)
- Robert Samuel Barnes Award, Orange County Bar Foundation (2009)
- Orange County Business Journal feature article, "[Bill O'Hare After School](#)" (October 19-25, 2009)

- Franchise Times National List of 101 "Legal Eagles" (2005-2007)
- Top Ten Defense Verdicts in California, Los Angeles and San Francisco Daily Journals (2004 and 2005)
- President's Pro Bono Service Award, State Bar of California (1993)

Community Involvement

- Project Youth OCBF (Orange County Bar Foundation)
 - Past President
 - Board Member
- University of California, Irvine, CEO Roundtable
 - Steering Committee
 - Membership Committee
- Laguna Beach Education and Endowment Foundation
 - Past President
 - Board Member (2006-2018)
- Public Media Group of Southern California (PBS SoCal and KCET-TV)
 - Board of Trustees, Executive Committee Member

Previous Professional Experience

- Hufstedler, Kaus and Beardsley, Managing Partner, Orange County (1990), Partner (1987-1990)
- Wenke, Evans and Ikola, Managing Director (1986-1987), Principal (1983-1987), Associate (1978-1982)

Bar Admissions

- California

Court Admissions

- Supreme Court of California
- United States Court of Appeals, Federal Circuit
- United States Court of Appeals, Fourth Circuit
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Third Circuit
- United States District Court, All Districts of California
- United States District Court, District of Colorado