



## **Lee E. Hejmanowski - Partner**

Mr. Hejmanowski practices primarily in complex business and real estate litigation. Mr. Hejmanowski is experienced in matters involving contract disputes, business torts, real estate covenants, insurance coverage and bad faith disputes and select high net-worth marital dissolutions. He received his B.S. in accounting, cum laude, from the University of Southern California in 1990. He earned his law degree from the USC Law Center in 1993 where he was named to the Order of the Coif. While attending law school, Mr. Hejmanowski was a legal writing instructor and a Notes Editor and Staff Writer for the Southern California Law Review.

Before forming Caldarelli Hejmanowski & Page LLP, Mr. Hejmanowski was a partner at the San Diego law firm of Seltzer Caplan McMahon Vitek, where he spent more than 18 years. Mr. Hejmanowski has been recognized as a San Diego Super Lawyer and San Diego Top Attorney in the field of business and corporate litigation.

### **Representative Matters**

- Obtained judicial foreclosure, \$15 million deficiency judgment and other relief based upon performance defaults through a month-long bench trial.
- Obtained summary judgment in Nevada state court for one of the country's largest acquirers of distressed commercial bank loans.
- Obtained defense verdict in bench trial involving breach of contract, fraud and other tort claims in the charter airline industry.
- Obtained plaintiff's verdict in bench trial for breach of real estate purchase contract.
- Obtained judgment and writ of mandamus on behalf of agricultural irrigator against irrigation district in a case involving apportionment of water.
- Represented an institutional asset management firm in a case involving trade secrets and wage and hour claims arising from the departure of a team of portfolio managers who started a competing business.
- Represented a public entity with deposits of more than \$1 billion in the Orange County Investment Pool in a lawsuit against a prominent Wall Street investment bank, leading to a multi-million dollar settlement.
- Represented insurance company in 5-week-long jury trial in breach of contract and bad faith case.

- Obtained summary judgment for landlord in breach of lease case. Upheld on appeal. (Del Taco, Inc. v. University Real Estate Partnership V (2003) 111 Cal.App.4th 16.)
- Prevailed in arbitration regarding the ownership interests in a residential care facility for the elderly.
- Obtained dismissal of action against native American corporate directors on basis of sovereign immunity.
- Represented numerous parties in marital dissolution proceedings requiring multiple phases of trial in matters involving the valuation of multi-million dollar businesses, complex tracing and property characterization issues, post-judgment claims and support hearings.
- Represented insurer in bad faith action involving multimedia liability coverage related to the digital music industry where alleged underlying losses exceeded \$100 million.
- Represented insurer in coverage action involving legal malpractice claims.
- Obtained arbitration award after lengthy arbitration hearing on behalf of client in the trust services industry in a breach of contract and business tort action.
- Obtained summary judgment in arbitration on behalf of hotel owner.
- Represented owner of thoroughbred horse farm at trial court level and on appeal in litigation involving water rights and real property covenants.
- Represented multiple homeowner plaintiffs in related construction-defect actions leading to settlements collectively worth in excess of \$20 million.
- Obtained summary judgment on behalf of developer plaintiff in an action involving real property covenants regarding a luxury townhome project worth in excess of \$30 million.)

## **Awards**

- AV Preeminent Rating by Martindale-Hubbell (Peer Review Rated)
- Martindale-Hubbell Top Rated Lawyer in Commercial Litigation (2013)
- Martindale-Hubbell Top Rated Lawyer in Real Estate (2013)
- San Diego "Super Lawyers" Top 50 in San Diego (2014,2017)
- San Diego "Super Lawyers," Business Litigation (2011-2017)
- San Diego Daily Transcript "Top Attorneys," Corporate Litigation (2011)
- The *Best Lawyers in America* for Family Law (2018)
- San Diego Magazine "Top Lawyers in San Diego" (2013-2017)

## **Publications and Speaking Engagements**

- Author, "An Ethical Treatment of Attorneys' Personal Conflicts of Interest," 66 S.Cal.L.Rev. 881 (1993)
- Faculty Member, National Institute of Trial Advocacy, Deposition Seminar (2000)
- Speaker, "Legal Ethics in California" seminar, Lorman Education Services (2000)

- Guest Co-Host, "Primerus Law Hour," KSDO Radio (2002)
- "Del Taco, Inc. v. University Real Estate Partnership V," 111 Cal.App.4th 16 (2003)

## **Affiliations**

- California and Nevada State Bars
- U.S. District Court, Southern and Central Districts of California
- U.S. Bankruptcy Court, Southern District of California
- Association of Business Trial Lawyers
- Hon. J. Clifford Wallace American Inn of Court (Master)
- William L. Todd Jr. American Inn of Court
- Marshall Business School Alumni organization
- U.S.C. Trojan Football Alumni Club

## **Education**

- B.S. Accounting, University of Southern California, Cum Laude (1990)
- J.D., University of Southern California Law Center, Order of the Coif (1993)