



## → Matthew W. Holder

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Matt Holder is a partner in the Business Trial and Labor and Employment Practice Groups in the San Diego (Del Mar) office.

### Areas of Practice

Matt is an experienced and skilled trial attorney, with an emphasis on complex civil business litigation and labor and employment litigation. In addition to aggressively representing his clients in litigation, Matt also strategically counsels clients in connection with pre-litigation resolution of their disputes, as well as implementing best practices to reduce the risk of future litigation.

Clients value Matt's dedication to them and their matters. On every matter, his focus is on the client's goals and best interest, and he works tirelessly to meet the client's needs and provide prompt and attentive service. Whether the matter is small and discreet or a "bet the company" matter, Matt puts an emphasis on being heavily engaged in the management and execution of every aspect of the litigation process, from setting the strategy, to investigating the matter, to dealing with opposing counsel, to writing, to discovery and ultimately trial. Matt is especially passionate about effective legal writing, and he helps train his colleagues on improving their brief writing skills.

Matt's recent complex civil business litigation experience includes the following:

- Representing purchaser of business and employer in complex dispute involving breach of a non-compete agreement, and counterclaims for wrongful termination and monies owed under the sale agreement;
- Representing shareholder and LLC member in complex dispute involving control of a LLC, which in turn owns a hotel, including claims involving breach of contract and breach of fiduciary duty;
- Representing prospective purchaser of real property in novel contract dispute involving specific performance of the purchase agreement;
- Representing telecommunications industry client and automotive supplier in ground-breaking breach of contract and antitrust litigation involving the obligation to license standard-essential patents on fair, reasonable and non-discriminatory terms and conditions (FRAND);
- Representing developer in complex breach of contract action alleging varied lost profits claims based on alleged "exclusivity" vis-à-vis the use of certain property;
- Representing owner of commercial property in complex breach of contract action alleging lost profits claim based on allegedly delayed redevelopment project;

- Representing shareholders of biotech company in action alleging breach of merger agreement;
- Representing aviation industry client in action involving competing claims for breach of contract, breach of warranty, fraud, defamation, trade libel and interference with prospective economic advantage based on allegedly defective products;
- Representing nationwide insurance brokerage client in numerous related matters alleging violation of the California Insurance Code, unfair business practices, breach of contract, breach of fiduciary duty and fraud, including attempts to pursue representative or class relief;
- Representing consumer electronics client against claims of misappropriation of trade secrets based on employee mobility; and
- Representing technology company against claims for misappropriation of trade secrets and copyright infringement.

Matt's labor and employment experience includes a wide variety of matters, including defending sexual harassment lawsuits; defending lawsuits alleging various forms of discrimination, retaliation, and wrongful termination; defending wage and hour lawsuits, including class actions; defending breach of contract claims, including implied contracts to not terminate absent good cause; representing employees in connection with employee mobility disputes, including with respect to trade secrets; and advising clients regarding a variety of matters related to their personnel and compliance with the law.

## Honors

Best Lawyer in America, *Best Lawyers*, 2020-2024

"Outstanding Service Award" for the Legal Aid Society of San Diego, both 2007 and 2008

## Experience

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- Representing purchaser of business and employer in complex dispute involving breach of a non-compete agreement, and counterclaims for wrongful termination and monies owed under the sale agreement;
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- Representing developer in complex breach of contract action alleging varied lost profits claims based on alleged "exclusivity" vis-à-vis the use of certain property;
- Representing owner of commercial property in complex breach of contract action alleging lost profits claim based on allegedly delayed redevelopment project;
- Representing shareholders of biotech company in action alleging breach of merger agreement;

- Representing aviation industry client in action involving competing claims for breach of contract, breach of warranty, fraud, defamation, trade libel and interference with prospective economic advantage based on allegedly defective products;
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## Media Mentions

Sheppard Strikes Again on Connected-Car Patents  
*The Recorder*, 05.10.2019

InterDigital Accused Of Unfair Terms For Telecom Patents  
*Law360*, 01.03.2019

## Speaking Engagements

Panelist, "Recent Patent Litigation: What does it mean for me?" Masterclass at 4YFN: Intellectual Property Powering Innovation Through IP, *GSMA & 4YFN*, September 11, 2017

## Events

Breakfast With Your Labor Lawyer - San Diego  
Spring 2017 Seminar Series  
04.26.2017

## Memberships

Association of Business Trial Lawyers  
J. Clifford Wallace American Inn of Court  
Louis M. Welsh American Inn of Court (former)  
Board of Directors, Boys & Girls Clubs of San Dieguito  
Alumni, Pi Kappa Alpha International Fraternity

## Practices

Litigation  
Labor and Employment

Intellectual Property / Antitrust

## Education

J.D., University of Southern California, 2001; *Order of the Coif*; National Moot Court Team; Hale Moot Court Semifinalist; American Board of Trial Advocates Award for Excellence in Preparation for Trial Practice of the Law

B.A., University of Southern California, 1998, *magna cum laude*

## Clerkships

Extern to Judges John Reid and Susan Bryant Deason, Los Angeles County Superior Court

Intern, U.S Attorney's Office in Washington, D.C., Superior Court Division

Extern, U.S. Attorney's Office in the Central District of California