



## → R. Randal Crispen

**Senior Counsel**  
501 West Broadway  
18th Floor  
San Diego, CA 92101

T: +1.619.338.6627  
F: +1.619.515.4114  
rcrispen@sheppardmullin.com

Randy Crispen is senior counsel in the Business Trial Practice Group in the firm's San Diego office.

### Areas of Practice

Randy represents insurance companies in major coverage and bad faith lawsuits. As examples, he currently represents major insurers in coverage litigation arising out of the National Football League and NCAA players' traumatic brain injury litigation and the Blue Cross Blue Shield antitrust litigation. Randy also is an accomplished trial attorney, having obtained defense verdicts as lead trial counsel in state and federal courts throughout Southern California. Randy was lead counsel in a case named one of the top ten defense verdicts in California in 2007 by the Los Angeles Daily Journal. He also was chosen as the Lawyer of the Year for Insurance Law in the 2013 edition of San Diego's Best Lawyers. Randy lectures frequently on insurance and civil litigation topics.

### Honors

*San Diego's Best Lawyers* - Most Recent Listing: 2013 - selected as Insurance Law lawyer of the year in San Diego

*San Diego Magazine* - Best Lawyers in San Diego - Most Recent Listing: 2014 (Insurance Law)

Martindale-Hubbell® AV Rating

*The Best Lawyers in America* - First Year Listed: 2007 - Most Recent Listing: 2023-2024 (Insurance Law)

*Los Angeles Times* - Los Angeles Area's Best Lawyers - Most Recent Listing: 2014

*Super Lawyers: Corporate Counsel* - Most Recent Listing: 2010 (Civil Litigation Defense; Insurance Coverage)

*Super Lawyers: Business Edition* - 2012 (Civil Litigation Defense)

*Southern California Super Lawyers* - Most Recent Listing: 2014 (Insurance Coverage)

*San Diego Super Lawyers* - Most Recent Listing: 2018-2019 (Insurance Coverage)

### Experience

#### Representative Matters

- *Riddell v Ace, et al.* - Lead counsel for a major insurer in coverage litigation arising out of the concussion lawsuits filed by thousands of former football players against the NFL and its official helmet manufacturer, Riddell Inc.

- *BlueCross Blue Shield Antitrust Litigation* – Lead counsel representing a major insurer in coverage litigation throughout the United States.
- *Fitzgerald v. Allstate* - Unanimous defense jury verdict after two hours of deliberations in the first lawsuit against Allstate tried to verdict alleging underinsurance following the 2003 Southern California wildfires. This case, which effectively ended all litigation against Allstate arising out of the 2003 wildfires, was chosen by the *Los Angeles Daily Journal* as one of the Top Ten Defense Verdicts in California for 2007.
- *Kalan, et. al. v. State Farm* - Defense jury verdict after less than 30 minutes of deliberations in a case alleging negligence against a State Farm agent for failing to procure appropriate policies for a business owned by three physicians resulting in more than \$1 million in uninsured losses.
- *Hurtado v. Allstate; Sparer v. Allstate; Bitter v. Allstate; Koven v. Allstate* - Defense jury verdicts in cases alleging breach of contract and bad faith.
- *SVP v. Toyota Motor Sales USA* - lead trial counsel for Toyota in a case alleging breach of a contract to design a high performance version of the Tundra truck.

## Representative Clients

- Allianz Global Risks US Insurance Company
- Allstate Insurance Company
- Auto Club of Southern California
- First American Specialty Insurance Company
- OneBeacon Insurance Group
- Pacific Specialty Insurance Group
- The Travelers Companies

## Articles

- 2023 Insurance Team Year-In-Review  
04.03.2024
- Sheppard Mullin Celebrates Stellar Year in Insurance Litigation  
03.30.2023
- Contributing Editor, Rutter Group Insurance Litigation Practice Guide

Summary Judgment in California State Courts

*McKenna Long & Aldridge California Litigation Guide*, January 2013

▪

Assessing Underinsurance Lawsuits Against Agents and Brokers

*Daily Journal*, September 14, 2011

▪

What You Should Know About Insurance Lawsuits in California

*Daily Journal*, May 16, 2011

■

Luce Forward Obtains a Published Decision Upholding an Insurer's Right to Condition Payment of Extended Dwelling Limits on Repair or Replacement

March 31, 2011

■

The Rules Have Changed in Federal Court - or Have They?

*San Diego County Bar Association DICTA Magazine*, January 1994

■

California Supreme Court Holds That a Defendant May Present State-of-the-Art Evidence in a Failure-to-Warn Case Because Knowledge of the Risk of Harm is a Component of the Claim

*ABA Products, General Liability and Consumer Law Newsletter*

## Speaking Engagements

"Industry Civil War: Disputes Between Primary and Excess Insurers," Association of California Insurance Companies' 27th General Counsel Seminar, Las Vegas, July 2016

"Lawsuits Involving Institutional Issues and How to Fight Them," Association of California Insurance Companies' 26th General Counsel Seminar, Las Vegas, July 2015

"Arbitration – A Violent Torpedo of Truth," Presentation to Louis Welsh Chapter of American Inns of Court, San Diego, December 2013

"Preparing for the Inevitable Bad Faith Lawsuit – How to Win the Lawsuit You Know is Coming," Association of California Insurance Companies General Counsel Seminar, Las Vegas, July 2013

"Technology – Friend or Foe: Avoiding the Pitfalls of Using Technology at Trial," Presentation to Louis Welsh Chapter of the American Inns of Court, San Diego, February 21, 2013

"Responding to Settlement Demands: Tips to Avoid Uncapping the Policy," Presentation to PLRB/LIRB Regional Seminar, Schaumburg, Ill., September 5-6, 2012 and Dallas, Tx, November 13-14, 2012

"Responding to Third Party Settlement Demands: Tips on How to Avoid Uncapping the Policy," Presentation to First American Specialty Insurance Company, March 17, 2011

"A Humorous Look at Litigating a Bad Faith Lawsuit," Luce Forward Insurance Litigation Seminar, Los Angeles, October 14, 2010

"Trial Themes," Presentation to Louis Wesh Chapter of the American Inns of Court, San Diego, April 15, 2010

"Automated Claims Handling in a Litigious World," Association of California Insurance Companies General Counsel Seminar, Las Vegas, August 2009

"Catastrophe Claims in California," Luce Forward Insurance Litigation Seminar, Los Angeles, September 2008

"Litigating Underinsurance Claims," Association of California Insurance Companies General Counsel Seminar, Las Vegas, July 2008

## Memberships

American Bar Association

Association of Business Trial Lawyers

Master, American Inns of Court - Louis Welsh Chapter

Judge Pro Tem, San Diego County Superior Court

## Practices

Litigation

Insurance

Antitrust and Competition

## Industries

Insurance

## Education

J.D., University of California, Berkeley - Boalt Hall, 1985

B.A., University of California, Santa Barbara, 1981, *highest honors*

## Admissions

California