

Damian J. Martinez

Partner

Email: dmartinez@leechtishman.com

Phone: 626.796.4000

Office: 1100 Glendon Avenue, 15th Floor
Los Angeles, CA 90024



Damian J. Martinez focuses his practice on corporate and complex civil litigation, internal investigations, and white collar criminal defense matters.

Damian is an experienced litigator who has represented clients ranging from large multinational corporations to individual entrepreneurs. Damian frequently represents corporate clients in complex litigation proceedings and internal investigations. He also regularly represents individuals subject to criminal investigation by the U.S. Department of Justice and the Los Angeles County District Attorney. Damian has experience litigating contractual disputes involving U.S., European, Asian, and Middle Eastern business concerns.

Damian served as a federal prosecutor in Los Angeles from 2001 to 2006, where he tried multiple cases to verdict, handled appeals before the Ninth Circuit Court of Appeals, and conducted grand jury investigations. Prior to serving as a prosecutor, Damian clerked for U.S. District Judge Carlos R. Moreno (Ret.) of the Central District of California.

Some of Damian's representative matters include:

Complex Litigation

- Represented a multinational corporation in a wrongful death trial. Following 12 days of trial, the jury returned a unanimous defense verdict in favor of Damian's client. That verdict was ranked by Courtroom View Network as the third most impressive verdict of 2017.
- Served as lead attorney for a Fortune 100 company in a malpractice claim against a national law firm. The matter settled pre-complaint on favorable terms.
- Represented the founders of a biotech startup in a "founder dispute" that successfully resolved before commencement of litigation.
- Represented a green energy startup in a JAMS arbitration that successfully resolved on terms favorable to the company.

- Represented a Los Angeles entrepreneur in a contract dispute. Successfully vacated a default judgment against his client and then filed counterclaims. After discovery closed, the case settled on favorable terms, with money being paid to the client.
- Represented witnesses in an unfair competition claim brought by the District Attorney's office against a high-tech ridesharing company.
- Lead attorney for a public electric vehicle company in a commercial lease dispute that involved parallel bankruptcy litigation against the public company's founder. After extensive litigation in both bankruptcy and state courts, the action against the public company and its founder settled favorably through a bankruptcy court mediation.
- Lead attorney representing the senior most officer of a lending division of a financial institution in federal action brought by the FDIC and by the bankruptcy trustee.
- Lead attorney representing the founder of a well-known nonprofit in a breach of fiduciary duty case brought by the bankruptcy trustee. Matter settled favorably.
- Lead attorney in a mass tort litigation against an international food producer in connection with the largest Hepatitis A outbreak in the western U.S. Part of the case proceeded to trial and Damian was lead attorney for the food producer. The case resulted in a defense verdict for Damian's client.

Internal Investigations

- Conducted an internal investigation on behalf of a public company. During the investigation, interviewed over 15 witnesses in Spanish and reviewed Spanish-language communications. At the conclusion of the investigation, published findings to the senior officers of the company.

- Served as lead attorney for a high-tech startup in an internal investigation. At the conclusion of the investigation, made recommendations to the senior officers of the company on means to improve corporate policy.
- Represented general counsel of public and private companies in internal investigations, investigations by the Department of Justice, and shareholder litigations.

Government Investigations

- Represented the senior most officer of a capacitor manufacturer in a price-fixing investigation by the U.S. Department of Justice.
- Represented the senior most officer of a public mortgage originator in litigation brought by the Securities and Exchange Commission.
- Represented the general counsel of a telecom company in a qui tam action prosecuted civilly by the Manhattan U.S. Attorney's Office.
- Represented two officers of a national construction company in a public corruption investigation involving a large construction project at the U.S. border. No charges were brought against the two clients.
- Represented a public employee in a District Attorney investigation into grade inflation in public schools.

Capabilities

Litigation
White Collar Defense (Co-Leader)
Government & Internal Investigations (Co-Leader)

Admissions

California

Academics

J.D., Columbia University School of Law
B.A. in Philosophy, University of California at Los Angeles

Languages

Spanish

Experience

Atkinson, Andelson, Loya, Ruud & Romo
Andrade Gonzalez LLP
MGA Entertainment
Proskauer Rose LLP
United States Attorney's Office for the Central District of California
Hon. Carlos R. Moreno, Central District of California (Law Clerk)
Irell & Manella

Professional Memberships

Los Angeles Center for Law and Justice (Former Board Member, Board President)
MALDEF Scholarship Committee (Member)

Professional Accolades

Martindale-Hubbell

Martindale-Hubbell AV Preeminent Peer Review Rated Attorney

Super Lawyers

Southern California Super Lawyer, *Southern California Super Lawyers Magazine* (2021)