



## Gary A. Watt

### Partner

Gary serves as Chair of the firm's Appellate Practice. He is a State Bar approved Certified Appellate Specialist, handling writs and appeals in all of the California appellate courts, including the California Supreme Court and the United States Court of Appeals for the Ninth Circuit. His practice also includes dispositive motions such as SLAPP, summary judgment, and post-trial motions. His appellate experience gives him unique insights into complex cases and esoteric disputes. He excels at issue spotting and arrives at thoughtful solutions to business problems. His practice includes risk management such as interpreting contracts, indemnity provisions, and more.

A passionate appellate lawyer and law professor, Gary has been on the faculty at U.C. Hastings College of the Law since 2001 teaching various appellate law courses and coaching intercollegiate moot court competition teams. Consistent with Hanson Bridgett's commitment to pro bono work, Gary currently serves as Director of U.C. Hastings' Ninth Circuit clinical program: the Hastings Appellate Project. As Director, he supervises law students in the pro bono legal representation of appellants. He is also a frequent lecturer at MCLE presentations throughout the Bay Area, and has taught hundreds of lawyers over the years on a vast array of appellate and litigation best practices.

Gary is also Chair of the Contra Costa County Bar Association's appellate practice section. A prolific writer, Gary is a frequent contributor to the Daily Journal, The Recorder, and other legal publications, with over 75 published articles to date.

### Published Decisions

Schwan v. Permann (2018) 28 Cal.App.5th 678 (trust interpretation)

Barrientos v. Lynch, 829 F.3d 1064 (9th Cir. 2016) (administrative law)

Medina-Nunez v. Lynch, 788 F.3d 1103 (9th Cir. 2015) (administrative law)

Velasquez v. Centrome, Inc. (2015) 233 Cal.App.4th 1191 (evidence law)

Castrijon-Garcia v. Holder, 704 F.3d 1205 (9th Cir. 2013) (immigration law)

Seabright Insurance Co. v. U.S. Airways (2011) 52 Cal.4th 590 (torts/administrative law)

### San Francisco

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### Firm Leadership

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Appellate Practice Chair

### Practices/Industries

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Appellate

Litigation & Dispute Resolution

Financial Services

Hernandez-Velasquez v. Holder, 611 F.3d 1073 (9th Cir. 2010) (administrative law)

Margaret W. v. Kelly R. (2006) 139 Cal.App.4th 141 (torts)

Perez v. Roe (2006) 146 Cal.App.4th 171 (constitutional law)

## Publications

"Costs and Attorney Fees on Appeal," *Appellate Insight Blog* (February 2019)

"Ruling Says Denial of Costs Doesn't Preclude Fee Award," *Daily Journal* (January 2019)

"Anti-SLAPP Motions: Use It or Lose It," author, *Appellate Insight Blog* (September 2018)

"California civil litigators are SLAPP - happy," *Daily Journal* (July 2018)

"People v. Sanchez, Hearsay, and Expert Testimony," co-author, *California Litigation* (June 2018) Republication by permission of California Litigation, the journal of the Litigation Section of the California Lawyers Association

"Say Yes to Pro Bono," *San Francisco Attorney* (June 2018)

"California anti-SLAPP in the 9th Circuit: Can it survive?" *Daily Journal* (May 2018)

"Will California's Anti-SLAPP Statute Survive?" *Appellate Insight Blog* (May 2018)

"Navigating Appeals," *Daily Journal* (April 2018)

"Anti-SLAPP Statutes In Federal Courts," *USLAW Magazine* (March 2018)

"Searching for perfection," *Daily Journal* (December 2017)

"Expert Testimony, Hearsay, and Summary Judgment," *Appellate Insight Blog* (October 2017)

"Hearsay and expert witnesses: relying or relating?," *Daily Journal* (October 2017)

"A paradigm shift on experts and hearsay in civil cases?," *Daily Journal* (September 2017)

"Ruling grapples with 998 offers, arbitration," *Daily Journal* (June 2017)

"Frivolous Appeals," *Daily Journal* (April 2017)

"New Year's resolution: filing appeals on time," *Daily Journal* (January 2017)

"Real estate duty decision could have big impact. Or not," *Daily Journal* (December 2016)

"2016 Opinions Provide 998 Guidance," *Daily Journal* (November 2016)

"Settling, Dismissing and Prevailing," *Daily Journal* (March 2016)

- "State High Court Takes on Anti-SLAPP," *Daily Journal* (February 2016)
- "Contractual Attorney Fees Conundrum," *Daily Journal* (December 2015)
- "Independent contractor doctrine limited in ruling," co-author, *Daily Journal* (July 2015)
- "When's an Action 'On the Contract' for Free Purposes?," *Daily Journal* (April 2014)
- "Fly fishing and the appellate lawyering life," *Daily Journal* (October 2013)
- "What the Dickens is the Law?," *Daily Journal* (September 2013)
- "Your Skills: Oral Argument – Going All Out," *The Recorder* (August 2013)
- "Multiple settlement offers: blurry or bright-line rules?," *Daily Journal* (June 2013)
- "Your Skills: Appellate Brief Writing, Before, During and After," *The Recorder* (June 2013)
- "Judicial notice: effective weapon or misfire?," *Daily Journal* (May 2013)
- "State high court to hear settlement offer fee-shifting arguments," *The Daily Journal* (April 2013)
- "High court set to examine prevailing party attorney fees," *The Daily Journal* (February 2013)
- "Immigrant gets another chance to stay in U.S. despite kidnapping rap, 9th Circuit rules," *Daily Journal* (January 2013)
- "Prevailing party attorney fees: battle or war?," *Daily Journal* (December 2012)
- "Strategy in Section 998 offers to compromise," *Daily Journal* (August 2012)
- "The outer limits: When the facts are not taken as true," *Daily Journal* (February 2012)
- "Supreme Court Rolls Back Nondelegable Duties," *The Recorder* (August 2011)
- "Masquerade: Identifying the Genuine Judgment," *Daily Journal* (July 2011)
- "Summer Blockbusters: Will the State Supreme Court Deliver?," *Daily Journal* (June 2011)
- "Home Improvement: When There's an Accident, Who's at fault?," *Daily Journal* (March 2011)
- "Early 998 Offers: Wicked Weapon or Wise Tactic?," *Daily Journal* (February 2011)

## **Presentations**

- "Advanced Appellate Practice," co-presenter, American Bar Association (January 2019)
- "A Discussion with Justice Ignazio Ruvolo: Appellate Practice, Pitfalls and Pontifications," Contra Costa County Bar Association (April 2018)

"The Record in the Era of Multimedia Trials," 3<sup>rd</sup> Annual Advanced Appellate Conference (January 2018)

"Hearsay: Heresies & How Tos," co-speaker, Contra Costa County Bar Association ("CCCBA") (November 2017)

"Appellate Mediation: Why It Makes Sense," Pincus 2nd Annual Appellate Conference (January 2017)

"Ethics in Appellate Advocacy," Pincus 2nd Annual Appellate Conference (January 2017)

"Section 998 Offers: Turn A Loss Into A Win - Or Vice-Versa," co-speaker, Association of Defense Counsel of Northern California and Nevada's 57th Annual Meeting (December 2016)

"Ethics in Advocacy: Attorneys Behaving Badly," co-speaker, Contra Costa County Bar Association's 22nd Annual MCLE Spectacular! (November 2016)

"Advanced Civil Appellate Conference," Pincus Professional Education (February 2016)

"Ethics in Advocacy," Association of Defense Counsel (December 2015)

"Perfecting the Record for Appeal," Contra Costa County Bar Association (November 2015)

"Expert Witnesses and Big Data," Appraisal Institute (May 2015)

"A Discussion with Justice James A. Richman," Contra Costa County Bar Association (April 2015)

"Perfecting the Record for Appeal," Association of Defense Counsel (December 2014)

"California: A SLAPP Happy State?" Contra Costa County Bar Association (November 2014)

"The Appellate Process for Non-appellate Practitioners," Bridgeport Continuing Education (July 2014)

"A Discussion with Justice Ignazio J. Ruvolo," Contra Costa County Bar Association Appellate Practice Section (March 2014)

## **Honors & Awards**

*Martindale-Hubbell*, AV Preeminent Rating

Northern California Super Lawyers: Appellate (2011-present)

## **Professional Affiliations**

Contra Costa County Bar Association, Chair: Appellate Practice Section

Member, California Lawyers Association's Committee on Appellate Courts

Bar Association of San Francisco, Appellate Practice Section

### **Education**

J.D., University of California, Hastings College of the Law (1997)

B.S., *cum laude*, California State University, Hayward (1992)

### **Admissions and Courts**

Supreme Court of the United States

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Sixth Circuit

California Supreme Court

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Southern District of California

California

### **Professional Licenses**

Certified Appellate Specialist