



## John W. (Jay) Fowler

### Of Counsel

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#### **PRACTICE AREAS**

Business Litigation

#### **EDUCATION**

Berkeley Law School (J.D., 1965);

Harvard University (A.B. *cum laude*).

#### **LEADERSHIP AND PROFESSIONAL INVOLVEMENT**

William A. Ingram American Inn of Court – Member.

Santa Clara County Bar Association Law Foundation – Past Director, President and Pro Bono Lawyer of the Year 1999.

SCBA – Federal Courts Committee, Merit Selection Committee for U.S. Magistrate and Bankruptcy Judges, Member; Professional Lawyer of the Year 2012.

CEB Lecturer

U.S. Marine Corps – Captain.

#### **BAR ADMISSIONS**

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California

U.S District Court, Northern, Central, Eastern, and Southern Districts of California

U.S. Court of Appeals, Ninth Circuit.

John W. Fowler  
Rated by Super Lawyers

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## SUMMARY

A veteran Silicon Valley attorney focused on commercial, tort, and environmental litigation, John W. Fowler has completed over 35 trials, arbitrations, and administrative adjudicative hearings. Jay is among a handful of attorneys who have tried to conclusion environmental tort claims for personal injury and property damages as well as cases involving air pollution, groundwater contamination, and maritime oil spills.

Jay has represented a diverse group of clients in more than 50 years of practice, which includes a long tenure at the McCutchen Doyle law firm. He has litigated for — and gone to trial on behalf of — software developers, real estate developers, oil refiners, and computer manufacturers. He also has managed nationwide product recalls for makers of computer batteries and other consumer products. Jay's trial experience covers a wide range of claims, including:

- Breach of contract
- Breach of fiduciary duty
- Construction defects
- Fraud in commercial and real estate transactions
- Misappropriation of trade secrets
- Priority of security interests
- Product liability in automotive and medical products
- Unfair business practices
- Wrongful termination

## **Business Trial Victories**

A highlight of Jay's trial practice is his leadership of the Bergeson trial team in obtaining a \$15.5 million judgment for Lam Research Corporation against Dallas Semiconductor Corporation in a breach of contract case. At the time, it was one of the largest verdicts in a Commercial Code case in California.

In another matter, Jay successfully defended a dock owner, LP Corporation, against a ship owner's claim for indemnity for the cost of cleaning up one of California's most expensive maritime oil spills. The U.S. District Court for the Northern District of California ruled that LP had zero fault for the collision and oil spill, and the U.S. Court of Appeals for the Ninth Circuit affirmed. He also obtained a defense verdict for the LP Corporation in a product and construction defect case in which a co-defendant was found liable for over \$20 million.

## **Legal Leadership**

A graduate of Harvard University and Berkeley's School of Law, Jay is a longtime member of the William A. Ingram Inn of Court. His leadership in the legal community includes serving as the past Director and President of the Santa Clara County Bar Association (SCBA) Law Foundation. He also has served on SCBA's Federal Courts Committee and Merit Selection Committee for U.S. Magistrate and Bankruptcy Judges. In addition, Jay has experience as a Judicial Arbitrator for the Santa Clara County Superior Court.

Jay served as a captain in the U.S. Marine Corps and is the former councilman and mayor of the town of Moraga, California. His early career experience includes establishing Silicon Valley law offices for McCutchen Doyle during the area's growth into a technology epicenter.