

# Charles A. Bird

## Retired Partner



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San Diego

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## Overview

Charles focuses on appeals and writs in all California and federal appellate courts. He has been the lead counsel in more than 70 cases with published opinions, including US Supreme Court, California Supreme Court, and US Ninth, Tenth, and Federal Circuits. Charles has handled more than 200 appeals and writs as lead counsel.

## Experience

- Represented *Musick, Peeler & Garrett* in a federal securities case in the United States Supreme Court (508 US 286).
- Represented *Centex Homes* in defeating a construction liability case in the California Supreme Court (31 Cal.4th 363).
- Represented the *City of San Diego* in establishing the validity of a public finance strategy in the California Supreme Court (18 Cal.4th 1035).
- Represented *Dart Industries* in establishing its right to defense under lost insurance policy in California Supreme Court (28 Cal.4th 1049).
- Represented *Cubic Defense Systems* in international arbitration law challenge against Iran in the Ninth Circuit (665 F.3d 1091).
- Represented *Multimedia Games* in defeating a competitor's standing to challenge a patent in the Federal Circuit (504 F.3d 1273).
- Represented a former partner in sustaining a liability verdict against the other partner for \$24 million breach of a partnership dissolution agreement in the California Court of Appeal. (215 Cal.App.4th 455).

## Recognition

### Honors and Awards

- *Chambers USA*-ranked for Litigation: Appellate in California, 2016-2018
- Recipient of the 2016 Witkin Award, Excellence in the Practice of Law
- Named to *Best Lawyers in America*® for Appellate Practice, Litigation-IP, Litigation - Labor & Employment, Litigation-Real Estate, 2006-2019
  - Listed as "Lawyer of the Year," Appellate Practice, 2011
- *Martindale-Hubbell*® AV Rating
- *California Lawyer Attorney of the Year (CLAY)* Winner - 2004 (Appellate)
- *San Diego Super Lawyers* in the area of Appellate, most recent listing 2015
- *Southern California Super Lawyers* in the area of Appellate, 2015

## Insights

- "Federal Law Forces California Courts To Enforce Arbitration," Dentons Client Alert, October 3, 2014.
- "Your Skills: The Key to Persuasion is Credibility," *The Recorder*, June 14, 2013.
- "Q&A With McKenna Long's Charlie Bird," *Law360*, May 15, 2013.
- "The Anti-SLAPP Law: Stopping Litigation in its Tracks," *The 2013 McKenna Long & Aldridge California Litigation Guide*, January 2013.
- "Grafton Partners - Pretrial Jury Waivers," February 27, 2004.
- "Objective Analysis of Advocacy Preferences and Prevalent Mythologies in One California Appellate Court" (2002) 4 J. Appellate Practice & Process 141 (with W.B. Kinnaird).

## Activities and Affiliations

### Presentations

- "Two Portraits and a Lunch Table," San Diego Bar Association, San Diego, CA, January 28, 2015

### Memberships

- Past President, American Academy of Appellate Lawyers
- Past President, California Academy of Appellate Lawyers (CAAL)
- Director, Appellate Defenders and Federal Defenders
- Advisory Board, Lawyers Club of San Diego

## Areas of focus

### Practices

- Litigation and Dispute Resolution
- Appellate Advocacy

- Class Action Defense

## Industry sectors

- Educational Institutions

## Region

- United States
- San Diego

## Education

- University of California at Davis, 1973, JD, *order of the coif*
- University of California at Davis, 1969, B.A. (History), *highest honors*

## Admissions and qualifications

- California
- Supreme Court of the United States
- US Court of Appeals for the Federal Circuit
- US Court of Appeals for the Fourth Circuit
- US Court of Appeals for the Ninth Circuit
- US Court of Appeals for the Sixth Circuit
- US Court of Appeals for the Tenth Circuit