



Contact

## Lary Alan Rappaport

Partner

Los Angeles

+1.310.284.5658

[lrappaport@proskauer.com](mailto:lrappaport@proskauer.com)

Lary Alan Rappaport is a partner in the Litigation Department.

Lary is a veteran trial lawyer who handles complex commercial, consumer, privacy, false advertising, entertainment and sports litigation. He represents clients in a variety of industries, including Creative Artists Agency, LLC, CVR Partners, LP, Deutsche Bank Securities, Energy Future Holdings Corp., Lincoln Military Housing, Major League Soccer, MUNDOmedia, Ltd., PVH Corp., Ralph Lauren Corporation, The Donna Karan Company, LLC, and Zenith Insurance Company.

Lary represents law firms and attorneys in legal malpractice lawsuits, malicious prosecution claims, employment matters, law firm dissolutions and fee disputes. In *Solin v. O'Melveny & Myers LLP*, 89 Cal. App. 4th 451 (2001), Lary obtained the dismissal of a legal malpractice lawsuit by an attorney against a law firm with whom the attorney had consulted. The *Solin* decision established that an attorney may not pursue litigation which would result in the disclosure of his or her own client's confidential and privileged communications.

Lary has particular experience advising and defending retail merchants in connection with class action lawsuits for purported violation of California consumer privacy and false advertising laws and Unfair Competition Law. Lary has:

- Defended retail merchants in class actions alleging false advertising in

connection with the pricing of merchandise sold in factory stores.

- Obtained dismissal of class actions alleging that merchandise sold was different than as advertised in violation of California's false advertising and unfair competition laws and Consumer Legal Remedies Act.
- Obtained dismissal of a class action alleging the sale of gift certificates containing expiration dates in violation of California's, Washington's and Illinois' unfair competition and false advertising laws.
- Represented retail merchants separately sued in class actions alleging violations of California's Song-Beverly Credit Card Act.
- Obtained the dismissal of a class action for alleged violation of California's "Shine the Light" statute.
- Represented multiple retail merchants in connection with various consumer protection and employment ordinances.

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## Matters

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### Lary's representations have included:

- Acting as lead trial counsel for Lincoln Military Housing against claims for alleged toxic exposure to mold.
- Acting as lead trial counsel for Creative Artists Agency, LLC in a successful arbitration against the estate of the late director Tony Scott for more than \$1 million in unpaid commissions.
- Obtaining summary judgment for the defendant in a malicious prosecution lawsuit in which the plaintiff had been acquitted in a felony criminal trial.
- Successfully challenging subject matter jurisdiction over multi-million dollar arbitration claims brought against a global advertising technology company.
- Representing a debtor in confirmation and related proceedings in one of the largest bankruptcies in the United States.

- Acting as lead counsel in a series of federal lawsuits for an accumulation trust that had been fraudulently induced to purchase the beneficial interest in life insurance policies.
- Acting as lead trial counsel for a manufacturer of consumer goods and obtaining a \$2 million dollar jury verdict for trademark infringement.
- Obtaining summary judgment for Major League Baseball against a “reverse discrimination” class action and having the summary judgment affirmed on appeal.
- Obtaining dismissal of a breach of contract claim by a former Major League Soccer player.

#### Practices

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Trial Strategies , Privacy & Cybersecurity, Litigation

#### Education

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University of California, Davis, School of Law, J.D., 1979

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University of California, Los Angeles, A.B., 1976

*magna cum laude*

#### Admissions & Qualifications

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California

#### Court Admissions

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U.S. Court of Appeals, Ninth Circuit

U.S. District Court, California, Central District

U.S. District Court, California, Eastern District

U.S. District Court, California, Northern District

U.S. District Court, California, Southern District

U.S. Supreme Court

#### Memberships

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Los Angeles County Bar Association  
American Bar Association (Litigation Section)  
State Bar of California

#### **Awards & Recognition**

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The Legal 500 United States: Media, Technology and Telecoms: Technology: Data  
Protection and Privacy 2013-2014  
Southern California Super Lawyers 2015, 2017