

# Richard R. Patch

## Partner

San Francisco

## Details

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Richard Patch's trial and appellate practice focuses on complex civil litigation, and he is widely regarded as one of the leading cable television and telecommunications lawyers in the country. His further expertise extends to real property litigation, construction-related litigation, commercial aircraft leasing, antitrust, unfair competition and class actions.

Richard has experience in a variety of other industries and practices, including the defense of officers and directors in derivative actions, attorney malpractice litigation, environmental litigation and patent disputes.

Based on his litigation skills, Richard was named in Fortune magazine as a "go-to" attorney by the general counsel of the nation's top 500 companies, and for nine consecutive years, he has been recognized as a Northern California Super Lawyer. He is also recognized by BTI Consulting as a "Client Service All-Star" based on direct feedback from the general counsel of Fortune 1000 companies, an award that recognizes attorneys around the country for their dedication to client service.

Richard served as the firm's managing partner from 1994 to 2003 and is also the firm's general counsel and risk management partner.

### ***Class Actions***

Richard has defended more than 50 consumer class actions in states throughout the nation alleging unfair or unlawful rates, administrative fees, product bundling, discounts, false advertising, installation charges, and billing practices. The cases have included claims arising under the Telephone Consumer Protection Act, the Satellite Home Viewer Extension and Reauthorization Act, the Video Privacy Protection Act and Unfair Practices Acts in the states of Texas, Colorado, Wisconsin, Washington, Arizona, Nevada, Illinois, Oklahoma, and others. Under California's Unfair Business Practices Act, he has expertly defended scores of unfair or unlawful claims—many times through appeal—whether asserted by public prosecutors or by private attorneys general.

### ***Regulated Businesses—Cable Television and Telecommunications***

The telecommunications industry has evolved rapidly in recent years, and so has Richard's practice. He has become increasingly involved in non-discrimination rules, cross-subsidization, buy-through, exclusivity, pricing, and other issues that arise in a competitive marketplace.

Richard has represented some of the industries' biggest companies—DISH Network L.L.C., Blockbuster L.L.C., Comcast Cable Communications, LLC, CoxCom, Inc., and Charter Communications—in disputes arising from federal, state and local regulations.

Outside of telecommunications, he is an expert in local franchise law and regularly advises his clients on matters involving franchise application and transfer, as well as defending breach of contract claims arising from franchise requirements.

### ***Real Estate and Construction***

In his real estate practice, Richard represents companies in actions asserting claims under The Endangered Species Act, CERCLA and state tort law, as well as traditional contract and fraud claims arising from property sale and commercial lease transactions.

Richard's depth of knowledge of construction practices allows him to efficiently and effectively resolve disputes concerning construction defects, structural failures, project mismanagement and cost disputes through mediation, arbitration or litigation. He has a broad spectrum of actions involving public and private owners, developers, contractors and design professionals in disputes concerning commercial, public and residential construction.

### ***Officers, Directors and Professionals***

Richard defends officers, directors, and professionals in securities class actions, derivative actions, and attorney malpractice claims alleging breach of fiduciary or professional duties. Representative examples include the defense of an outside director in a consolidated derivative action for alleged breach of fiduciary duty and mismanagement; an officer/director of a failed financial institution that was placed in receivership by the FDIC; all of the limited partnership defendants in a consolidated derivative securities action; and the defense of a senior transactional partner in a malpractice action arising

from real estate transactional work.

Richard graduated in 1975 from the University of California, Santa Barbara, with a bachelor's degree in philosophy. He earned his law degree with honors from the University of California College of Law, San Francisco (Hastings) in 1979. While at Hastings, he was Note and Comment Editor of the Hastings Law Journal and was a member of the Order of the Coif and the Thurston Society.

## Honors & Awards

Richard was named among the best litigators for client service by corporate counsel in [BTI's 2018 Client Service All-Star list](#), for the second consecutive year. Fortune magazine also named Richard a "go-to" attorney by the general counsel of the nation's top 500 companies. He is named by [Benchmark Litigation as a Local Litigation Star](#) in the Antitrust, Class Action, and General Commercial litigation categories, recognized as a Best Lawyer for his Antitrust Litigation and Appellate Practice work, and recognized as a Northern California Super Lawyer.

## Professional Activities

Richard is a member of the litigation section of the California Bar Association and served on the Executive Board of the Litigation Committee in 1998 and 1999. From 2007 to 2012 he was the Chair of the Board of Directors of PilotLegis and currently serves as a member of the Board. He also served on the Board of Legal Aid at Work. He was a member of the Board of Regents for John F. Kennedy University from 1992 to 1998 and a director of the Educational Foundation of Orinda from 1992 to 1997.

Richard is an elected Fellow in the Litigation Counsel of America Trial Lawyer Honorary Society, an invitation-only Fellowship composed of less than one-half of one percent of American lawyers. Since 1989, Richard has been a faculty member of the Practising Law Institute, where he lectures on cable television issues, and he has served as a visiting lecturer at University of California College of Law, San Francisco. He is the author of numerous articles on the cable television industry.

## Education

- J.D., University of California College of Law, San Francisco (1979)
- B.A., University of California, Santa Barbara (1975)