

MONDAY, JULY 19, 2021

PERSPECTIVE

Winning the War

Lawyers at Mortenson Taggart LLP are longterm strategists who don't get tangled up in small battles.

By Kamila Knautd

Daily Journal Staff Writer

The founding partners of Orange County business litigation boutique Mortenson Taggart LLP see each other as balancing forces. They said they knew from their early days as law firm associates that if they were to launch a firm, it would be together.

"Mike has always been one of those people who's just very entrepreneurial," Craig A. Taggart said of Michael D. Mortenson. "He is always a glass half full kind of person, and I tend to be more precautionary in assessing risk."

Mortenson added, "I used to tell my wife that Craig is the best lawyer that I know and I still believe that. He also tends to be a pretty conservative person, just in terms of risk and things like that, so she told me a long time ago, 'You can start your own law firm when Craig Taggart says that he'll join you in starting it.'"

That day came in 2019 following a lunch where Mortenson and Taggart discussed the future of their combined practice at Stradling Yocca Carlson & Rauth PC, where they were partners.

"We were talking about the practice, its growth and our needs in terms of staffing and personnel and Craig said, 'You know, we should just start our own law firm,' Mortenson recalled. "And I basically said, 'Say no more.' I ran home, told my wife and she literally didn't believe me, but it was that point where we were like, 'OK now we're moving forward and we're doing this thing.'"



Courtesy of Mortenson Taggart LLP

From left, Michael D. Mortenson and Craig Taggart

The firm launched with two paralegals Katy Laub and Stephanie Riemer, but over the last two years and despite the pandemic, the firm has grown to 15 attorneys and built a list of clients that range from individuals to large companies such as Ford Motor Co., California based electric vehicle manufacturer Rivian Automotive LLC, electronics company Western Digital Corp., Sprouts Farmers Markets Inc. and manufacturer Westport Fuel Systems.

Some of the firm's most recent work included representing the California Craft Brewers Association and various beer companies in challenging California's pandemic restrictions. The federal suit alleged the state deprived breweries of equal protection under

the U.S. Constitution by imposing restrictions that were not imposed on wineries. Before the court heard their motion to enjoin, the state removed the restrictions. *California Craft Brewers Association et al. v. Newsom*, 20-cv-02372 (C.D. Cal., filed Dec. 17, 2020).

The key to the firm's success is the attorneys' large law firm background, Mortenson said.

"There's this training that the large law firms tend to give their lawyers in terms of how to approach a case, the research, how to analyze things up front, which we continue and train our junior lawyers on how to do," Mortenson explained. "We don't necessarily think of ourselves as a small boutique, we think of ourselves as an elite law firm that

can handle any matter for any client anywhere in the country."

The firm tries to stand out in terms of service by not only providing aggressive litigation services, but by also providing business focused advice that helps clients down the line. The firm prioritizes strong work product, open and constant communication that keeps clients informed every step of the way, as well as flexibility to accommodate each client's unique needs including flexible fee structures, according to the founding partners.

"It's one of those things, where if I pull up a motion that I filed five years ago, and I pull it up today, I still want to be proud of the work," Taggart said. "And that's what we try to ingrain in all the

attorneys that work with us. Everything that goes out the door, we need to be happy with and the clients need to be happy with it. We need the client to feel that they're getting good value from our services and that we're working together with them to better reach our strategic goal."

Taggart added that from the onset of a matter, the firm tries to understand the end goal for the client, whether it's taking a case all the way to trial or finding a resolution, and then makes a plan to execute that goal.

"I think the best thing about them is we just get along with them," longtime client Andrew Gahan, general counsel to Valta Energy, said of the firm. "We see eye-to-eye and it's easy to trust their guidance. They often provide very practical advice and options and walk through the different scenarios of what different options might entail for the company."

Gahan, who is based in San Clemente, said although attorneys have ethical duties to their clients, at times firms can hold on to cases when they are deemed lucrative, which has not been his exper-

ience with Mortenson Taggart.

"Our relationship with Mortenson Taggart is very much one of trust and respect," he said. "We always know that they have our best interests in mind. It's a level of trust that is not often found in relationships with other firms."

The firm advises Valta Energy on litigation related to breach of contract and was a long time client of Mortenson and Taggart before they launched the firm.

Mortenson and Taggart together have successfully defended Ford, another pre-firm client, in consumer litigation cases involving breach of warranty including *Orlando Gonzalez Jr. v. Ford Motor Company*, 2:19-cv-00652. (C.D. Cal., filed Jan. 28, 2019) and *Milton Alfredo Nunez, v. Ford Motor Company*, 2:18-cv-09423 (C.D. Cal., filed Nov. 5, 2019), which both resulted in wins on summary judgment. In *Gonzalez v. Ford*, the firm secured an order from the court requiring the plaintiff to pay Ford's litigation costs and expenses.

The firm has also represented Ford in complex litigation cases along with co-counsel Justin H. Sanders, founding and comanag-

ing partner of Sanders Roberts LLP in Los Angeles.

"In my mind, I think of them as excellent strategists," Sanders said. "They're always thinking of the long term and the long view and with what is going to happen when the case goes to trial. ... They're not going to get caught up in the moment or the small battle. They're thinking about how to win the war."

This strategic and long view approach and the constant flow of communication is what makes the firm, particularly its founding partners, strong co-counsel, Sanders added. He has also referred business litigation work to the firm, confident whoever he refers will be in good hands.

"Everybody likes them. I've never heard a bad word about them," Sanders said. "They're the type of attorneys that are the best to work with, in the sense that they're very good at what they do and they're also just generally good people and fun people to be around."

Angela G. Strickland of Bowman and Brooke LLP in South Carolina, who works with the firm on its

Ford cases in a discovery capacity, expressed similar sentiments.

"I work with lawyers from all over the country and you know, regionally different people kind of approach things differently. In the South, for the most part, people are friendly and warm, so I just enjoy people that I can really talk to and it's just really comfortable and not a stiff relationship. And they're like that, extremely nice, easy to work with and very good at what they do."

The firm's attorneys are always on top of the work, are able to stay calm in high pressure situations and have a collaborative spirit with co-counsel, she said.

"They, unlike some firms that I've worked with in the past, have very good relationships with the plaintiffs' firms as well. We're able to work through sort of the easy things that need to be worked through without the court because of the relationship they have with other firms," she added. ■

kamila_knaudt@dailyjournal.com