

# Richard H. Nakamura Jr.

## Member

Born in Hawaii and schooled on both coasts of the mainland, Richard is a highly respected member of the appellate community in Southern California.

He served on the State Appellate Judicial Evaluation Committee for the Los Angeles County Bar Association, and is a past officer and chair of the Appellate Courts Committee of the Los Angeles County Bar Association.

Richard builds cases from an appellate perspective. He has more than 80 appellate opinions to his name, has written hundreds of appellate briefs, and argued numerous cases in the state and federal appellate courts, including the Supreme Court of California and the Supreme Court of Nevada.

Outside the office, Richard was one of the longest serving editors and past chair of the Editorial Board of the award-winning Los Angeles Lawyer Magazine. He interviewed Chief Justice Ronald George for a cover-page story on Justice George's tenure as Chief Justice of the California Supreme Court. Richard also worked as an editor at the Bureau of National Affairs in Washington, DC, where two of his articles won first prize for specialty writing in the Newspaper Guild's Front Page Awards. Richard also served as secretary and member of the Board of Directors of Haven House, the nation's first shelter for battered women and their children.

Richard is licensed to practice law in California, Virginia and the District of Columbia. He received his law degree from Antioch Law School and his undergraduate degree, cum laude, from the University of California at Berkeley.

### Publications/Presentations

- Presenter, "Protecting The Record," Clark Hill Seminar, September 5, 2019
- Presenter, "2018 California Employment Law Update," Clark Hill Seminar, January 16, 2018
- Presenter, "California Employment Law: Updates & Changes for 2017," MPP Seminar, February 7, 2017
- Presenter, "California Employment Law: Updates & Changes for 2016," MPP Seminar, January 26, 2016
- Quoted in "Justices embrace the impulse to instruct", by John Roemer, *Daily Journal*, August 31, 2015
- "Landmark California Appellate Court Ruling Closes Potential Howell Loophole re 998 Offers", Email Alert, May 19, 2015
- "A Path to Writeousness: What the Seven Deadly Sins Might Teach Us About Written Advocacy", *California Litigation, the Journal of the Litigation Section* (publication of The California State Bar), Vol. 28, No. 1 (2015)
- "'Tis the Season to Be (Potentially) Liable," Email Alert, December 2, 2014
- "Statutory Anomaly May Decide Public Records Case," *Los Angeles Daily Journal*, July 9, 2014
- "Random Acts of Citation and Other Perils of Dictionary-Itis," LACBA's Corporate Law Departments Section Newsletter, Corporate Counsel, Summer 2013 Edition
- Appellate Decision-Making & Today's Topics: Putting the Pieces Together (This 2012 conference for educational institutions was covered by the San Francisco Chronicle on April 26, 2012 and by the Daily Journal on April 27, 2012)
- Understanding The Economic Loss Doctrine: Las Vegas And Beyond (2010 webinar for American Council of Engineering Companies)
- Economic Loss Doctrine: Peculiar Name, Critical Loss Prevention Tool (2007 and 2008 seminar for American Council of Engineering Companies)
- May It Please The Appellate Court: Tips, Hints and Traps To Avoid (2002 seminar for in-house counsel)
- Court of Appeal Walk-Through (moderator and participant in 2003 and 2004 appellate MCLE program)
- Government Appeals (moderator for 2007 appellate MCLE program)
- Military Appeals (moderator for 2006 appellate MCLE program)
- Meet The New Justices (moderator for 2006 and 2007 appellate MCLE program)
- Judicial Attorney Roundtable (moderator for 2006 appellate MCLE program)
- Statsky, Hussey, Diamond & Nakamura, Legal Desk Reference (West Publishing 1991)
- *Carson Harbor: Beneath Its Plain Meaning*, Pollution Liability Report (Mealey's 2001)
- On To A Higher Court, Los Angeles Lawyer Magazine (1999)
- Nakamura, Don't Speak: Prilliman Sparks Discussion About Employee Silence, Los Angeles Daily Journal (1997)
- *Pride and Prejudice in the Workplace: Can the ADA Split the Difference Without Splitting Hairs?*, Federal



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### Education

B.A., cum laude, University of California-Berkeley, Berkeley, California, 1979

Syracuse University, Syracuse, New York

J.D., Antioch School of Law, Washington, D.C., 1982

### State Bar Licenses

California  
Virginia  
District of Columbia

### Court Admissions

U.S. Supreme Court  
U.S. Court of Appeals, 9th Circuit  
U.S. Court of Appeals, 10th Circuit  
U.S. Court of Appeals for the District of Columbia Circuit  
U.S. District Ct., C.D. of California  
U.S. District Ct., District of Hawaii  
U.S. Court of Appeals, 1st Circuit

- Lawyer Magazine (1996)
- Special Practice Series, Litigating Police Abuse Cases Under 42 USC 1983, 5 BNA Civil Trial Manual 482, 555 (1989)
- Special Practice Series, Litigating Transfusion AIDS Cases, 5 BNA Civil Trial Manual 90, 167, 192 (1989)
- Perspective, Rule 11 and Continuing Duties, 4 BNA Civil Trial Manual 300, 324 (1988)
- Practice Guide, Sindell Variations Broaden Pleading Options, 4 BNA Civil Trial Manual 250 (1988)
- Practice Guide, Trends In Market Share Liability Clarify Investigation Issues, 4 BNA Civil Trial Manual 219 (1988)
- Perspective, Do Secret Advisors To Judges Survive The Federal Rules?, 4 BNA Civil Trial Manual 169 (1988)
- Perspective, Medical Malpractice Reform Meets Increased Resistance, 4 BNA Civil Trial Manual 67 (1988)
- Practice Guide, AIDS Litigation Generates Epidemic of Legal Issues, 4 BNA Civil Trial Manual 19 (1988)
- Perspective, Tort Reform in 1987 Brought Few Changes, Few Retreats, 3 BNA Civil Trial Manual 586 (1988)
- Analysis, Cases on Summary Judgment Prompt New Rule 56 Proposals, 3 BNA Civil Trial Manual 540 (1987)
- Analysis, Courts Search for Standards of Review of Rule 11 Orders, 3 BNA Civil Trial Manual 450 (1987)
- Perspective, Behind the Baby M Decision: Surrogacy Lawyering Reviewed, 3 BNA Civil Trial Manual 162 (1987)
- Technique, Surveillance Films: Are They Discoverable?, 3 BNA Civil Trial Manual 332 (1987)
- Analysis, The New False Claims Act: Help For Citizen Sleuths, 3 BNA Civil Trial Manual 260 (1987)
- Analysis, Toxic Tort Damages: Boundaries Are Expanding, 3 BNA Civil Trial Manual 234 (1987)
- Technique, Beyond Bankrupt Tortfeasors: Beating The Bankruptcy Stay, 3 BNA Civil Trial Manual 64 (1987)
- Technique, The Shadow Game: X-rays In Court, 2 BNA Civil Trial Manual 545 (1986)
- Technique, Practical and Ethical Dangers of Overpreparing Witnesses, 2 BNA Civil Trial Manual 476 (1986)
- Technique, Handicapped Clients Require New Strategies For Damages, 2 BNA Civil Trial Manual 308 (1986)\*
- Analysis, Warning Issues Dominate Polio Vaccine Litigation, 2 BNA Civil Trial Manual 235 (1986)
- Technique, Turnabout on Thermograms Chills Recent Acceptance, 2 BNA Civil Trial Manual 140 (1986)
- Technique, Public Opinion Polls Aid Change of Venue Motions, 2 BNA Civil Trial Manual 43 (1986)\*
- Technique, The Lawyer As Director: Arranging Trial By Video, 1 BNA Civil Trial Manual 553 (1985)
- Technique, Summary Jury Trial Offers Alternate Settlement Tool, 1 BNA Civil Trial Manual 461 (1985)
- Technique, Spreadsheets Help Lawyers Figure Client's Damages, 1 BNA Civil Trial Manual 363 (1985)
- Technique, Sometimes There's Nothing To Plead But Fear Itself, 1 BNA Civil Trial Manual 317 (1985)
- Technique, What's A Chance Worth? Pleading and Calculating Damages For Increased Risk of Injury, 1 BNA Civil Trial Manual 286 (1985)

\* 1st prize, Specialty Writing, Newspaper Guild Front Page Awards. Bylines are not used by BNA.

## Practices, Industries & Services

Litigation

## Areas of Emphasis

Appellate

## Memberships

- Current member, Appellate Courts Section, Los Angeles County Bar Association
- Amicus Committee of the Association of Southern California Defense Counsel
- Past member, State Appellate Judicial Evaluation Committee, Los Angeles County Bar Association
- Past At-Large Trustee, Los Angeles County Bar Association
- Volunteer, Second Appellate District's Self-Help Clinic

## Honors

- AV® Preeminent™ Peer Review Rated - Martindale-Hubbell
- For thirteen years (2006-2010, 2013-2020) Richard Nakamura has been selected to the Southern California Super Lawyers list in a survey distributed by Thomson Reuters, a distinction honoring the top 5% of lawyers in the region
- Named among Best Lawyers in America® for Appellate Practice by Best Lawyers® (2020-2021)