

Joseph J. Ybarra



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PROFILE

Mr. Ybarra's practice is focused on complex commercial litigation, with a particular emphasis in defending professional legal malpractice claims. Mr. Ybarra was recently recognized as one of the "Best Lawyers in America" for professional malpractice defense and has secured several high-profile successes in defending such claims. In June 2022, Mr. Ybarra was lead counsel for an Am Law 100 law firm in a five-week legal malpractice trial. The trial ended in a complete defense verdict in favor of the law firm. In June 2018, Mr. Ybarra and Kevin Scott served as trial counsel for another Am Law 100 law firm in a two-week professional malpractice trial. That trial also ended with a complete verdict in favor of Mr. Ybarra's client, as the jury determined that the law firm had not committed legal malpractice and was entitled to recover more than \$100,000 in unpaid attorneys' fees from the plaintiff.

In February 2016, Mr. Ybarra and Aaron May served as lead trial counsel in a three-week civil trial in federal court. The trial ended in a complete victory for the firm's client, the owner of a medical device distribution company. HMYG's client prevailed on each of the claims brought against her and her company and secured a judgment of over \$27 million on her counterclaims – an amount that included \$20 million in punitive damages. The verdict was recognized by The Recorder as one of the Top Verdicts & Settlements of 2016.

Mr. Ybarra is one of the founding partners of Halpern May Ybarra Gelberg LLP, and previously Huang Ybarra Gelberg & May. Prior to forming Huang Ybarra Gelberg & May LLP in 2014, Mr. Ybarra spent 12 years with the Am Law 100 firm Munger Tolles & Olson LLP in their Los Angeles office, where he became a partner in January 2009. Mr. Ybarra began his legal career serving as a



law clerk to the Honorable A. Howard Matz, U.S. District Court Judge, Central District of California. Mr. Ybarra obtained his J.D. from the University of Southern California Gould School of Law, where he was a member of the Southern California Law Review and elected to the Order of the Coif. Mr. Ybarra graduated cum laude from Dartmouth College and obtained a Masters degree in American History from the University of Texas at Austin. When not representing private sector interests, Mr. Ybarra maintains an active pro bono practice.

He served as lead trial counsel in a precedent-setting challenge to a gang injunction implemented by the Orange County District Attorneys' office, helping secure a judgment that the injunction violated plaintiffs' procedural due process rights under both the U.S. and California Constitutions. The judgment was affirmed by the Ninth Circuit Court of Appeals in a published, ground-breaking opinion. In addition to his legal work, Mr. Ybarra served on the Board of Directors of the Liberty Hill Foundation and Homeboy Industries, one of the largest gang intervention and rehabilitation organizations in the country. He previously served as a Trustee of the Mexican American Bar Foundation, which awards scholarships to exceptional Latino students attending Los Angeles-area law schools.

Mr. Ybarra is admitted to practice in California and before the United States District Court for the Northern, Eastern, Central, and Southern Districts of California and the United States Court of Appeals for the Ninth Circuit.

EDUCATION

- University of Southern California, Gould School of Law, J.D. *Order of the Coif, Southern California Law Review*
- Dartmouth College, B.A. *Cum laude*, History

REPRESENTATIVE CASES

- In 2019, Mr. Ybarra represented a national law firm in a week-long arbitration of a former client's claim for legal malpractice, securing a complete victory in favor of the law firm and an award of the attorneys' fees incurred by the law firm in defending the matter
- Obtained from the California Court of Appeal a unanimous reversal of a trial court order striking contract and tort claims under California's Anti-SLAPP statute
- Obtained the dismissal of purportedly individual claims brought against renowned billionaire investor and his wife in a derivative breach of fiduciary duty action
- Successfully represented a major law firm in connection with a professional malpractice claim arising out of a medical patent application



- Secured millions of dollars of insurance coverage for asbestos litigation on behalf of a large, multi-national corporate policyholder
- Successfully represented a Southern California-based law firm in connection with a professional malpractice claim arising out of a failed partnership
- Represented a major real estate developer in a three-week arbitration that ended in the client successfully defeating breach of fiduciary claims brought by a former partner
- Secured tens of millions of dollars of insurance coverage for toxic tort litigation on behalf of a major oil company
- Obtained summary judgment in favor of directors of a large bank in connection with breach of fiduciary duty claims
- Successfully represented a large outdoor advertising company in defending unfair competition and other claims brought by the City of Los Angeles
- Obtained summary judgment in favor of a plaintiff-corporate policyholder alleging that its professional services insurer breached its duty to defend and the implied covenant of good faith and fair dealing
- Represented various corporations and officers/directors in securing millions of dollars of insurance coverage under D&O liability policies.
- In 2021, Mr. Ybarra secured summary judgment for a large law firm in a legal malpractice case seeking tens of millions in damages based on alleged negligence in drafting limited liability company operating agreements.
- In 2021, secured summary judgment on a claim for legal malpractice brought against a large law firm.
- In 2022, on behalf of a national law firm, secured dismissal of a malicious prosecution claim under California's Anti-SLAPP statute.

CLERKSHIPS

- Hon. A. Howard Matz - U.S. District Court, Central District of California

PRACTICE AREAS

- Professional Liability Defense
- Trials & Appeals
- Insurance Recovery