

# Press Releases

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Daniel M. Petrocelli

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## Diamond and Petrocelli Named to the Daily Journal's Top 100 List

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FOR IMMEDIATE RELEASE:

CONTACT:

Piper Hall  
O'Melveny & Myers LLP  
202.870.1800  
phall@omm.com

Julie Fei  
O'Melveny & Myers LLP  
213.430.7792  
jfei@omm.com

**LOS ANGELES, CA — September 27, 2010 —** The *Daily Journal* has named O'Melveny & Myers LLP partners Chuck Diamond and Daniel Petrocelli to its 2010 Top 100 list, which highlights California's leading attorneys. After whittling down close to 1,000 attorney nominations from members of the legal community and *Daily Journal* reporters, the special supplement to the September 22 issue of the publication recognizes "elite" lawyers who are "making the most impact on the legal profession and on society now."

Diamond is a partner in O'Melveny's Century City office and a founding member of the Firm's Business Trial and Litigation Practice. His practice encompasses a wide variety of antitrust, commercial, and intellectual

property disputes, with an emphasis on “big case” jury trial work. Diamond's distinguished track-record of high-profile successes for clients includes back-to-back defense verdicts won for ExxonMobil in Alaska in two multimillion-dollar cases arising from the grounding of the Exxon Valdez, the defense of Paramount Pictures in a celebrated dispute regarding accounting practices with columnist/humorist Art Buckwald over his compensation on the film *Coming to America*, and the defeat of efforts by former California Gov. Gray Davis and others to block the California Gubernatorial Recall Election on behalf of then-candidate Arnold Schwarzenegger.

The *Daily Journal* cited Diamond's relentless efforts over a period of five years on behalf of client Advanced Micro Devices Inc. in its antitrust battle with Intel Corporation, which culminated in a US\$1.25 billion settlement by Intel. Earlier victories secured by a global O'Melveny team in the long-running litigation that Diamond led include a US\$1.45 billion fine levied against Intel by the European Commission, favorable rulings by the Japan Fair Trade Commission and Korean Fair Trade Commission, and a pending settlement recently struck with the FTC that requires Intel to overhaul its chip marketing practices.

Petrocelli, who is also based in Century City, chairs the Firm's Business Trial and Litigation Practice. His national trial practice represents a broad array of clients in major litigation in areas ranging from entertainment, business torts, and criminal defense to employment law, intellectual property, securities, and unfair competition.

The *Daily Journal* highlighted Petrocelli's victory leading an O'Melveny team representing Lennar Corp. in a year-long trial that recently ended in the complete rejection of claims against Lennar for hundreds of millions of dollars and award to Lennar on its cross-complaint for over US\$12 million. The *Journal* also singled out the momentous US Supreme Court victory by Petrocelli and an O'Melveny team for former Enron chief executive Jeffrey Skilling's appeal in winning a unanimous decision limiting the use of the honest services law—a statute prominently used in white-collar cases. According to Petrocelli, “It was a landmark decision that will be very important to all business leaders and corporate executives who have been facing criminal jeopardy under this honest services fraud theory.” Skilling's case is now on remand in the Fifth Circuit Court of Appeal.

### **About O'Melveny's Business Trial and Litigation Practice**

The lawyers in O'Melveny's Business Trial and Litigation practice represent prominent clients in high-stakes litigation. Whether facing a national or international commercial dispute, charges from a governmental agency, or a single-plaintiff suit with broad implications, prominent clients entrust their largest and most sensitive matters to us. Although most large firms can litigate a case, few actually understand how to shape a dispute for trial the way we do. The sheer breadth of our trial experience distinguishes our

practice. We have taken hundreds of cases to trial, more than half of them before juries. And we produce impressive results: four out of every five of our trials produced a favorable outcome for clients.

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