

In the News

Daily Journal: O'Melveny Lawyer is a Leader in Business Interruption Litigation

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O'Melveny Litigation Department co-chair Richard Goetz spoke with *Daily Journal* about his career trajectory, his work observing military commission hearings in Guantanamo Bay, and why he heeds his mentors' advice to "get out of your comfort zone" and encourages his own mentees to be ready when luck strikes.

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A former chair of the firm's Consumer Class Actions, Product Liability, Mass Torts, and Insurance Practices, Goetz has defended pharmaceutical, medical device, computer, and insurance companies, among others, at the pleadings and trial stages, and has defeated allegations of negligence, false advertising, improper labeling, defective manufacturing, and personal injury liability in multi-million-dollar actions.

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The publication noted that this past July, Goetz addressed the judicial panel on multidistrict litigation in Washington, DC on behalf of 33 insurance providers accused of unlawfully denying business interruption insurance amid the COVID-19 pandemic. Representing his client Chubb, Goetz argued remotely before a seven-judge panel—and at least 400 others listening in on the proceedings—that consolidating hundreds of business interruption suits brought by restaurant and other business owners in almost every state would not be effective. The panel ultimately agreed, finding insurance policies were too different.

Tracing earlier career milestones, *Daily Journal* also explored Goetz's time as an official observer of the pretrial hearings of Khalid Sheikh Mohammed at Guantanamo Bay in 2003, which culminated in a report to the Pacific Council On International Policy detailing the principal differences between the procedural rights afforded to criminal defendants in federal court and detainees prosecuted under the Military Commission Act. Goetz and a group of legal scholars followed up in 2016 with a report recommending that federal judges be sent to Guantanamo to mitigate the military court's deficiencies and the delayed setting of trial dates.

Goetz noted that O'Melveny's flat organizational structure, in contrast to some more hierarchical structures, means that he and other leaders "spend most of our time practicing law." During his own tenure as a leader he has established a number of innovations, such as hiring Pulitzer Prize-winning journalists and other writers to help lawyers "punch up" their writing in legal briefs. "It's often the case that a lawyer thinks something is really interesting but a more general audience just doesn't. So you need somebody to be a reality check to help you tell the story of your case, to help you communicate more effectively," Goetz said. "I have found reporters to be aces at that and they've been great additions to the team."

More recently, Goetz has helped the firm respond creatively to the challenges of the pandemic, originating the suggestion for O'Melveny's "Zoom rooms"—spaces with studio quality lighting and professional microphones that enable lawyers appearing remotely to project an image of professionalism. But while Goetz believes remote appearances will become a permanent fixture of the court, he doesn't believe the office is gone.

Read the full profile [here](#).