



Richard H. Hart
Of Counsel

Contact Information

Tel: 916.283.8820
Fax: 916.283.8821
rhart@Ellislawgrp.com

555 University Ave.
Suite 200 East
Sacramento, CA 95825

Education

University of Oregon, 1970
California Western School of
Law, 1973

Expertise

Litigation in Matters of:

- Commercial Law
- Insurance Law
- Agricultural Law
- Legal Malpractice Defense
- Construction Law
- Environmental Law

Richard H. Hart

Mr Hart acts as “of counsel” with Ellis LaVoie Poirier Steinheimer & McGee, LLP on selected cases. Nonetheless, Mr.Hart maintains his own separate firm, The Law Offices of Richard H. Hart, located at 8989 Highway 89, Graeagle, California, telephone (530) 836-0574. In his role as “of counsel” to Ellis LaVoie, Mr.Hart acts as an independent contractor, and not as an owner, partner or employee.

Practice Focus

Mr. Hart is a trial lawyer who represents both plaintiffs and defendants in civil litigation in state and federal courts, both trial and appellate.

Professional History

Mr. Hart has practiced continuously for 34 years and to date has never lost a trial verdict. Since 1995, he has owned The Law Offices of Richard H. Hart, a litigation firm based in Sacramento that expanded to Graeagle, Calif. in 2005.

From 1985 to 1995, Mr. Hart represented both private and public sector clients as a partner and shareholder in the 60-attorney Sacramento firm of Kronick Moskovitz Tiedemann & Girard.

From 1981 to 1985 , he served as executive director and director of litigation for the Legal Aid Service in Eugene, Ore., a non-profit organization that provides representation on civil cases to low-income clients. Four years prior to that, he worked as an attorney and lobbyist in Washington, D.C. for the Food Research and Action Center, the leading national nonprofit organization working to eradicate hunger and malnutrition in the United States. Mr. Hart began his law career in 1973 as an attorney for the Legal Aid Society of Mecklenburg County, North Carolina.

Mr. Hart is licensed to practice in California and is admitted to practice in North Carolina, Oregon and the District of Columbia. He is also admitted to practice before the Central and Eastern United States District Courts, in California, the United States Court of Federal Claims, the United States Court of Appeals for the Ninth and Fourth Circuits, and the United States Supreme Court.

Continued

Education

Mr. Hart received his bachelor's degree in political science from the University of Oregon in 1970. He earned his law degree from California Western School of Law in 1973. He was thereafter a recipient of the Reginald Heber Smith Community Lawyer fellowship for three years.

Affiliations

Mr. Hart is an active member of the Litigation Section of the California Bar Association. He has served as a Judge Pro Tem of the Sacramento Superior Court for more than 15 years.

Representative Trials & Settlements

- **Shade v. Johannus** (2007) Mr. Hart currently represents the association of Mexican avocado growers, packers, and exporters whose members supply 70% of the world's avocado market. Through Mr. Hart, the Mexican avocado industry has intervened into litigation brought by the California Avocado Commission against the United States Department of Agriculture in federal court in Los Angeles. Intervenors have filed claims against the California Avocado Commission for Lanham Act violations and other disparagement torts, and against the California Department of Food and Agriculture for its rejection of Mexican avocado imports at the border in violation of federal preemption laws.
- **Ahmadzai v. Bryant** (April 2006) Complex sale of business. Judgment entered in favor of client defendant after a weeklong bench trial. Mr. Hart tried the case alone.
- **Pedley v. Shewmake** (May 2006) Construction defect case. Mr. Hart, as sole trial counsel, obtained a judgment for client plaintiff on trial verdict in excess of \$250,000.
- **Great American v. Short** (2005) Legal malpractice. This matter was heard in San Bernardino Superior Court and led to a six-figure judgment. A Declaratory Relief action was resolved against coverage for the injured third party (Mr. Hart's client). Mr. Hart represented the client alone in both cases. After judgment in the Declaratory Relief case, which held notice from the insured third party invoked coverage under the policy, a successful appeal resulted in a reversal by the Fourth District Court of Appeals. A global settlement was subsequently reached in favor of the client.
- **Ingerson v. Sears & Roebuck** (2004) Mr. Hart represented all plaintiffs in this toxic containment case which was settled against Sears & Roebuck and several of its carriers.

Continued

- **Slater Farms Inc. v. United States Department of Agriculture** (2001) This case involved a monetary damages action arising from negligence of the federal government to properly maintain flood levies adjacent to the Slater Farms properties in the Sacramento Delta. A United States District judge sitting for the United States Court of Federal Claims in Sacramento presided over the trial. The case was resolved in the mid-six figures for client plaintiff. Mr. Hart tried the case alone.
- **ACWA-JPIA v. CNA** (1996) Insurance Bad Faith. After a month-long federal trial, a jury verdict was entered in the favor of the Association of California Water Agencies and other client plaintiffs in an insurance bad faith case for an amount in excess of \$1.4 million plus interest. The Brandt award of attorney's fees was approximately \$400,000. The jury verdict was upheld on appeal. Mr. Hart tried the case with a paralegal.