

2015's **TOP 100** Lawyers in California

LITIGATION

MICHAEL J. PROCTOR

CALDWELL LESLIE & PROCTOR PC | LOS ANGELES

WHITE COLLAR CRIMINAL DEFENSE, COMPLEX CIVIL LITIGATION, TRIALS

The war between the sugar industry and the corn syrup industry over false advertising claims on either side is still going strong. This year, Proctor won a rare disqualification order for his corn clients Tate & Lyle Ingredients Americas Inc. and Ingredion Inc., knocking sugar counsel Squire Patton Boggs LLP off the case. *Western Sugar Cooperative v. Archer-Daniels-Midland*, CV11-3473 (C.D. Cal., filed April 22, 2011).

After a merger between Squire Sanders & Dempsey LLC and Patton Boggs LLP, the new firm continued to represent sugar industry clients without realizing it still had Tate & Lyle and Ingredion on its books.

Proctor, a former federal public defender better known for white collar criminal defense, faced off against Squire Patton Boggs counsel A. Howard Matz before U.S. District Judge Consuelo B. Marshall. Matz, a former judge, used his own decision in *UMG Recordings Inc. v. MySpace Inc.*, CV06-7361 (C.D. Cal., filed Nov. 17, 2006) to argue for an alternative remedy rather than disqualification.

“We convinced Judge Marshall that Judge Matz’s prior decision required a dis-



qualification,” Proctor said.

Proctor’s victory in the disqualification motion saw the firm added to the corn industry group’s general trial team.

Guiding principles for Proctor and his

firm are honesty, transparency and teamwork, he said.

“The disqualification motion is a signature victory,” Proctor said. “There’s two things I’m looking for in a case: intellectual stimulation and challenge, and helping somebody in a tough spot.”

In 2012, that somebody was Meili Cady, an actress caught up in a drug trafficking case against purported Samsung heiress and drug smuggler Lisette Lee. Thanks to Proctor’s team, Cady received a one-month sentence and a year of house arrest. In March, Cady published a book about the case, “Smoke.” *United States v. Cady*, CR10-0287 (S.D. Ohio, filed Nov. 18, 2010).

Proctor works with larger clients in civil proceedings as well. Last September, Proctor represented Netflix Inc. as a team with his former firm, San Francisco-based Keker & Van Nest LLP, defending the streaming giant against charges that it had blacklisted a former executive and securing a dismissal. *Kowal v. Netflix Inc., Amazon.com Inc. et al.*, BC541185 (L.A. Super. Ct., filed April 1, 2014).

>> Gautham Thomas