



Susan C. Yu

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Susan C. Yu is a prominent trial lawyer who specializes in complex criminal and civil trials in Federal and State courts, as well as Medical Board trials. She is one of the rare lawyers who practice both civil and criminal cases in state and federal courts. Ms. Yu is regarded as a highly effective trial lawyer who consistently obtains winning results for her clients. Over the years, Ms. Yu has developed a very diverse and successful trial practice unique to her trial skills, insights, and life experiences. Ms. Yu received her B.A. in Political Science with a concentration in *Soviet Politics* from the *University of California at Berkeley* and her J.D., *cum laude*, from *Syracuse University College of Law*, where she was a *Dana Hinman Scholar*. Her strong academic performance in law school also earned her a place on the *College of Law's Dean's Honor List* and a membership in the *Justinian Honorary Law Society*. She also served as Editor of the *Syracuse Journal of International Law and Commerce*. In addition to English, Ms. Yu speaks Korean, Russian and Japanese.

Deeply committed to excellence, Ms. Yu has consistently obtained winning results in high stakes cases for many of her prominent clients, including: the late music legend **Michael Jackson**; *former First Lady of Gabon, Africa* (who is the mother of the country's current President, **President Ali Bongo**); a family member of the late film actor **Peter Falk** (known from a hit TV series "**Columbo**"); a family member of a top-ranking government official from **China**; actor **Robert Blake**; the *founder and former CEO of women's knitwear, St. John Knits International, Inc.*; an international corporation from **South Korea**; a family member of **LA Gear**; a top-ranking officer of a multi-national real estate development company from **India**; a publicly traded midstream company from **Texas**; a *high-profile Beverly Hills Plastic Surgeon*; a prominent orthopedic surgeon from Southern California; a *well-respected Radiologist*; a *highly accomplished Corporate Lawyer* in Los Angeles; top **Entertainment Lawyer**; the country's *highest grossing Real Estate Agent*; one of the country's *top real estate companies, Coldwell Banker Realty*; and the world's largest *home improvement retailer, Home Depot U.S.A., Inc.*, just to name a few.

Ms. Yu has received recognition and awards for her contributions to various community-based organizations and has been listed as one of the "**Top 75 Women Litigators in California**" by the Los Angeles Daily Journal, the leading legal newspaper in California. Recently, Ms. Yu was interviewed by *Litigation Counsel of America* in a publication entitled "**20 Questions with California Fellow Susan Yu.**" This article discusses Ms. Yu's background, upbringing, and life experiences that have influenced and shaped her as a trial lawyer.

Pro Bono Work & Community Service

Ms. Yu previously *funded* and *opened* a Free Legal Clinic at St. James' Episcopal Church in Los Angeles for low-income persons from all walks of life.

Committed to helping the underprivileged, Ms. Yu donates her time to the poor in criminal and civil cases *Pro Bono*.

Ms. Yu also served as legal counsel to the **National Association for Asian American Studies**, headquartered in **Cornell University**, Ithaca, New York. Comprised of professors, academic administrators, graduate and undergraduate students, and community leaders from North America, the Association seeks to advance the highest professional standard of excellence in teaching and research in the field of Asian American Studies.

For the past seven years, Ms. Yu has served as a Judge for the final rounds of the annual **National Civil Trial Competition** at **Loyola Law School** in Los Angeles. She has also served as a Judge for the semi-final round of the annual **National Criminal Trial Competition** at **Southwestern Law School** in Los Angeles.

Contributions to the Legal Profession

Ms. Yu has been appointed to the California State Bar's Commission on **Judicial Nominees Evaluation** (JNE) effective January 2015. The JNE Commission investigates and evaluates applicants who seek to become judges at the trial and appellate court levels throughout the state of California. As a result, she stepped down from her 7 year service (2007 – 2014) on the Los Angeles County Bar Association's **Judicial Appointments Committee**, which, on behalf of the California Governor's Office, investigates and evaluates lawyers and commissioners who have applied to become LA County Superior Court Judges.

Ms. Yu is on the Advisory Board, as well as on the Nomination Committee, of the **Litigation Counsel of America**, an invitation-only trial lawyer honorary society established to reflect the new face of the American bar. LCA Membership is limited to 3,500 Fellows, representing less than one-half of one percent of American lawyers. Ms. Yu was elected to serve as President of LCA in 2011.

Noteworthy Victories

Ms. Yu recently won two back-to-back jury trials, one criminal and one civil. The most recent trial was a federal mortgage fraud case in March 2015. Ms. Yu won, as *co-lead trial counsel*, a not guilty verdict for her client, a real estate agent, on 16 counts of mortgage fraud in the **United States District Court, Central District**. Ms. Yu won a hung verdict (8-4 not guilty) on the one remaining count, which was dismissed with prejudice. The Indictment filed by the United States Attorneys' Office charged her client, along with 7 other co-defendants, with wire fraud, bank fraud, and false statements to FDIC banks. 5 co-defendants pleaded guilty. Ms. Yu's client pleaded not guilty and went to trial. Approximately 200 witnesses and over 120,000 pages of documentary evidence were involved. The FBI investigated this case for nearly 5 years. During trial, Ms. Yu's cross-examination of the lead FBI agent, who was caught lying on the stand about witness recordings, became the focal point of the front page news on the Los Angeles Daily Journal entitled *"Recordings Expected in Modern*

Prosecutions.” The credibility of the FBI agent was destroyed, which many trial observers believed resulted in a Not Guilty verdict.

The second most recent trial was a civil sexual assault case in January 2015 at the Los Angeles County Superior Court. After a 5-week trial and 3 days of deliberation, the jury returned a verdict in favor of Ms. Yu’s client, an international businessman, as follows: sexual battery (12-0 unanimous verdict); battery (12-0 unanimous verdict); assault (12-0 unanimous verdict); false imprisonment (12-0 unanimous verdict); intentional infliction of emotional distress (12-0 unanimous verdict), and negligent infliction of emotional distress (9-3 verdict with 50% liability assigned to accuser). This was a very complex case involving extensive domestic sting operations, international undercover investigations, DNA, forensic, and toxicology evidence, mental examinations and related “psychological damages,” medical evaluations and various expert testimony on a wide-range of issues. Before trial, Ms. Yu demanded the accusers to drop the case under C.C.P. Section 998. Since they lost the trial, the accusers will be held liable to Ms. Yu’s client for all the costs he incurred. **“California Fellow Susan Yu Successfully Defends International Businessman Against Sexual Assault Accusations”**

In April 2014, Ms. Yu, as *lead trial counsel*, obtained a dismissal of 9 felony counts in a complex white-collar criminal case for a prominent family member of a corporate giant who was a victim of criminal threats. The case involved extensive international undercover investigations.

In March 2014, Ms. Yu, as *lead trial counsel*, obtained a dismissal of 4 felony counts in a complex “three strike” drug offense case for a client with military school background, falsely accused of the crimes he did not commit. The case involved questions of constitutional violations (substantive and due process) and extensive intra-state undercover investigations.

In December 2013, Ms. Yu, as *lead trial counsel*, won a Summary Judgment Motion in a complex civil case for a prominent corporate CEO and his family.

In January 2013, Ms. Yu, as *lead trial counsel*, obtained a settlement of a Federal Copyright case on the day of jury selection for a publicly traded oil company in Texas.

In November 2012, the Medical Board affirmed a trial Ms. Yu won as *lead trial counsel* in July 2012, completely exonerating Ms. Yu’s client, a prominent orthopedic surgeon who was facing a revocation of his medical license before the State of California Medical Board. In that trial, Ms. Yu obtained a complete dismissal of all counts in the *Accusation* for her client. This was an extensive trial involving a complex and strange set of facts and issues, challenging audio and video evidence, testimony by law enforcement, lay and expert witnesses, and various constitutional issues asserted by the State Attorney General Office’s key witness. The Presiding Administrative Law Judge, after hearing all the evidence and arguments in this high stakes medical board trial, found in favor of Ms. Yu’s client and exonerated him of all charges in the *Accusation*.

In April 2012, Ms. Yu, as *co-lead trial counsel*, obtained what many consider an “incredible resolution” for her client, the ex-wife of Oscar-winning actor, Joe Pesci. This was a multiple life sentence case involving allegations of several murder plots, including conspiracy to murder and attempted murder. The prosecution alleged that Ms. Yu’s client conspired with others to hire a hit man to murder her former husband, a Hollywood stuntman who appeared in many films, including *Avatar*. The client was charged with multiple counts of attempted murder and conspiracy to murder the stuntman, who survived four shots and lost an eye. This case was litigated for 6 years, including issues involving secret recordings, wiretaps, polygraph, the Trombetta-Youngblood evidentiary hearing, child custody, and forensics, including DNA, fingerprint, and handwriting

analyses of the so-called “murder notes” and “murder photos.” After trial commenced, and during jury selection, the prosecution offered to settle the case. The client accepted the offer and will be released from prison in approximately 8 years.

In March 2012, Ms. Yu, as *lead trial counsel*, obtained a dismissal of a felony criminal case for her client, a prominent international Asian businessman, who was accused of sexually assaulting two women. After nearly three years of litigation and undercover investigations with the local police and the FBI, the case was dismissed. The case involved extensive ESI investigation in local, state, federal and international cyber venues.

In December 2011, a capital murder case, in which Ms. Yu’s client was facing the death penalty, was dismissed prior to trial.

In December 2010, after approximately a year of litigation, Ms. Yu, as *co-lead trial counsel*, obtained a complete dismissal for her client, the son of high-profile corporate giant, who was accused of criminal threats and battery. The alleged victim was a former girlfriend who had been a Playboy Magazine centerfold and Playmate of the Year.

In April 2010, on the first day of a jury trial, Ms. Yu, as *lead trial counsel*, obtained a dismissal of a **multi-count felony sexual assault case** for her client, a well-known local celebrity race car driver.

In August 2009, Ms. Yu, as *co-lead trial counsel*, obtained a not guilty jury verdict on **13 federal felony counts of mortgage fraud** (i.e., allegations of \$40 million loan fraud, bank fraud, conspiracy, money laundering, aiding and abetting, and criminal forfeiture) in the **United States District Court, Central District of California (Los Angeles)** for **Joe Babajian**, a highly-respected, top real estate agent in the country. This was a highly publicized, complex, document and fact intensive federal real estate fraud case involving 11 co-defendants. The *United States Attorney’s Office*, the *F.B.I.*, and the *I.R.S.* conducted a 6-year investigation. 8 co-defendants pleaded guilty before trial. The remaining 3 co-defendants, including Mr. Babajian, pleaded not guilty and went to trial. Over 200 potential witnesses, hundreds of thousands of pages of discovery and thousands of Federal Grand Jury and Trial Exhibits were involved. After 6 weeks of jury trial, *Mr. Babajian* was the only defendant that was acquitted. He was found not guilty on 13 felony counts of mortgage fraud, and the jury hung on the remaining 8 felony counts. The United States Attorney’s Office has dismissed the remaining 8 felony counts, in exchange for Mr. Babajian’s plea of guilty to a newly-created, 1 misdemeanor count of receiving improper referral fees from his brokerage company with no jail time. In addition, the United States Attorney’s Office has waived any potential civil claims against him.

In May 2009, Ms. Yu, as *lead trial counsel*, obtained a hung jury in a felony sexual assault case for her client, a highly-respected corporate executive. The prosecution has agreed to *dismiss* the entire case in return for the client performing community service and completing certain prescribed courses.

In February 2009, Ms. Yu, as *lead trial counsel*, obtained a hung jury in a document-intensive felony financial embezzlement case, in which her client, an executive assistant, was accused of embezzling over \$800,000.00. The prosecution has agreed to end the case with a plea agreement and no jail time.

In November 2008, as lead trial counsel, Ms. Yu successfully defended on behalf of a highly-respected philanthropist and businessman in Los Angeles, a civil lawsuit involving unfair business practices under the *California Business and Professions Code §§ 17200, et seq.* After Ms. Yu successfully defeated plaintiff’s *Anti-SLAPP Motion under C.C.P. § 425.16* and *Demurrer*, the plaintiff agreed to dismiss the complaint in its entirety.

In October 2008, Ms. Yu, as lead trial counsel, obtained a dismissal of a document-intensive oil pollution environmental state criminal case on behalf of a publicly-traded, Texas-based oil pipeline company. Ms. Yu

also obtained a favorable settlement in a parallel Federal civil oil spill case brought by the government under the Federal Clean Water Act.

In September 2008, on the first day of a jury trial, Ms. Yu, as co-lead trial counsel, obtained a dismissal on behalf of her client, a school board official, who was accused of engaging in lewd conduct.

In July 2008, Ms. Yu, as co-lead trial counsel obtained a hung jury on behalf of her client, a prominent member of a Catholic Church, who was accused of child molestation. The case was subsequently dismissed because the prosecutor decided to not retry the case.

In December 2007, Ms. Yu, *as lead trial counsel*, obtained a dismissal of a criminal case in which four police officers accused Ms. Yu's client, a former military officer, of battery, assault and resisting arrest.

In November 2007, on the eve of trial, Ms. Yu, as lead trial counsel, obtained a dismissal of a criminal case involving domestic violence and abuse of governmental power for her client, an employee of the Los Angeles Metropolitan Transportation Authority.

In June 2007, on the first day of a murder trial before a jury, Ms. Yu's client, who was facing life in prison, was offered a settlement of voluntary manslaughter with significantly less jail time. The client accepted the offer and will be released from prison in approximately 4 years.

In April 2007, Ms. Yu, *as lead trial counsel*, successfully won and acquitted a prominent Plastic Surgeon in Beverly Hills, who was facing a permanent suspension of his medical license from charges of sexual harassment and lack of informed consent for surgery. After a 2-week trial before the **California Medical Board, Los Angeles Division**, Ms. Yu's client was exonerated.



April, 2006 - Susan Yu wins a trial for the former First Lady of Gabon, Africa (also the mother of the country's current president, President Ali Bongo)



June 13, 2005 Verdict Day
Susan Yu and Michael Jackson leave the Courtroom
After Jury finds NOT GUILTY on All 14 Counts

In April 2006, Ms. Yu, *as sole lead trial counsel*, vigorously litigated and won a bench trial for the former **First Lady of Gabon, Africa**, who almost lost her real estate properties in Beverly Hills, worth in excess of \$15 million dollars, in a real estate fraud scam.

In October 2005, Ms. Yu, *as co-lead trial counsel*, successfully obtained a dismissal of a high-stakes civil lawsuit for a *nuisance amount* on behalf of the *founder and former CEO* of **St. John Knits**.

From April 2004 – June 2005, Ms. Yu defended the *late music legend* **Michael Jackson** in a high-profile criminal case that resulted in a successful acquittal of all 14

counts, after a five-month jury trial (January – June 13, 2005) in Santa Maria, California. This case was the most televised and publicized criminal trial in American history, in which over 2,200 media outlets from all over

the world covered the case. After countless hours of trial strategies, preparation of over 300 potential witnesses and scrutiny of hundreds of thousands of documentary, audio and video discovery, Ms. Yu and her then-law partner Tom Mesereau obtained a sweeping not guilty jury verdict on *all 10 felony and 4 lesser-included misdemeanor counts*. After trial, until 2006, Ms. Yu served as *General Counsel for Michael at his request*.

From 2003 – 2004, Ms. Yu served as *co-counsel* for actor **Robert Blake** in a high-profile, murder with special circumstances case.

In prior years, Ms. Yu, as *lead counsel*, successfully defended **Home Depot U.S.A., Inc.** in numerous white-collar, regulatory compliance and enforcement proceedings in criminal courts throughout *Los Angeles County, Ventura County, Orange County, San Bernardino County and Riverside County*. In many of these cases, Ms. Yu was successful in obtaining a favorable settlement and a dismissal.

A relentless advocate, Ms. Yu has successfully defended and prosecuted a wide-variety of *criminal* and *civil* cases in both *Federal* and *State* courts on behalf of individuals, mid-size institutions, and major corporations, including Fortune 500 companies. She has extensive experience in highly complex, document and fact intensive *Federal* and *State* criminal and civil cases.

She has also obtained many favorable settlements for her *corporate clients* involving antitrust violations, unfair competition, business torts, trade secret violations, trade mark and trade name infringements, copyright infringements, fraud, breach of contract, unfair business practices, eminent domain, construction defects, toxic torts, environmental liability, products liability, and wrongful termination (based on race, gender, age and disability discrimination).

Ms. Yu represents her clients in all phases of civil and criminal proceedings, including pre-lawsuit counseling, pleadings, law and motion, discovery, settlement negotiation, mediation, arbitration, and trial.

Successfully defended, as *co-lead trial counsel*, a **boat manufacturer** involving multi-million dollar *products liability* and negligence claims. The case settled for a *nuisance amount*.

Successfully defended and prosecuted, as *lead trial counsel*, on behalf of a **prominent businessman**, who came to her after having lost 9 separate civil business lawsuits. He was the target victim of a massive fraud scam. He had lost a bench trial, had several default judgments entered against him, and had a case dismissed against him. In a short period of only 2 months, Ms. Yu expeditiously and successfully won a *Motion for New Trial* (setting aside the bench trial judgment); won multiple *Motions to Set Aside Default Judgments*; won a *Motion to Set Aside the Dismissal and Reinstate the Action*; and won a bench trial for her client.

Successfully defended, as *lead counsel*, a top **real estate brokerage company** involving a multi-million dollar real estate fraud claim. The case settled for a *nuisance amount* on the eve of a summary judgment motion hearing.

Speaking Engagements

Ms. Yu is frequently asked to speak to various groups and organizations on trial strategies, the legal profession, and civil rights issues, including the need for a community dialogue on race, integration, equality and justice.

A sample of Ms. Yu's speaking engagements include:

Federal ABA Criminal Justice Section's 2012 Spring Conference/continuing legal education on E-Discovery in Government Investigations and Criminal Litigation. (Ms. Yu served as a *panel speaker* on post-indictment ESI discovery and the challenging issues of authentication, foundation and admissibility of electronic evidence at trial in federal criminal cases. This conference was held in Los Angeles, CA, in April 2012.)

Federal Public Defender for the Northern District of Ohio's continuing legal education seminar on jury selection, trial strategies and opening statements. (Ms. Yu *delivered a lecture* to approximately 500 federal bar members, including federal public defenders, private defense lawyers, federal prosecutors and judges in Cleveland, Ohio, in August 2011.)

Litigation Counsel of America's continuing legal education seminar on winning approach to trial strategies, jury selection, opening statement and cross-examination in a complex, white-collar criminal case in federal court. (Ms. Yu *delivered a lecture* to approximately 150 highly accomplished trial lawyers in Laguna Beach, CA, in May 2011.)

Pepperdine Law School's event on the issue of women and the law. (Ms. Yu addressed law students and law professors as the event's *panel speaker* in 2009.)

Los Angeles Leadership Academy's symposium on community and cultural issues. (Ms. Yu addressed middle school and high school students as the event's *key note speaker* in 2007.)

Harvard University Law School's 12th Annual National Asian Pacific American Conference. (Ms. Yu addressed law students and community leaders as the event's *key note speaker* in 2006.)

University of Denver's symposium on community issues. (Ms. Yu addressed college students and community leaders as the event's *key note speaker* in 2006.)

Asian Pacific American Bar Association's annual *Summer Associate Mixer* in Los Angeles. (Ms. Yu addressed lawyers, summer associates, law interns and law students as the event's *key note speaker* in 2005.)

National Korean American Coalition's annual convention in Colorado. (Ms. Yu addressed community leaders and students as the event's *key note speaker* in 2005.)

Rotary Club of Los Angeles's symposium on community issues. (Ms. Yu addressed community leaders as the event's *key note speaker* in 2005.)

California Polytechnic State University at Pomona's annual *Professor for a Day* program. (Since 2004, Ms. Yu has participated as a "professor for a day" in the Department of Sociology and has lectured to college students in the areas of community and urban sociology, criminal justice, and sociology of culture.)

Professional Affiliations & Activities

Ms. Yu is a Fellow of the [Litigation Counsel of America](#), a Trial Lawyer Honorary Society representing approximately 3,500 fellow trial lawyers.

She is a member of the [American Inns of Court](#), the [Federal Bar Association](#), the [Los Angeles County Bar Association](#), the [Asian Pacific American Women Lawyers Alliance](#), and the [Association of Business Trial Lawyers](#).