



MARC BRAINICH

Attorney

P 510.834.6600

E mbrainich@fennemorelaw.com

Oakland, California

Marc Brainich is a distinguished attorney in our Oakland office who has more than 25 years of business litigation experience. His dynamic practice focuses on matters such as mass toxic torts, medical professional liability and personal injuries and product and premises liability issues across various industries, including energy, manufacturing, shipping, utilities, healthcare providers and governmental and public entities. He brings substantial industry experience to the firm's well-established business litigation practice. Marc also has extensive expertise in asbestos litigation, as well as general liability, and real estate matters.

Originally on track to receive his PhD from Berkeley, Marc transferred his love for the intellectual aspects of research to the practice of law. To this day, he enjoys diving into books and learning new areas of the law – and he has reinvented himself as an attorney many times during his career in the legal profession. He's the guy you want on your side, whether it's taking depositions or arguing motions, Marc's a fierce defender and passionate about his clients' rights.

Outside of work, you may find Marc backpacking in the Sierra Nevadas or The Trinity Alps. Marc and his wife also enjoy hiking and exploring wine country.

EDUCATION

- J.D., University of California, Hastings College of the Law
- M.A., University of California, Berkeley
- B.A., University of California, Santa Barbara
- Phi Beta Kappa

AREAS OF PRACTICE

- Business Litigation
- Government Relations and Regulatory
- Real Estate

ARTICLES AND PRESENTATIONS

- Presenter, "Take-Home Asbestos Exposure: Two Pending California Supreme Court Cases," Sedgwick, September 2016

- Author, "California District Court Grants Summary Judgment based on Lack of Evidence Supporting Claims for Asbestos Exposure," Sedgwick, May 2015
- Author, "Washington District Court Holds that CERCLA Displaces Federal Common Law Public Nuisance Claims," Sedgwick, February 2015
- Author, "NY Lessees Are Not Liable Under CERCLA As Owners," Law360, December 18, 2014
- Author, "New York District Court Holds Lessee Not Liable Under CERCLA as an Owner," Sedgwick, November 2014
- Author, "Texas Supreme Court Declines to Address Recovery for Stigma Damages in the Absence of a Permanent Physical Injury to Property," Sedgwick, September 2014
- Author, "U.S. Court of Appeals Dismisses Almost All Claims of Ecuadorian Provinces and Individual Plaintiffs Against DynCorp," Sedgwick, June 2014
- Author, "Ninth Circuit Upholds BLM's Environmental Assessment Allowing Expansion of the Reid Gardner Generating Station," Sedgwick, December 2013
- Author, "California Appellate Courts Impose Significant Limitations on Plaintiffs' Claims for Medical Damages," Sedgwick, Spring 2013
- Author, "Ninth Circuit Finds No Duty to Warn in Light of the State of the Art Regarding the Specific Risks of Taser Use," Sedgwick, August 2012
- Author, "Northern District of California Finds Disputed Oral Statements Made Off-The-Record Do Not Trigger Removal," Sedgwick, July 2012
- Co-Author, "Significant Rulings from the Deepwater Horizon Court on Discovery and Evidentiary Matters," Sedgwick, April 2012
- Author, "US Supreme Court: State Law Claims Against Locomotive Manufacturers Are Preempted by Federal Law," Sedgwick, March 2012
- Author, "California Court of Appeal Finds Possible Liability Under Privette Doctrine of Retained Control," Sedgwick, February 2012

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, Alameda County Bar Association
- Member, California Bar Association

ADMISSIONS

- California
- U.S. District Court, Eastern District of California
- U.S. District Court, ND, North Dakota
- U.S. Court of Appeals, Ninth Circuit