

Richard Wallace



Law Practice

Rick Wallace joined Briscoe, Ivester & Bazel after fifteen years with the in-house legal department at Old Republic Title Company, most recently as its Senior Vice President and Regional Counsel. Rick's practice at Old Republic included all aspects of representing and counseling a major underwritten title company and supervising its legal department, which included the administration of escrow and title claims, the in-house prosecution of litigation on behalf of Old Republic or its insureds, providing legal guidance to Old Republic's operations personnel, consulting with underwriting and management on legal issues affecting the company, and providing regulatory guidance. Before his employment at Old Republic, Rick was in private practice as a commercial litigator. Rick's specialties include civil litigation, real property law, title insurance law, escrow liability, mechanic's lien law, the Real Estate Settlement Procedures Act ("RESPA"), and Federal and State withholdings laws.

Prior Experience

Senior Vice President and Regional Counsel, Old Republic Title Company (2003-2007); Vice President and Claims Counsel, Old Republic Title Company (1991-2003); Associate, Leland, Parachini, Steinberg, Flinn, Matzger & Melnick (1986-1991); Intern, Mocine & Eggleston (1985-1986); Intern, Bryan, Cave, McPheeters & McRoberts (1985); Intern, Communications Workers of America (1984-1985).

Professional Activities/Memberships

Rick is a member of the California State Bar Association and the San Francisco State Bar Association. He served for fifteen years on the Legislative Committee of the California Land Title Association.

Publications and Presentations

Rick authored "Union Waiver of Public Employees' Due Process Rights", 8:583 Industrial Relations Law Journal; "Cirque de Circuity", 21:1 CLTA Claims Awareness Hot Sheet; "Escrow Speak", 17:2 CLTA Claims Awareness Hot Sheet; "Why Escrow Hates Holdbacks and Why You Should Too", Broker*Agent Magazine (December 2005); "Avoiding Elder Abuse Claims", 5:3 CLTA Claims Awareness Hot Sheet. Rick's speaking engagements have included presentations for the CEB Program, "Real Property Secured Transactions"; for annual conferences of the California Escrow Association and Nor-Cal Escrow Association; for seminars sponsored by the Bay Area Escrow

Contact

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Education

J.D., New York University School of Law, 1986; Visiting Student, Boalt Hall School of Law, 1985-1986; B.A., University of California at Berkeley, 1980 (Phi Beta Kappa, Honors List)

Admissions

State Bar of California
United States District Courts of California

Association, East Bay Escrow Association, Santa Clara County Escrow Association, Marin County Escrow Association, and Nevada Land Title Association; for annual Washington State LPO Seminars; for programs sponsored by Marin County Association of Realtors, Central Valley Association of Realtors, and Risk Management Association; and at various meetings of brokers and escrow officers.

Representative Cases

Macor, Inc. v. City of San Francisco. Defended landowner's title against claims by the City of San Francisco and the State of California that the City owned part of the client's property because it was former tideland subject to the public trust, which resulted in judgment quieting client's title in the property.

Cooc v. Printers. Successfully quieted property owner's title against fraudulent deed in chain of title.

Ouyang v. Kickbusch. Successfully quieted property owner's title in adjacent abandoned street.

Rosenberg v. Whitbeck. Successfully prosecuted quiet title action to defend property owner's title against encroachment of planned roadway.

Tran v. Ziegler. Prosecuted quiet title action that resulted in favorable settlement of boundary dispute.

Villalba v. Huggins. Prosecuted quiet title action regarding boundary dispute that resulted in favorable lot line adjustment.

5th Street Associates v. Unknown Defendants. Eliminated defect in landowner's title by successfully prosecuting quiet title action.

Redding Title Company v. Founders Title Company. Successfully defended title company, including defense of title company as respondent on appeal, against competitor's claims for indemnity.

Pilgrim v. Templeton. Successfully defended title company and its employee against claims of escrow negligence, conspiracy, fraud and breach of fiduciary duty in "subject to" transaction.

DLD Equities, Inc. v. Proctor Stafford. Successfully defended title company and its employee against broker's claims for payment of a commission.

Campinotti v. Berdardi. Successfully defended title company against claims of undue influence and elder abuse in a sale of real property.

California Land Title Company v. Beezley. Successfully prosecuted non-dischargeability action in Federal Bankruptcy Court against seller for failing to disclose matters affecting title, resulting in settlement that was satisfactory to client.

Anning-Johnson Company v. ALTA Roofing & Waterproofing. Successfully defended owners of real property in action to enforce a mechanic's lien.

Santa Cruz Asphalt, Inc. v. Square One Properties. Successfully defended beneficiaries of deed of trust in action to enforce a mechanic's lien.

D&K Construction Company v. Golden Diamond Investment. Successfully defended title company against subcontractor's claim that funds to which it was entitled were fraudulently diverted in real estate transactions.

Siegel v. California Land Title Company of Santa Clara County. Successfully defended title company and title insurer against lender's claim that deed of trust was erroneously prepared, based on the application of the "full credit bid rule", resulting in a very favorable settlement for clients.

Taylor v. First National Bank of Marin. Successfully defended title company against claims of alleged complicity in lender misconduct, by obtaining discretionary dismissal for failure to prosecute.

Impatco, Inc. v. Monterey Bay Home Loans, Inc. Successfully defended title company against claims that it was complicit in securities violations relative to mortgage loans, on the grounds that venue was improper.