

# Richard Wallace



## Law Practice

Rick Wallace joined Briscoe Ivester & Bazel in 2007, where his specialties include real property law, land title, tideland law, title insurance, escrow liability, mechanic's lien law, eminent domain, CA Coastal Act, the McAteer-Petris Act (BCDC), and civil litigation including appeals. Previously he spent fifteen years with the in-house legal department at Old Republic Title Company, most recently as its Senior Vice President and Regional Counsel, where he supervised the Legal Department for United States Western Region. Mr. Wallace's responsibilities included administering escrow and title insurance claims, handling in-house litigation, counseling operations and underwriting, providing regulatory guidance, and speaking at company and public educational functions. Before his employment at Old Republic, Mr. Wallace was in private practice as a commercial litigator.

## 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

## 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).

## Professional Activities

Served on California Land Title Association Legislative Committee.

Presenter at CEB Programs, Real Property Secured Transactions.

Presenter at Lorman Programs, Law of Easements.

Featured Speaker at annual conferences of the California Escrow Association and Nor-Cal Escrow Association.

Featured Speaker at seminars and programs sponsored by the American Land Title Association, Bay Area Escrow Association, East Bay Escrow Association, Santa Clara County Escrow Association, Marin County Escrow Association, Nevada Land Title Association, Marin County Association of Realtors, Central Valley Association of Realtors, and Risk Management Association.

## Representative Cases

Successfully negotiated title settlement with California State Lands Commission for commercial development along the San Joaquin River in Oakley, CA.

Successfully negotiated title settlement with California State Lands Commission for private revetment along coastline in Ventura County, CA.

Successfully negotiated preservation agreement for historic church in Berkeley, CA that prevented disgorgement of federal grant that was used to renovate the church.

*San Mateo County Transit Dist. v. Britannia Gateway II LP*. Successfully negotiated settlement of eminent domain action behalf of condemnee that resulted in dismissal of eminent domain lawsuit.

*Raynal v. National Audubon Society*. Successfully defended, in Federal District Court, clients' title in real property in Sonoma County, CA against adverse claims of neighboring owner.

*Gao, et al. v. Northwest Trustee Services, Inc.* Successfully defended clients' fee title against attempted foreclosure of deed of trust that secured prior owner's line of credit.

*Mardikian, et al. v Fritz Property Group*. Successfully defended client's title against neighboring owner's adverse claim in "McEnerney gap" between the properties, resulting in favorable settlement for clients.

*EKF Investments, et al. v. Golden Eagle Insurance Co., et al.* Successfully prosecuted landlord's action against insurers for indemnity against tenant's damages claims.

*State of California, et al. v. All Persons Unknown, et al.* Successfully prosecuted action confirming title settlement and exchange agreement with California State Lands Commission concerning commercial property along the Sacramento River in Sacramento, CA, and quieting title in accordance with the Agreement.

*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.

*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.

## **Selected Publications**

*New Groundwater Decision Hands Water Agencies a “Win” But Leaves Unanswered Questions.* Briscoe Newsletter, 6-28-2016

*Scoping the Scope of Easements,* Briscoe Newsletter, 2-26-2014

*Cirque de Circuity,* CLTA Hot Sheet (March 2010)

*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