



**George G. Weickhardt**  
**201 Spear Street, Suite 1000**  
**San Francisco, CA 94105**  
**Direct: (415) 972-6370**  
**Office: (415) 543-4800**  
**Fax: (415) 972-6301**  
**Email: [gweickhardt@rmkb.com](mailto:gweickhardt@rmkb.com)**  
**Web: [www.rmkb.com](http://www.rmkb.com)**

George G. Weickhardt is a partner in the firm's San Francisco office. With over 31 years of experience in banking, commercial and insurance litigation, he has tried cases in the areas of consumer credit, consumer fraud, lender liability, antitrust, insurance bad faith, intellectual property, securities fraud and wrongful termination of employment. He has successfully defended numerous class actions and representative actions involving allegations of unfair trade practices and has handled numerous cases involving complex technology.

Mr. Weickhardt is an expert in litigation involving consumer financial services, including credit cards, automotive finance and residential real estate loans. His experience includes cases involving credit reporting, real estate lending practices and procedures, debt collection practices, Truth-In-Lending Act violations, bank fees and charges, and cases involving advertising of consumer credit. He has defended hundreds of cases in the credit card area, including several class actions, and has briefed almost every issue relating to the interpretation and application of state and federal statutes relating to the credit card industry. He has represented several of the largest issuers of credit cards in the United States. Mr. Weickhardt is also an expert in litigation involving retail and commercial banking, including negotiable instruments and letters of credit.

His experience in the insurance bad faith area is primarily in first party claims on homeowners and auto policies.

He has argued numerous appeals in the California Court of Appeal, the Ninth Circuit and the U.S. Supreme Court.

## Practice Areas

- ▣ Banking/Consumer Credit
- ▣ Copyright, Domain Name and Trademark Litigation
- ▣ Business And Commercial Litigation
- ▣ Appellate
- ▣ Class Action/Complex Litigation
- ▣ Contract/UCC
- ▣ Life, Health & Disability
- ▣ Unfair Competition
- ▣ Insurance Services
- ▣ Antitrust

## Education

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- Harvard College, 1966 B.A.  
summa cum laude
- Harvard Law School, 1973 J.D.  
magna cum laude

## Court Admissions

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- California
- Supreme Court of the United States
- US Court of Appeals for the Ninth Circuit
- USDC: Central District of California
- USDC: Eastern District of California
- USDC: Northern District of California
- USDC: Southern District of California

## Memberships & Associations

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- American Bar Association (ABA)

## Representative Experience

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**Practice Area:** Business And Commercial Litigation, Class Action/Complex Litigation, Contract/UCC

**Key Issues:** Class Action

**Venue:** Alameda County Superior Court, Northern Division Unlimited Jurisdiction

**Client Type:** Defendant Bank

Our client had retained a telemarketing firm, which represented that it had received legal advice that it could disseminate pre-recorded messages by telephone. A class action was filed on all recipients of such messages, which were alleged to be actionable under both state and federal law.

**Result:**

After obtaining disqualification of plaintiff's counsel, firm was able to negotiate a reasonable settlement.

**Practice Area:** Appellate, Bad Faith, Business And Commercial Litigation, Fraud, Insurance Services

**Key Issues:** Appeal; Arson

**Venue:** Sacramento County Superior Court

**Client Type:** Defendant Insurance Provider

The firm was retained to appeal a \$3.2 million judgment against homeowner's insurer in a bad faith case. The insured alleged that the insurer had instigated a criminal prosecution for arson against him in relation to a fire that destroyed his home.

**Result:**

The court of appeal completely reversed the judgment.

**Practice Area:** Banking/Consumer Credit, Business And Commercial Litigation, Contract/UCC

**Key Issues:** Banking, Credit Reporting  
**Venue:** USDC: Northern District of California  
**Client Type:** Defendant Bank

Our client was a credit card issuer, sued for allegedly inaccurate credit reporting. The plaintiff alleged that she had been denied a substantial business loan and a home purchase loan as a result.

**Result:**

The firm obtained summary judgment dismissing the complaint.

**Practice Area:** Banking/Consumer Credit, Business And Commercial Litigation, Contract/UCC  
**Key Issues:** Banking, Bankruptcy, Consumer Credit  
**Venue:** USDC: Eastern District of California  
**Client Type:** Defendant Bank

Plaintiff was a collection agency, which contracted with a credit card issuer (our client) to pursue accountholders who had abused the bankruptcy process. The plaintiff sought over \$500,000 in unpaid fees.

**Result:**

Firm obtained summary judgment dismissing the complaint.

**Practice Area:** Banking/Consumer Credit, Business And Commercial Litigation, Contract/UCC  
**Key Issues:** Letter of credit  
**Venue:** U.S. District Court, Central District of California; U.S. Court of Appeals Ninth Circuit  
**Client Type:** Bank

Plaintiff beneficiary of letters of credit issued by JPMorgan Chase sued for alleged wrongful dishonor of \$1.5 million in draws on the letters of credit as well as for fraud.

**Result:**

We obtained summary judgment dismissing the case in the trial court. This was affirmed by the Ninth Circuit on appeal.

**Practice Area:** Banking/Consumer Credit, Business And Commercial Litigation, Contract/UCC  
**Key Issues:** Fair Credit Reporting Act; Identity Theft; Credit Card  
**Venue:** U.S. District Court, Central District of California; U.S. Court of Appeals Ninth Circuit  
**Client Type:** Bank

Plaintiff sued credit card issuer, claiming that it wrongfully reported non-payment of unauthorized charges on credit card account and sought to collect debt that arose from identity theft.

**Result:**

Case was won on summary judgment in trial court, and affirmed on appeal by the Ninth Circuit.

**Practice Area:** Banking/Consumer Credit, Business And Commercial Litigation, Contract/UCC  
**Key Issues:** Fair Credit Reporting Act; Identity Theft; Credit Cards  
**Venue:** U.S. District Court, Northern District of California  
**Client Type:** Bank

Consumer claimed that credit card issuer was negligent in issuing credit cards to identity thief and reported the

status of the credit card accounts inaccurately. Case involved six defendants and approximately fifteen depositions.

**Result:**

Firm obtained summary judgment dismissing case.

**News**

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- Strategy, Tactics on Document Requests May Shape Aftermath Cuomo Decision, *BNA Banking Report* , July 7, 2009
- Credit Card Law May Mean Costly Compliance Fixes, *Regulatory Risk Monitor*, 06/08/09
- Credit Card Law May Mean Costly Compliance Fixes, *Regulatory Risk Monitor*, June 8, 2009