



John T. Lupton

Overview

Partner John T. Lupton focuses his law practice on the defense of professional liability claims. In particular, Mr. Lupton defends lawyers, accountants, insurance brokers, and real estate agents. Mr. Lupton also represents insurers in insurance coverage cases. Additionally, he maintains a practice representing religious orders in clergy abuse cases.

Mr. Lupton defends against claims of malpractice on behalf of professionals to mitigate severe financial consequences, threats to their professional reputations, and negative impacts to retaining present clients and obtaining future clients. He represents professionals in proceedings before state agencies and regulatory boards. In particular, Mr. Lupton handles State Bar investigations for his lawyer and law firm clients and Department of Insurance investigations for his insurance broker clients.

He also provides risk assessment to professionals to help prevent future claims. Mr. Lupton has obtained consistently excellent results for his clients, including at trial, via summary judgment, via California's anti-SLAPP statute, and on appeal.

Prior to joining Kaufman Dolowich, Mr. Lupton was a partner in a boutique firm in Los Angeles where he focused his practice on the defense of legal malpractice actions and insurance bad faith claims.

Admissions

- California
- U.S. Court of Appeals
 - Ninth Circuit
- U.S. District Court
 - Northern District of California
 - Southern District of California
 - Central District of California
 - Eastern District of California

Education



Partner

Contact Information

11111 Santa Monica Blvd., Suite 850
Los Angeles, CA 90025
Email: jlupton@kaufmandolowich.com
Main: (310) 775-6511
Direct: (310) 775-6525
Cell: (424) 371-0010
Fax: (310) 575-9720

Related Practices

- Professional Liability/Errors and Omissions - Defense
- Lawyers
- Accountants and Actuaries
- Real Estate Professionals
- Insurance Agents and Brokers
- Bad Faith Litigation

- Washington and Lee University School of Law, J.D.
- The College of William and Mary, B.A.

Experience

Representative Matters

- In a jury trial arising from allegedly botched civil rights litigation, Mr. Lupton represented two prominent lawyers and their law firm. On the first day of trial, Mr. Lupton successfully moved to bifurcate the trial such that the “case-within-the-case” would be tried first in phase one. After eight days of trial, at the close of plaintiffs’ evidence in phase one, Mr. Lupton moved for a judgment of nonsuit based on an immunity defense to the underlying claim. Following extensive oral argument which Mr. Lupton presented, the trial court granted the nonsuit motion and entered judgment for the defense. The judgment was affirmed on appeal, wherein Mr. Lupton also prepared the briefing and presented oral argument.
- In a malicious prosecution action filed by internationally known performing artist, Mr. Lupton obtained a defense judgment via California’s anti-SLAPP statute on behalf of a prominent law firm and three of its lawyers. Mr. Lupton also obtained an award of the attorney’s fees and costs incurred defending the claim.
- In legal malpractice action arising from will dispute, Mr. Lupton eliminated two claims against lawyer and law firm via demurrer and then obtained summary judgment on the remaining claim.
- In case alleging legal malpractice, fraud and various other torts against lawyer and law firm, Mr. Lupton obtained a defense judgment on all counts via California’s anti-SLAPP statute. Judgment was affirmed on appeal.
- In professional negligence suit against insurance broker, Mr. Lupton obtained summary judgment for broker despite the court’s tentative ruling to deny the motion. At oral argument, Mr. Lupton persuaded the court regarding a deficiency in plaintiff’s evidence and the court ultimately granted summary judgment for the broker.
- Summary judgment for lawyer and law firm in legal malpractice action arising from allegedly botched asset protection representation. The defense was complicated by the fact the lawyer had retired, no longer had his file, and had little memory of key events. Mr. Lupton successfully developed a statute of limitations defense based on publicly available information and plaintiff’s deposition testimony. On summary judgment, the court agreed the case had been filed approximately one month late.
- In six week legal malpractice and elder abuse trial, Mr. Lupton represented top law firm and “Super Lawyer.” The jury returned a defense verdict on the elder abuse claim and a verdict for plaintiff on remaining claims that was just 16% of the plaintiff’s lowest settlement demand.
- Obtained summary judgment for insurer in coverage dispute regarding whether allegedly injured claimant qualified as insured under policy following death of named insured.
- Presented oral argument to the Ninth Circuit following defense judgment in \$9 million legal malpractice case arising from allegedly botched prosecution of complex real estate litigation.
- Represented top law firm and two “Super Lawyers” in five year legal malpractice dispute arising from allegedly mishandled estate of internationally famous entertainer.
- Represented law firm in multi-million dollar malpractice case stemming from failed land transaction; suit was ultimately resolved via nuisance value settlement.
- Obtained summary judgment for insurer in bad faith action arising from dispute over benefits due when vacation home was unusable during multi-year repair period.

- Represented construction company in multi-million dollar suit stemming from electrical explosion on jobsite which caused extensive burns to plaintiff; representation encompassed appeals to the District Court of Appeal and California Supreme Court.