

PRESS RELEASE-LAW OFFICES OF ALAIN V. BONAVIDA

Jury Hands Down Stunning \$370 Million Plus Verdict Against Georges Marciano, GUESS ? Inc. Founder and Art Dealer, Announces Alain V. Bonavida

Alain V. Bonavida is pleased to announce that his client, Joseph Fahs, has sought and received justice. Joseph Fahs was the first named defendant in a suit by his former employer, Georges Marciano, filed on August 13, 2007. Georges Marciano sued Mr. Fahs and four other employees alleging, among other things, fraud and conspiracy to deprive Mr. Marciano of over \$400 million of money, art, wine, and other assets. The Court found that none of these employees committed the acts alleged by Mr. Marciano, dismissing Mr. Marciano's complaint against these individuals.

This firm is proud to have not only defended Mr. Fahs against Mr. Marciano's baseless lawsuit, but also to have represented Mr. Fahs in his suit against Mr. Marciano and Mr. Marciano's company, Beverly Wilshire Properties, Inc., for defamation and intentional infliction of emotional distress.

A liability trial was held in Los Angeles Superior Court on May 15 and May 18, 2009. Judge Elizabeth Allen White found that Marciano was liable for defamation and intentional infliction of emotional distress against each cross-complainant, and that he had committed those acts with the malice, oppression and/or fraud necessary to justify an award of punitive damages.

Following the liability prove-up, Judge White set a jury trial for damages for July 20, 2009. After hearing hours of live testimony and reviewing dozens of exhibits, the jury found Marciano liable to each of the five cross-complainants for over \$69 million in compensatory damages and \$5 million in punitive damages, a total of over \$74 million each. The combined value of the verdict is over \$370 million.

Attorney Alain V. Bonavida made the opening statement for Joseph and was integral, along with the rest of the legal team, to the conduct and ultimate success of the trial. Bonavida made the closing argument for compensatory damages for Joseph Fahs, explaining to the jury that they now have the power to set things right-to compensate Joseph and the other cross-complainants for the damages inflicted upon them by the unremorseful Mr. Marciano.

During the trial, Mr. Marciano had an average of eight note takers and others occupying two rows of chairs in the courtroom. Mr. Marciano initially refused to appear at the trial as evidenced by his attorneys' refusal to accept a subpoena on his behalf. Marciano made a surprise appearance and voluntarily took the stand where he declared to the jury that he was on a "crusade" and would not stop until he had "justice." Asked by Mr. Bonavida if he remembered the every increasing amounts of alleged theft he suffered at the hands of Joseph and the others, he stated that if these amounts were in papers he submitted to the Court, then they were true.

Joseph Fahs' attorney, Alain V. Bonavida, explains that "when Joseph came to me for representation, I saw the fear in his face and heart and saw this as an opportunity to help

someone with a kind soul. I understood the battle my client and I were in for, but I welcomed the challenge. Nearly two years later, justice was served when the jury found Mr. Marciano liable to each of five cross-complainants for over \$69 million in compensatory damages and \$5 million in punitive damages for a total of over \$74 million for each plaintiff or a total of over \$370 million. This verdict should serve as a warning to those that believe having vast resources entitles one to leverage those resources to the detriment of the innocent. Truth and justice does prevail, even against incredible odds-you just have to fight hard for it and never give up. I never gave up.”

“As one of, if not the, largest defamation verdicts handed down in the country, I am proud to have been the first attorney on the case and of the work I put into defending my client and pursuing my client’s rights against Mr. Marciano. During my third year of law school, I was a student attorney representing those individuals who could not afford private counsel. I won, along with my co-counsel and friend, Jonathan Blank, a trial awarding full legal and physical custody of a small child to her mother as well as child support. I was hooked on fighting for the underdog from that point on,” Bonavida said.

Law Offices of Alain V. Bonavida enjoyed working the Marciano case with the talented attorneys representing the other ex-employees of Mr. Marciano/Beverly Wilshire Properties, Inc. Steven Chapnick was represented by Michael Partos and Reeve J. Segal of Cozen O’Connor. Elizabeth Tagle was represented Cheryl Deptowicz-Diaz of the Diaz Law Firm. Miriam Choi and Camille Abat were represented by R. Rex Parris and Alexander R. Wheeler of the R. Rex Parris Law Firm and David Wheeler and Jennifer L. DeLoach of Wheeler and Sheehan.

Background:

Mr. Marciano filed his first Complaint on August 13, 2007 in the Superior Court of the State of California for the County of Los Angeles - Central District. Mr. Marciano filed two subsequent amended complaints, finally alleging that the cross-complainants conspired and acted in concert with each other to steal his assets, money, art work, wine collection and other property in excess of \$60 million. Mr. Marciano inflated this amount over time, eventually arriving at an alleged loss of \$413 million. He alleged the cross-complainants were aware of each others' plans to steal his art and that they conspired to commit one of the largest art thefts United States' history, in terms of quantity of art stolen. He further alleged they gained access to the art, hid, stole and then converted the pieces. The art allegedly stolen includes important works from renowned contemporary artists such as John Chamberlain, Ed Ruscha, Robert Rauschenberg, Jeff Wall, Jim Dine and Roy Lichtenstein.

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