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## Ricardo P. Cestero

Partner

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Ricardo Cestero is best known for developing creative strategies and winning arguments for his clients—celebrities, athletes, and sports and entertainment companies—in a wide range of entertainment-related disputes and lawsuits. Ricardo’s practice also extends beyond the entertainment industry to complex commercial litigation involving partnership, contract, and real estate disputes.

Ricardo has particular expertise in First Amendment issues, such as defamation and restraint of speech, as well as extensive experience handling motion picture and television production and distribution disputes and profit participation cases. Over the years handling these types of disputes, Ricardo has built a reputation for delivering exceptional legal work.

Ricardo has built a successful appellate law practice, handling appeals before the California Courts of Appeal, the Ninth Circuit, Second Circuit and the Supreme Court of Nevada. He has handled dozens of appeals for various types of rulings from anti-slapp motions and other motion rulings to jury verdicts and summary judgment rulings, with a particular emphasis on First Amendment issues.

### Awards

- *Los Angeles Business Journal*, Leaders of Influence: Litigators and Trial Attorneys, 2024
- Listed, Southern California *Super Lawyers*, 2014-2023
- *Los Angeles Business Journal*, Minorities of Influence: Attorneys, 2021
- Listed, Southern California Rising Stars, 2005-2007, 2009
- Top 10 Impact Verdicts of 2009, *Los Angeles Daily Journal*

### Services

- Litigation
- Entertainment Litigation
- Sports
- General Commercial Litigation
- Intellectual Property Litigation
- Appellate Litigation
- Real Estate Litigation

## Bar Admissions

- California, 1999

## Court Admissions

- United States District Courts for the Central, Northern, Eastern, and Southern Districts of California
- United States District Court for the District of Nevada

## Education

- University of California, Los Angeles School of Law (J.D., *Order of the Coif*, 1999)
- Oberlin College (B.A., 1991)
  - Government

## Languages

- Spanish
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# Litigation Experience

## Published Appellate Decisions

- Successfully defended Univision Communications Inc. in a case brought by Jenni Rivera Enterprises, owner of Jenni Rivera's intellectual property rights, arising out of Univision's publication of allegedly confidential information in a 26-episode series about the late singer. Plaintiff alleged that Rivera's former manager breached a non-disclosure agreement and Univision is alleged to have induced that breach. Univision appealed following the trial court's denial of its anti-SLAPP motion. In a published opinion, the California Court of Appeals reversed, holding that the First Amendment provided a complete defense. A group of leading law professors and First Amendment lawyers successfully petitioned the Court of Appeals to publish the decision because of its importance. *Jenni Rivera Enterprises, LLC v. Latin World Entm't Holdings, Inc.*, 36 Cal. App. 5th 766 (2019)
- Represented the world-famous entertainer Michael Flatley in a claim for civil extortion and intentional infliction of emotional distress against a lawyer who threatened to accuse Flatley of various crimes if Flatley did not pay his client millions of dollars. In response, the lawyer filed an anti-SLAPP motion, which was denied and appealed all the way to the California Supreme Court. We prevailed, and the published decision, *Flatley v. Mauro*, is one of the seminal cases in anti-SLAPP law, which established that the anti-SLAPP statute does not apply to conduct that is illegal as a matter of law. *Flatley v. Mauro*, 39 Cal. 4th 299 (2006)
- Successfully represented Starpoint Properties, LLC, a Los Angeles real estate development and management company, in connection with numerous lawsuits seeking to recover more than \$8 million in loans made to Ezri Namvar and his related businesses and family members. *Starpoint Properties, LLC v. Namvar*, 201 Cal. App. 4th 1101 (2011)
- Successfully represented homeowner's association in enforcing CC&Rs against a

homeowner who had installed solar panels next to a public sidewalk. The homeowner was ordered to remove the panels in a case with significant implications on green energy measures. The verdict was recognized by the *Los Angeles Daily Journal* as one of the top 10 impact verdicts of 2009. *Tesoro del Valle Master Homeowners Assn. v. Griffin*, 200 Cal. App. 4th 619 (2011)

## Entertainment Litigation

- Obtained summary judgment on behalf of clients Barstool Sports, Inc., Dave Portnoy and other Barstool personalities in high-profile defamation and fraud lawsuit in the Southern District of New York brought by actor Michael Rapaport arising out of a failed business relationship between the parties and related public comments and social media posts. Obtained unanimous Second Circuit Court of Appeal decision affirming dismissal of defamation claims against clients.
- Currently representing Univision Communications, Inc. in a lawsuit brought by the heirs of Mexican pop singer Jenni Rivera arising out of the airing of the television biopic *Su Nombre Era Dolores, la Jenn que you conocí*.
- Assisted the estate of J.R.R. Tolkien and HarperCollins Publishers in licensing the television series rights to J.R.R. Tolkien's classic Lord of the Rings.
- Represented the estate of J.R.R. Tolkien and HarperCollins Publishers in a lawsuit against Warner Bros. and The Saul Zaentz Company related to improper merchandising exploitation of J.R.R. Tolkien's classic novels, *The Hobbit*, and the three volumes of *The Lord of the Rings*.
- Currently representing boxing promoter Golden Boy Promotions in various matters, including litigation and transactional matters.
- Recently represented Disco Productions, Inc. and its owner "Disco" Donnie Estopinal in a lawsuit against Insomniac, Inc. and its founder Pasquale Rotella arising out of the breach of a joint venture agreement to promote and develop electric dance music festivals such as the widely popular Electric Daisy Carnival festival.
- Successfully defended "Disco" Donnie Estopinal in a lawsuit claiming breach of several purported joint venture and partnership agreements.
- Recently represented music video production company, Riveting Entertainment in connection with a lawsuit brought by three actresses who claim their images were used improperly in a music video of Tyga's song "Make It Nasty."
- Recently represented the heirs of Bob Marley in a claim for unpaid royalties against Universal Music Group.
- Recently represented a Spanish jewelry company in connection with a celebrity endorsement agreement.
- Represented heirs of J.R.R. Tolkien in lawsuit against New Line Cinema arising out of New Line's failure to pay any profit participation resulting from the three Lord of the Rings films.
- Represented the producers of "Alpha Dog," a major motion picture starring Justin Timberlake, in defeating a lawsuit which attempted to stop the release of the film less than a month before the scheduled premiere.

## Business & Real Estate Litigation

- Obtained a favorable arbitration award in favor of the Marina City Club condominium owner & association against Essex Property Trust related to the proper allocation of substantial repair costs to the Marina City Club development.
- Successfully represented Tricolor Auto Group in the California Court of Appeal in a landlord-tenant dispute concerning rent abatement. The case arose after a vandalism

incident destroyed the leased premises shortly after Tricolor took possession, rendering the property uninhabitable for nearly a year. We prevailed at trial and were awarded 11 months of rent abatement. The landlord appealed. The Court of Appeal affirmed the judgment in full, rejecting the landlord's argument that Tricolor was at fault for the vandalism.

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## Q&A with Ricardo

### **Q: How do you approach litigation cases?**

**A:** Every case has its own set of facts—some helpful, some not so much. My job is to uncover and highlight the good facts. You have to look at a case from all different angles to present those facts in a way that resonates with the judge or jury and catches the opposing side off guard.

### **Q: Do your client relationships typically begin with litigation?**

**A:** Yes, many of them do. But over time, they often evolve into more of a general counsel role. Clients start calling me for advice on a range of business matters—from reviewing or drafting contracts to counseling on deals.

### **Q: What do your clients value most about your approach?**

**A:** They appreciate that I approach deals and documents like a litigator. I can spot the red flags—things that might eventually lead to disputes. That proactive mindset helps them avoid costly issues down the road.

### **Q: What inspired you to pursue a career in entertainment litigation?**

**A:** I'm an amateur musician and a big sports fan—both as a viewer and a participant—so I always had an interest in the entertainment world. After law school, I knew I wanted to build a practice in entertainment litigation.

### **Q: What drew you to Greenberg Glusker?**

**A:** I was looking for a sophisticated litigation practice in a mid-sized firm with a strong, collegial culture. I found exactly that at Greenberg Glusker when I joined as a first-year associate—and I've been here ever since.