



Douglas W. Dal Cielo

Partner

Silicon Valley

60 South Market Street
Suite 1000
San Jose, CA 95113-2336

✉ ddalcielo@bwsllaw.com

☎ **D:** +1 408.606.6318

☎ **T:** +1 408.606.6300

PRACTICES

Family Law & Trusts and
Probate

Litigation

Real Estate and Business Law

Tort Claims and Products
Liability

EDUCATION

J.D., with Honors, Santa Clara
University School of Law, 1991

B.A., University of California,
Davis, 1988

ADMISSION

State Bar of California

United States District Court for
the Central District of California

United States District Court for
the Eastern District of California

United States District Court for
the Northern District of
California

United States District Court for
the Southern District of
California

AFFILIATIONS

California State Bar Association
Santa Clara County Bar

Douglas Dal Cielo specializes in general business [litigation](#) and family law. Areas of expertise include [real estate](#), business torts, [employment](#) litigation, and corporate disputes. He possesses significant trial experience, including eight jury trials and over 15 court trials. Doug's last two jury trials resulted in verdicts for his clients in excess of \$12 million and \$4.2 million on behalf of plaintiffs. He has taken over 300 depositions, and served as a court appointed arbitrator and mediator. Recent accomplishments include the settlement of a \$5 million shareholder dispute on behalf of the minority shareholder, a \$3.2 million wrongful termination and fraud claim on behalf of the plaintiffs, a \$1.6 million mechanic's lien foreclosure action on behalf of the claimant contractor, and a \$12 million jury verdict on behalf of a plaintiff in an elder abuse claim in Santa Clara County.

RECOGNITIONS

Martindale-Hubbell AV Rating

REPRESENTATIVE MATTERS

Dal Cielo Team a Remarkable 5-0 in 2023

- **Kowitz v. Kowitz**, Santa Clara County Superior Court Case No. 20CV367561 Prosecuted real estate fraud and embezzlement claims on behalf of plaintiffs Zachary Kowitz, Daniel Kowitz and Bay Surplus Technology, Inc. in Santa Clara County Superior Court before Judge Julia Alloggiamento. Jury awarded \$4.2M million in compensatory and punitive damages following a two-week trial.
- **John Doe v. Artificial Intelligence Company**, Confidential JAMS Arbitration Case No. 5110000194 Prosecuted breach of contract claim on behalf of co-founder claiming one year of vested but unissued stock - issue was alleged termination for cause. The matter involved a binding arbitration in front of Judge Rebecca Westerfield (Ret.) in San Jose. The claimant was awarded his Accelerated Vested Shares valued at \$44M based upon the Series C

- valuation.
- **Cal Pacific v. 8885 Camino Center. LLC**, ADR Services Case No. 22-7228-BAB Prosecuted breach of contract claim on behalf of Cal Pacific Contractors. The matter involved a binding arbitration in front of Bradley A. Bening in San Jose. The claimant was awarded over \$1.3M in compensatory damages.
 - **Grayson v. Kurtz**, AAA Case No. 01-20-0014-5747 Defended claim of breach of fiduciary duty on behalf of Todd Grayson and Kagtig, Inc. The matter involved a binding arbitration in front of Justice John Zebrowski (Ret.) in Los Angeles. The cross-claimant was awarded over \$1.8 million in compensatory damages including attorneys' fees and costs through his cross-claim against the bankruptcy trustee.
 - **Rockhold v. Tsoi**, Santa Clara County Superior Court Case No. 20FL003841 (Family Law) Defended Respondent Julie Tsoi in a Proposition 19 claim – issue was separate versus community property. Court trial in Santa Clara Superior Court in front of Judge Andrea Flint. The court ruled that the property was transmuted to a community property asset at the time the property was acquired. Asset valued at \$500,000 to the community discounted to present value.

Business Litigation

- **Jane Doe v. John Doe** (Real Estate and Elder Abuse Litigation). Prosecuted elder abuse and fraud claim on behalf of plaintiff Jane Doe in Santa Clara County before Judge William J. Elfving. Jury awarded over \$12 million in compensatory and punitive damages following a three-week trial.
- **Angel v. Sutter Health**, Sacramento County Case No. 34-2009-00055279, (Wrongful Termination Litigation). Represented plaintiff Marie Angel in a wrongful termination FEHA claim against Sutter Health before Judge Trena H. Burger-Plavan. Following a three-week jury trial, Angel was awarded \$1,551,435 in damages and \$431,255 in attorney's fees and costs.
- **Orlando v. Eldridge**, Santa Cruz County Case No. CV-1642 (Real Estate Litigation). Court granted permanent injunction requiring neighbor to tear down home remodel built in violation of subdivision's CC&Rs. Seven-day court trial in Santa Cruz County.
- **Rahimi v. Business Team**, San Francisco County Case No. CGC-08-478527 (Business Litigation). Defended Business Team in a three-week jury trial in San Francisco County before the Honorable Ernest H. Goldsmith. Obtained a defense verdict on behalf of the seller's agent.
- **Segal v. Business Team**, JAMS Reference No. 1100048946 (Business Litigation). Defended the business broker in a fraud and

breach of fiduciary duty case. The matter involved a binding arbitration in front of Judge Eugene Lynch (Ret.) in San Francisco. The award was in favor of Business Team, including the award of approximately \$275,000.00 in attorneys' fees.

- **Alvand Construction v. Republic Properties**, JAMS Reference No. 111001947 (Mechanic's Liens). Prosecuted the mechanic's liens foreclosure action on behalf of contractor Ray Nezhad. The case involved a binding arbitration in front of Judge Joseph Biafore (Ret.) at JAMS in San Jose. The claimant was awarded \$1.6 million in damages, including over \$300,000.00 in lost profits and attorneys' fees.
- **In Re: Koo Family**, Santa Clara County Case No. 1-05-PR-157365 (Probate Litigation). Represented several siblings in a claim prosecuted by the oldest son concerning attempts to recapture "gift" money. The case was tried for approximately three weeks in front of Judge Thomas Edwards in Santa Clara County. The decision resulted in favor of the three younger siblings.
- **Path Productions v. Pacific Marketing Works**, Los Angeles County Case No. BC 352762 (Business Fraud and Wrongful Termination). Prosecuted this claim on behalf of partners Michael and Nicole Colovos in Los Angeles County. Claimants were designers of expensive jeans whom were terminated and forced out of the business. The case settled after the commencement of a jury trial for the sum of \$3.2 million.
- **Herman v. Imperial Premium Finance Corp**, (Unfair Competition/Business Practices). Defended a consumer class action against a premium finance company, including claims of unfair business practice, relating to the usage and non-return of unearned and returned premiums. The case was venued in San Francisco County.

Family Law and Probate

- **In Re: Kindelberger**, Alameda County Case No. AF?15757345 (Marital Dissolution). Represented petitioner Daniel Kindelberger in marital dissolution before Judge Noel Wise.
- **In Re: Diskin**, Santa Clara County Case No. 6-12-FL-008980 (Marital Dissolution). Represented respondent Rocio Diskin in marital dissolution before Judge Theodore C. Zayner.
- **In Re: Jackson**, Santa Clara County Case No. 1-11-FL-157366 (Marital Dissolution). Represented respondent Thomas Jackson in marital dissolution before Judge Julie A. Emede.