

Philip J. Kaplan
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I. Biography

Philip is a trial attorney, who started his legal career in New Orleans and then relocated to Los Angeles, California. In California, Philip focused on general business litigation, as well as tort litigation. Because of his musical background, he was drawn to the entertainment field, in which he has litigated copyright and trademark issues on behalf of artists and writers. For the past decade, Phil has devoted considerable time representing Plaintiffs in Civil Rights' suits. These cases, many of which have been filed in Louisiana, involve such claims as false arrest/excessive force (under the Fourth Amendment), free speech retaliation claims (under the First Amendment), cruel and unusual punishment claims (under the Eighth Amendment), as well as Equal Protection claims against the government.

Notable Cases

- First Amendment Trial against the San Francisco Police Department on behalf of a Gang Detail Officer, alleging the cover-up of a homicide;
- First Amendment Trial against the Los Angeles Police Department by Officers alleging that a major gang was infiltrating the Department; jury found that the Department had taken adverse action against the Officers;
- Obtained a reversal by the Fifth Circuit Court of Appeals in a *Bivens* case against a Federal Prison;
- Successfully obtained settlements in high-profile copyright infringement suits involving multi-platinum recording artists;
- Represented the lead guitarist in a case involving publishing and record royalties for a legendary rock group;
- Spearheaded an Antitrust suit against large talent agencies, alleging that they formed a "cartel" in the Scripted TV market;

Bar Admissions

Louisiana, 1984

California, 1988

U.S. District Court, Eastern and Western Districts of Louisiana

U.S. District Court, Central, Southern, and Northern Districts of California

U.S. Court of Appeals, Fifth Circuit

Education

Tulane Law School, J.D., 1984

Oxford University, Brasenose College, Graduate, 1978-79

Washington & Lee University, B.A., 1978 (Phi Beta Kappa)