

Thomas A. Manakides

Partner

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Orange County



Thomas Manakides is a seasoned litigator and trial attorney known for developing innovative strategies to tackle large and complex matters for multinational corporations across several industries, including oil and gas, aerospace, food and agricultural, real estate, and waste. Thomas has extensive courtroom experience in both trial and appellate courts and often advises clients on matters involving mass tort, oil and gas, environmental laws and enforcement, and complex commercial disputes.

Chambers USA consistently recognizes Thomas as a leading attorney in the category of California: Environment, noting his “experience in defending companies in high-stakes environmental litigation” and specifically identifying his “particular expertise in matters concerning toxic tort and negligence claims.” He is also recognized in recent editions of the *Lawdragon 500 Leading U.S. Environmental Lawyers* guide for his environmental litigation and mass tort practice.

Mass Tort Litigation. Thomas has over 20 years of experience advising and litigating all phases of high-profile mass tort litigation matters across various industries, multiple jurisdictions, and involving a wide-range of alleged sources—from benzene, methane, TCE, and DBCP to odor and noise, to name a few.

Representative matters include

- Represent **The Boeing Company** against wildfire claims by approximately 1,200 plaintiffs involving over 50 complaints alleging damages stemming from the November 2018 Woolsey Fire in Southern California. Thomas leads the team on all phases of the litigation and strategy. In October 2023, the trial court sustained Boeing's demurrer without leave to amend and entered judgment in Boeing's favor. The matter is now on appeal.
- Represent **Dole Food Company, Inc., Barclay Hollander Corporation** and **Oceanic Properties, Inc.**, the developer defendants, against claims by approximately 1,500 property owners and other individuals alleging property damages and personal injuries based on negligence, nuisance and strict liability claims, among others, from alleged vapor intrusion of petroleum hydrocarbons, including benzene and methane, in a residential community in Carson, California. Following Thomas' cross-examination of a key plaintiffs' expert, the trial court excluded the expert, finding he was a “bogus expert” whose testimony “is not firmly anchored in some broader body of objective learning.” In light of that ruling, along with the exclusion of two other experts, a favorable settlement was reached.
- Represent **Dole Food Company, Inc.** against several actions in state and federal district courts throughout the country filed by thousands of foreign plaintiffs residing in Central America and Asia who alleged sterility based on exposure to DBCP. For years, Thomas led the strategic and day-to-day management of this national

Capabilities

Environmental Litigation and Mass Tort Litigation
Real Estate Disputes
Transnational Litigation

Credentials

Education

University of Southern California - 2003
Juris Doctor
Pepperdine University - 2000 Bachelor of Arts

Admissions

California Bar

litigation docket. For example, he obtained a dismissal with prejudice on limitations grounds of nearly 3,000 plaintiffs from the Philippines who filed claims in California state court. Following oral argument in Delaware state court, he obtained the dismissal of plaintiffs from Costa Rica, Panama and Ecuador based on Delaware's first-filed rule. And he successfully obtained summary judgment against thousands of plaintiffs from Central America on limitations grounds in Louisiana and Delaware federal courts.

In addition, Thomas was a key member of the Gibson Dunn team, which unearthed a massive attorney-orchestrated fraud emanating from Nicaragua that was imported into California courts. This work culminated in a dismissal with prejudice of several California cases consolidated as *Mejia v. Dole Food* following a trial exposing the egregious fraud. Thomas also successfully obtained a ruling in *Tellez v. Dole Food* vacating a jury verdict (obtained prior to Gibson Dunn's representation of Dole) and following a multi-week trial, the entry of judgment in Dole's favor based on evidence of fraud on the court and extortion of Dole.

- Represent **Athens Services**, a major waste collection and recycling company, in a mass tort and nuisance action on behalf of over 80 individual plaintiffs alleging a myriad of personal injuries and property damages based on purported odor and noise, among other things, from Athens Services' recycling facility. Plaintiffs also sought injunctive relief to stop the facility's proposed expansion. Following briefing and oral argument, the trial court completely eliminated the permanent nuisance claim along with the diminution of value damage claims, significantly undercutting plaintiffs' case. The action settled shortly thereafter.
- An important member of the Gibson Dunn team that defended **Lockheed Martin** in a large-scale and complex toxic tort action brought by 800 plaintiffs who alleged personal injury and property damages as a result of exposure to TCE and ammonium perchlorate in drinking water in a community in Redlands, California. The trial court dismissed the claims of all of the first-tier plaintiffs, which the appellate court affirmed.

Oil and gas litigation. Thomas is experienced in litigating and taking to trial upstream oil and gas issues. He currently represents **Chevron U.S.A. Inc.** in ongoing litigation involving negligence, nuisance, and trespass claims by a neighboring oil operator related to cyclic steam operations in the Midway-Sunset Oil Field. Following a jury trial in California state court, the trial court granted Chevron's motion for a new trial. The matter is currently on appeal.

Environmental Laws and Enforcement. Thomas advises clients on best practices to navigate through a variety of federal, state and local laws and regulations, including issues before the Regional and State Water Boards, South Coast Air Quality Management District, and the California Geologic Energy Management Division (CalGEM).

Representative non-confidential matters include

- Represent **Barclay Hollander Corporation** in challenging the Los Angeles Regional Water Quality Control Board's Cleanup and Abatement Order naming Barclay Hollander a responsible party and discharger.
- Represent **Athens Services** in a regulatory enforcement action before the South Coast Air Quality Management District and against a complaint filed in Los Angeles Superior Court for civil penalties and injunctive relief that threatened to shut down Athens Services' recycling facility based on alleged nuisance and Health & Safety Code violations stemming from purported odor and noise complaints, among other things. The proceedings were settled favorably following the administrative hearings and an initial round of briefing in the trial court.

Cost Recovery. Thomas is experienced in litigating disputes over cleanup costs and other damages associated with environmental contamination.

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Representative matters include

- Obtained a complete defense judgment in favor of **Athens Services** arising from the alleged hauling of hazardous waste to the Cal Compact Landfill in Carson, California. The trial court granted summary judgment for Athens Services finding, among other things, that there was no triable issue of fact on successor liability. The decision was affirmed on appeal and the client recovered its costs.
- Obtained a complete defense judgment in favor of **Racal Instruments, Inc.** in a cost recovery action involving groundwater and soil contamination from TCE and PCE. After targeted and limited discovery, the trial court granted summary judgment for Racal Instruments and awarded allowable defense costs.

Appellate Matters. Thomas briefs and argues appellate matters, often in conjunction with the Firm's appellate practice group, that stem from his trial and administrative work. Most recently, he argued an appeal before the California Court of Appeal, Second Appellate District involving a challenge to a cleanup and abatement order.

Community Involvement. Thomas sits on the Board of Directors for The Priority Center, which serves at-risk children and families in crisis to prevent and break the generational cycle of child abuse. Thomas is also on the Board of Directors for the Public Law Center, Orange County's non-profit pro bono law firm that provides access to justice for low-income residents. Thomas currently sits on the PLC's Executive Committee.

Thomas dedicates significant time to pro bono matters, successfully litigating a number of pro bono matters for clients. Thomas also participated in the Trial Attorney Partnership Program in conjunction with the Orange County District Attorney's Office, gaining valuable jury trial experience.

Education and Background. Thomas received his law degree from the University of Southern California Law School, where he was a member of the Order of the Coif. At USC, he was the Submission Editor for the *Southern California Law Review*. He graduated *magna cum laude* from Pepperdine University earning his B.A. degree in Political Science.

Thomas is admitted to practice in the State of California, before the United States District Courts for the Central District of California, the Eastern District of California and the Southern District of California, and before the United States Court of Appeals for the Ninth and Fifth Circuits.

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