G | P

Grand Park Law Group
A Professional Corporation

Westside Towers
11835 W. Olympic Boulevard #870E
Los Angeles, California 90064

O:+1 888.629.4754
F: +1 310.900.0805

PRACTICE GUIDE · BUSINESS TORTS

Theories of Liability & Common Defenses

Grand Park Law Group · 2026



Plaintiff's Theories of Liability

- Fraud / Intentional MisrepresentationCiv. Code § 1709; Engalla (1997)
- Intentional Interference with ContractQuelimane v. Stewart Title (1998)
- Intentional Interference with Prospective Economic AdvantageDella Penna (1995); Korea Supply (2003)
- Trade Secret Misappropriation (CUTSA)Cal. Civ. Code § 3426.1 et seq.
- UCL § 17200 (Unfair Competition)Cal. Bus. & Prof. Code § 17200
- Breach of Fiduciary Duty / Aiding & AbettingCasey v. U.S. Bank (2005)

Common Defense Theories

- Economic Loss RuleErlich v. Menezes (1999); Robinson Helicopter (2004)
- CUTSA PreemptionK.C. Multimedia (2009); Civ. Code § 3426.7
- Integration Clause / Written Agreement DefenseCiv. Code § 1625; Parol Evidence Rule
- Unclean Hands / In Pari DelictoEquity Defense
- Trade Secret Reasonable Measures DefenseCiv. Code § 3426.1(d); Whyte v. Schlage (2002)
- UCL Standing — Causation & Economic InjuryKwikset v. Superior Court (2011)

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