

Matthew P. Bernstein

Counsel

310.272.7925
mbernstein@kbkfirm.com



Matthew P. Bernstein has been recognized at the national level for his notable representations and victories for clients ranging from high-profile global media companies to the agents of prominent entertainment figures.

Mr. Bernstein's practice focuses on media and entertainment litigation, and he has diverse experience in complex commercial litigation matters relating to corporate, employment, real estate, and construction disputes. Mr. Bernstein's track record includes both defending and prosecuting claims for breaches of contract and fiduciary duties, royalty and commission disputes, employment claims and wage and hour violations, and professional liability.

Among his accomplishments, Mr. Bernstein has achieved a major victory on behalf of a talent agency over unpaid commissions due on a superstar performing artist's record-setting touring agreement and secured a favorable settlement on behalf of an international media company in breach of contract and fraud litigation related to an award-winning television series. He also secured a victory in arbitration for a production company over unpaid royalties related to an award-winning talk show and achieved an anti-SLAPP victory on behalf of a trade organization wrongly accused of defaming a prominent author.

Mr. Bernstein's experience includes the representation of noteworthy clients in a variety of high-stakes cases, including defending a Grammy-winning music producer and songwriter in litigation against their former manager involving commissions from the sale of the artist's music catalog. He has advised and negotiated on behalf of top executives of prominent studios, and agents and managers at top agencies in connection with their termination or separation from their employment.

In addition to his success in media and entertainment litigation matters, Mr. Bernstein has also represented clients before the U.S. Department of Justice and Federal Trade Commission in obtaining clearance of mergers and acquisitions, including a major insurance company's attempted acquisition of another large insurance company and the successful sale of a major telecommunications provider.

In recognition of his achievements, Mr. Bernstein received *Variety's* "Up Next" Award as part of the publication's 2021 Legal Impact Report.

Education

The George Washington University Law School, J.D., 2015

- American Intellectual Property Law Association Quarterly Journal, Managing Editor
- Global Antitrust Institute, Semi-Finalist

University of Michigan, B.A., Economics, 2012

Representative Matters

Media & Entertainment Litigation

- Achieved a major victory for a high-profile talent agent before the California Labor Commissioner under the Talent Agencies Act in dispute with a superstar performing artist over unpaid commissions on their record tour promotion contract.
- Secured a favorable settlement on behalf of an international media company in breach of contract and fraud litigation related to an award-winning television series against a subsidiary production company.
- Secured a victory in arbitration on behalf of a production company in connection with unpaid royalties owed from its co-production of an award-winning talk show.
- Represented a film financing company in mediation relating to breach of contract and fraud claims against a film production company arising from an agreement between the parties to option a film.
- Represented a media company in profit participation audit relating to an award-winning television show.
- Represented a Grammy-winning music producer and songwriter in litigation brought by the performer's former manager for commissions arising from the sale of the client's music composition catalog.
- Advised and negotiated on behalf of top executives of prominent studios and agents and managers at top agencies in connection with their termination or separation from their employment.

Recognition and Affiliations

- *Variety*, "Legal Impact Report: Up Next," 2021

Clerkship

The United States Copyright Office, Spring 2014

- Legal Intern, Office of the General Counsel

- Achieved an anti-SLAPP victory on behalf of a trade organization accused of defaming a prominent author following #MeToo accusations made against the author.

Complex Commercial Litigation

- Represented the San Francisco 49ers in litigation against the architect responsible for designing Levi's Stadium arising from the architect's role in designing Levi's stadium out of compliance with the American Disabilities Act (ADA).
- Represented a commercial real estate investor in litigation concerning its failed acquisition of an office complex in the aftermath of COVID-19 following the bridge lender's failure to fund as promised.

Banks and Financial Institutions

- Prevailed at trial before the U.S. Bankruptcy Court in the successful representation of an investment firm against allegations of breach of fiduciary duty arising from the bankruptcy of a portfolio company.

White Collar Defense and Government Investigations

- Represented Fortune 500 companies in connection with regulatory filings, litigation, and government investigations.

Publications and Appearances

- *Searching for More Efficient Piracy Protection*, 43 AIPLA Q.J. 625, Fall 2015.
-

Prior to Kendall Brill & Kelly

- **Glaser Weil Fink Howard Jordan & Shapiro LLP**
Associate, September 2018—August 2023
 - **White & Case, LLP**
Associate, September 2015—August 2018
 - **National Music Publishers' Association**
Legal Intern, Summer 2014
 - **Recording Industry Association of America**
Legal Intern, Fall 2013
-

Bar and Court Admissions

- **California, 2015**
- **The District of Columbia, 2016**

Kendall Brill & Kelly LLP

10100 Santa Monica Blvd.
Suite 1725
Los Angeles, CA 90067

310.556.2700 Telephone
310.556.2705 Fax