



GREINES, MARTIN, STEIN & RICHLAND LLP

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# YEAR IN REVIEW



# 2021

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# DEAR CLIENTS AND FRIENDS:

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In a year of ups and downs, GMSR has maintained its focus on first principles:

How we can best serve our clients and achieve outstanding results. Sometimes that's by working closely with trial counsel to prepare for or avoid an appeal. In other cases, we play the long game, shaping the law in our courts of last resort.

One thing is constant:

GMSR's success is rooted in our clients' success. We are deeply grateful for the trust our clients place in us, and proud of the return on investment that we achieved in 2021.

The following pages highlight some of our 2021 wins.

We wish you a prosperous and a healthy new year.



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# 2021 GMSR HIGHLIGHTS

- Won its ninth case in the United States Supreme Court, *Rivas-Villegas v. Cortesluna* (Oct. 18, 2021, No. 20-1539). The high court reversed a Ninth Circuit ruling erroneously denying a police officer qualified immunity based on inapt precedent.
- Prevailed in *Jolie v. Superior Court*, a high-profile custody case. The Court of Appeal's published opinion broadly impacts the disclosure obligations of arbitrators and private judges, protecting litigants' right to have an impartial arbiter decide their disputes. It was also a first for GMSR's Bob Olson to appear in the tabloid press!
- Obtained an immediate stay and ultimate reversal of an injunction in *County of Los Angeles v. Superior Court*. The trial court's injunction would have barred Los Angeles County from enforcing a health order limiting outdoor dining, while surging Covid-19 infections were overwhelming intensive care units.
- Won a published opinion directing enforcement of property purchase rights worth more than \$30 million, in *Southern California School of Theology v. Claremont Graduate University*. This year, the firm had three appellate wins in protracted litigation regarding our opponent's attempts to evade the purchase rights.
- Won reversal of a \$15 million punitive damages award for J-M Eagle in *Morgan v. J-M Manufacturing Co., Inc.*, in one of the first published opinions to apply the stricter standard of appellate review for punitive damages awards articulated by the California Supreme Court in *Conservatorship of O.B.*
- Made new law in *Oakes v. Progressive Transportation*, clarifying the relationship of two important California statutes—one incentivizing parties to settle cases on reasonable terms, and the other incentivizing lawyers to pursue judgments against non-employer defendants for workplace injuries.
- Prevailed in an additional 14 California appeals (4 published) and 7 Ninth Circuit appeals (2 published).
- Nationally ranked by Chambers, Best Lawyers and U.S. News & World Report as a Tier 1 appellate law firm.
- Launched its appellate fellowship program to help train the next generation of appellate lawyers, welcoming its first Fellow Tina Kuang.
- Continued its community efforts, including representing clients pro bono, and filing amicus briefs for non-profit organizations, in the United States Supreme Court, the Ninth Circuit Court of Appeals, and the California Court of Appeal.

# MORE 2021 WINS

***Basamah v. Los Angeles County  
Metropolitan Transit Authority***

Court of Appeal affirms defense verdict for municipal client in personal injury action.

***Hansen v. Hilton & Hyland***

Court of Appeal affirms summary judgment for broker and agent on claim arising from home sellers' misconduct.

***Ray v. State Farm Mutual Auto. Ins. Co.***

Ninth Circuit affirms judgment, rejecting plaintiffs' belated effort to change insurance bad faith theories.

***Carachure v. Scott***

Court of Appeal rejects plaintiff's attempt to disavow \$15,000 settlement so as to pursue a multi-million-dollar claim.

***Estate of Marks***

Court of Appeal affirms ruling in interpretation of a hand-written will.

***Nede Mgmt., Inc. v. Aspen American  
Ins. Co.***

Court of Appeal rejects insureds' *Cumis* claims and affirms judgment for insurer.

***G. v. City of Beverly Hills***

Ninth Circuit affirms summary judgment for Beverly Hills, rejecting wrongful arrest claim.

***Begley v. Delta Dental of California***

Court of Appeal affirms summary judgment on employment discrimination claims.

***Ferra v. Gilmore***

Court of Appeal reinstates claims seeking return of \$1.6 million.

***Meridian Financial Services, Inc. v.  
Phan***

Court of Appeal affirms defense summary judgment based on issue preclusion as to the appellant's unclean hands.

***Johnson v. Williams***

Court of Appeal affirms no-damages judgment arising out of a low speed collision.

# APPEALS

# MORE 2021 WINS

## ***Zamorano v. Garland***

Ninth Circuit reverses removal order, ruling that immigration judges must consider positive factors when assessing a non-citizen's entitlement to voluntary departure.

## ***Jean-Louis v. City of Riverside***

Ninth Circuit affirms judgment, finding appellant's argument forfeited and without merit.

## ***In re Castlepoint National Ins. Co.***

Court of Appeal revives New York investment companies' \$200 million claims.

## ***Almendarez v. Superior Court of Orange County***

Court of Appeal orders trial court to vacate erroneous stay order.

## ***MAG Aerospace Industries v. Precise Aerospace Manufacturing***

Ninth Circuit reverses \$1.3 million judgment – ruling that plaintiffs cannot recover for costs incurred in pursuit of unreasonable mitigation efforts.

## ***Melamed v. Cedars-Sinai Medical Center***

Court of Appeal finds physician failed to exhaust administrative remedies in medical peer review matter.

## ***Varney v. Goodyear Tire & Rubber Company***

Ninth Circuit affirms summary judgment, holding a claimed "Dying Declaration" inadmissible.

## ***Wells Fargo Bank, National Association v. Superior Court of San Diego County***

Supreme Court halts large in-person trial during Covid surge.

## ***Verotel Merchant Service B.V. v. Rizal Commercial Bank***

Court of Appeal affirms jury's compensatory damages award tied to the fraudulent conduct of the defendant bank's agent.

## ***Slaight v. Tata Consultancy Services***

Ninth Circuit affirms judgment on jury verdict in closely watched Title VII class action.

# APPEALS