

## Dan S. Miller

### Partner



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#### Education

J.D., University of California, Berkeley, School of Law

B.A., *summa cum laude*, Phi Beta Kappa, University of California, Los Angeles

#### Admissions

California

#### Biography

Dan Miller, a founding partner of Miller Barondess, is a nationally recognized trial lawyer with a broad practice spanning complex commercial, real estate, financial, sports, and entertainment disputes. Mentored by his father, acclaimed trial lawyer Skip Miller, Dan has refined his advocacy skills through high-profile litigation across the country, including in New York, Delaware, Washington, D.C., Florida, Nevada, and South Carolina.

In the entertainment sector, Dan served as lead trial counsel for Alcon Entertainment in a 2025 bankruptcy court trial in Delaware, where Alcon successfully defeated Warner Bros.' efforts to block its purchase of derivative rights to produce certain movies. In 2025, Dan also secured summary judgment on behalf of a prominent television agent in a dispute over the alleged improper taking of a client's script. His entertainment experience further includes representing a premier artist management company, a major movie studio, and renowned talent such as Sean Connery, Rod Stewart, and a prominent television producer.

In the sports sector, Dan has represented an NFL head coach in an arbitration before Commissioner Roger Goodell, advised witnesses and subjects in confidential NBA investigations, and represented NBA players in litigation matters. He also represents one of the nation's leading NBA sports agents.

Dan has extensive experience representing clients in the banking, private equity, and venture capital sectors. He has advised and litigated on behalf of some of the world's leading investment banks, two of California's largest publicly traded banks, and several major private equity and venture capital firms, as well as early-stage companies navigating strategic growth and distressed transactions.

Dan's real estate practice focuses on high-stakes disputes involving major developments, distressed assets, and real estate-related fraud. He is frequently retained by developers, investors, and industry stakeholders for cases with significant financial and operational impact.

Dan is also dedicated to pro bono work, having obtained over \$3 million from the federal government for a client who lost a family member in the September 11th tragedy.

## **Notable Representations**

### **Bankruptcy Litigation:**

- As lead trial counsel, secured a victory in Alcon Entertainment's effort to acquire derivative rights to select films from the Village Roadshow bankruptcy—rights that would allow Alcon to produce sequels, prequels, and remakes of major titles such as Wonka, The Matrix trilogy, and the Ocean's Eleven series. Warner Bros. and Regency objected to the sale and sought to block the transfer of rights, but after Dan presented Alcon's witnesses, cross-examined the opposition, and argued the case over a day and a half in October 2025, the U.S. Bankruptcy Court for the District of Delaware approved the sale and rejected all challenges. The ruling not only granted Alcon the derivative rights but also completed its acquisition of Village Roadshow's extensive feature-film library, one of the largest independent portfolios in the industry. [Read the [Ruling granting derivative rights](#); and the [Ruling denying Warner Bros.' emergency motion](#) to stay the effect of the sale order pending its appeal.]

### **Banking and Finance Litigation:**

- Won over \$11 million on behalf of an affiliate of The Gores Group (a Los Angeles-based global private equity firm) for breach of a reseller agreement in international arbitration against two telecommunication companies and their parent company based in Lebanon. The award included the entire amount of damages sought under the contract, plus interest and attorneys' fees. Respondents' counterclaim for in excess of \$25 million was rejected in its entirety. The dispute involved complex issues of international law and bankruptcy. The Arbitrator also addressed issues relating to whether the parent company was released and/or a novation took place—ultimately determining that the parent company was not released, there was no novation, and the parent was on the hook for the entire award. The case was litigated before the International Centre for Dispute Resolution, the international division of the American Arbitration Association. [[Read the Award](#)] [[Daily Journal Article](#)]
- Achieved a confidential settlement representing Corbel Capital Partners against MediaLab over a breached oral agreement, while fending off MediaLab's counterclaims for additional funds owed. Corbel's vital financing had driven MediaLab's growth, enabling a \$1.58 billion stock repurchase. MediaLab allegedly attempted to sideline Corbel to favor other shareholders at Corbel's expense.
- Represented three multi-billion-dollar private equity firms in a legal malpractice lawsuit against a top-tier global law firm in a claim involving over \$100 million in debt instrument investments.
- Successfully defended the former CFO of a film finance company, who was investigated for financial fraud after the CEO of the company embezzled investor funds and company assets. Through Dan's strategic advocacy, the CFO faced no charges or allegations of wrongdoing.
- Obtained a settlement of in excess of \$20 million on behalf of The Gores Group in a case against Fifth and Pacific Companies, formerly known as Liz Claiborne, in the Southern District of New York regarding breach of a merger agreement. The settlement was an unqualified victory for the client.

- Represented Cathay Bank in a dispute with a prominent real estate developer who sued the bank for breach of contract and fraud, alleging millions in damages based on an alleged oral agreement with the bank's CEO. Dan counterclaimed for breach of a personal loan agreement and filed two separate summary judgment motions—one to dismiss the developer's multi-million-dollar claims and another to enforce the loan agreement. A panel of three arbitrators unanimously granted both motions, dismissing all of the developer's claims and awarding the bank \$1.5 million in interest and attorneys' fees. The developer's petition to vacate the award was denied by the Superior Court, upholding the arbitration decision. [\[Read the Award\]](#) [\[Daily Journal Article\]](#)
- Obtained a settlement of over \$18 million in a dispute over breach of a stock purchase agreement in a case litigated in the Delaware Court of Chancery.

### **Real Estate Litigation:**

- Represented the Horn Trust, majority owner of four commercial properties valued at over \$100 million, in a high-stakes dispute with a minority owner accused of embezzling \$8 million over four years. The litigation spanned multiple lawsuits, counterclaims, an anti-SLAPP appeal, and a pandemic-delayed trial, ultimately resolving with a favorable settlement granting the client full management control, removal of an unfavorable buy-sell clause, and a monetary recovery.
- Represented ER Group, a leading real estate investment firm with substantial U.S. and Mexico holdings, in a groundbreaking lawsuit against Laurus, a defunct real estate company. After ER invested nearly \$44 million and uncovered widespread financial misconduct, Dan pursued claims not only against Laurus but also against a Big Five accounting firm and a major consulting firm implicated in facilitating the fraud. The case resolved through a confidential settlement. He later represented ER Group in related New York litigation against a prominent hedge fund to recover an \$11 million investment tied to the high-profile HHLA commercial property in Los Angeles, again securing a confidential settlement. Acting swiftly, Dan filed suit before a wave of competing claims could diminish the available assets, leveraging a first-mover advantage to protect his client.
- During the 2008 financial crisis, Dan represented a developer facing imminent foreclosure on a large condominium project after failing to meet loan-related sales requirements. Despite an apparent breach, he secured a preliminary injunction by arguing impossibility of performance due to the unprecedented economic collapse. The case garnered significant media attention for its implications on financial crisis-related legal doctrines, including impossibility of performance and frustration of purpose [\[Thomson Reuters Report\]](#). Dan applied similar legal strategies during the COVID-19 pandemic when representing a client who signed a purchase agreement for a commercial property with gym and retail components prior to the pandemic, with closing scheduled after its onset. Dan successfully argued that the pandemic constituted a material adverse change under the agreement, allowing the client to rescind the transaction. The matter resolved on confidential terms, shielding the client from substantial financial exposure. [\[Dan Miller and Amnon Siegel obtain victories based on equitable doctrines applicable to the pandemic\]](#)
- Obtained a complete defense verdict after a court trial on a \$30 million claim in a real estate partnership dispute involving multiple mixed-use development projects.
- In a case for a land developer client, obtained a complete dismissal on summary judgment of a \$4 million finder's fee claim in connection with the purchase of a \$200 million ocean-front mixed-use development project.

### **Other Successes:**

- Secured a \$3 million settlement in an excessive force police shooting case against the San Diego Police Department on the eve of trial. [[The San Diego Union-Tribune 2021 Article](#)]. The settlement was precipitated by Dan's victory in a published 9th Circuit Court of Appeals decision reversing the grant of summary judgment. [[Read the 9th Circuit Opinion](#)] [[The San Diego Union-Tribune 2019 Article](#)]. Dan argued the appeal to the 9th Circuit Court and was the lead trial lawyer on the case.
- In an action for age discrimination, age-based harassment, and constructive discharge, secured a multi-million dollar award on behalf of a former attorney who sued one of the top law firms in the country. The award included punitive damages and a six-figure sanction for intentional spoliation of evidence after a four-week arbitration. The defendant was found to have intentionally withheld a smoking gun memo that indicated a pattern of discrimination and harassment, which was covered up by the law firm for years. The plaintiff was also awarded all of his attorneys' fees.
- Won a \$4.6 million award for breach of a partnership agreement after a two-week arbitration. In this case, against Skip Miller's prior firm – Glaser Weil – Miller prevailed on all three of his claims. Glaser Weil's frivolous counterclaims were rejected, and they recovered nothing. This was an unqualified victory. [[Daily Journal Article](#)]
- Represented a group of franchisees against one of the largest franchisors in the world and obtained an eight-figure settlement on the eve of trial.
- Obtained over \$3 million in settlements from the City of Los Angeles on behalf of victims of sexual assault by former LAPD officers. [[LA Times 2019 Article](#)] [[LA Times 2016 Article](#)]. The former officers were using their badges to assault vulnerable women under color of law. They were both sentenced to 25 years in prison.
- Successfully defended a prominent artist management company in a multi-million dollar lawsuit for invasion of privacy, sexual harassment, and unfair competition. The artist management company paid the plaintiff no money under the settlement.
- Successfully defended Rod Stewart in a copyright infringement action in the Central District of California.

## Honors and Awards

- *The Best Lawyers in America*®: Real Estate Litigation ([2024](#), [2026](#)), Commercial Litigation ([2024](#))
- *Daily Journal*: Top Real Estate & Development Lawyers in California ([2025](#)); Top 20 Lawyers Under 40 in California ([2011](#))
- *L.A. Times Studios*: Banking and Finance Visionary ([2024](#), [2025](#))
- *L.A. Times Studios*: Commercial Real Estate Visionary ([2024](#), [2025](#))
- *Los Angeles Business Journal*: Top 100 Lawyers ([2024](#), [2026](#)); Leaders of Influence: Thriving in Their 40's ([2021](#), [2023](#)), Litigators and Trial Attorneys ([2022](#)), and Top 5 in Litigation ([2021](#))

## Professional Activities

- Guest Lecturer, Business Law, UCLA (2009-Present)
- Student Mentor, UC Berkeley School of Law Alumni Network

- Student Mentor, Harvard-Westlake Alumni Association
- Coach, Santa Monica and Palisades Youth Sports Leagues