

Ellie S. Ruth

Counsel



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310.552.7570

Education

J.D., University of Houston Law Center

B.A., *magna cum laude*, Emory University

Clerkship

Honorable Brian M. Hoffstadt, California Court of Appeal, Second District

Admissions

California

Texas

Biography

Ellie is an appellate attorney admitted to practice in California and Texas. Her practice focuses on appeals, writs, and dispositive pre- and post-trial motions on a broad range of legal issues, including premises liability, attorneys fees, contracts, family law/complex divorces, evidence, insurance (bad faith, *Cumis* counsel), product liability, employment, and civil procedure.

Ellie has published and presented on a variety of issues, including evidence, expert witnesses, and annual updates on developments in the United States Supreme Court and California law (state and federal) covering all areas of civil litigation. She is active on LACBA's State Appellate Judicial Evaluation Committee—evaluating judicial appellate court nominees and preparing reports and recommendations to the Governor's Office. She is also an Adjunct Professor for LMU Loyola Law School's Ninth Circuit Appellate Advocacy Clinic—supervising students' representation of pro bono clients in the Ninth Circuit Court of Appeals.

Prior to joining Miller Barondess, Ellie was an appellate attorney at a boutique appellate firm in Los Angeles and a research attorney at the California Court of Appeal. She started her career in appellate law following a clerkship for the Honorable Brian M. Hoffstadt of the California Court of Appeal, Second District. Before moving to California, Ellie had a criminal defense practice in central Texas. Prior to law school, Ellie was an Account Executive at an international public relations company in New York, New York, developing and implementing media relations campaigns for large nonprofit and institutional clients.

Ellie received her undergraduate degree *magna cum laude* from Emory University and her law degree from the University of Houston Law Center.

Notable Representations

- Won complete reversal of intentional infliction of emotional distress judgment, punitive damages, and private attorney general (PAGA) fees, and a near-total reversal of a compensatory damages award for a large hotel client facing an adverse jury verdict and sizeable damages and fee awards for negligence and intentional infliction claims.
- Successfully defended defense judgment on appeal for trucking company client on an issue of first impression involving the interplay between California's Code of Civil Procedure section 998 (governing pretrial offers to settle) and California's workers' compensation statutes. The case resulted in a precedent-setting published decision by the California Court of Appeal in favor of Ellie's client.
- Won reversal of attorney's fees award for large California University.
- Successfully defended dismissal of a declaratory judgment lawsuit against a large insurance carrier on appeal. The case involved a carrier's potential obligation to provide independent "Cumis" counsel to its insured in an underlying wrongful death lawsuit. The California Court of Appeal resolved the case in favor of Ellie's client in a published decision that included a concurring opinion on an unresolved issue of civil procedure—when and how a deficient declaratory relief claim can be dismissed.
- Successfully represented insurance carrier client on complex pre- and post-judgment interest issues following reversal of judgment on appeal, resulting in over a million dollars in interest for the carrier.
- Successfully defended summary judgment on appeal for a large Southern California public utility company facing negligence and premises liability claims.
- Successfully defended summary judgment on appeal for a large real estate broker facing breach of fiduciary duty and unlawful practice of law claims.
- Successfully defended a defense verdict on appeal for a large pet store facing negligence and products liability claims stemming from the sale of a pet rat.

Lectures

- The Impossible Bind: Unintended Consequences of Consent Decrees and Injunctions in Public Impact Litigation; International Municipal Lawyers Association Mid-Year Seminar (2024)
- The Battle Over Bus Ads: The First Amendment, Public Transit, and Best Practices; International Municipal Lawyers Association Annual Conference (2023)

Honors and Awards

- Best Lawyers in America®
Recognized in Appellate Practice (2023-2024)

Professional Activities

- Member, Association of Business Trial Lawyers (ABTL), Los Angeles Chapter