

Nadia A. Sarkis

Partner



nsarkis@millerbarondess.com
[310.552.7563](tel:310.552.7563)

Education

J.D., Northwestern University School of Law
A.B., Princeton University

Clerkship

Honorable Ferdinand F. Fernandez, Ninth Circuit Court of Appeals; Chief Justice Mary Mullarkey, Colorado Supreme Court

Admissions

California
Colorado
Illinois

Biography

Nadia is a tenacious and creative appellate advocate who helps clients keep their wins, reverse their losses, and develop the law. She brings appeals to life with structured and vivid writing that distills messy facts, untangles convoluted areas of law, and effectively frames the issues in a way that resonates with appellate courts.

Clients and colleagues rely on Nadia to successfully develop a case long before an appeal is filed. She collaborates on dispositive and other significant pre-trial motions and is instrumental during the post-trial motion phase, when issues are first teed up for appeal. Her prior years of experience litigating complex cases in the trial courts make her a more effective appellate lawyer and advisor at trial.

With a broad-based appellate practice, Nadia has successfully briefed and argued appeals on a wide range of subject matters, including products liability, employment, punitive damages, civil rights litigation defense, attorneys' fees, anti-SLAPP motions, and tort matters. She also frequently appears as amicus curiae in the Ninth Circuit and U.S. Supreme Court, addressing constitutional law and institutionally important legal issues.

Prior to joining Miller Barondess, Nadia was a partner at an appellate boutique. She previously practiced for several years in the Los Angeles office of Gibson, Dunn & Crutcher, LLP, representing clients in large-scale antitrust and intellectual property litigation matters, and has tried multiple jury

cases to verdict. She also has in-house experience managing commercial litigation, employment, and privacy matters, which informs her collaborative approach with clients and strong communication skills.

Nadia received her Juris Doctor from Northwestern University School of Law and her undergraduate degree from Princeton University. She started her legal career with two appellate clerkships, for Ferdinand F. Fernandez of the Ninth Circuit Court of Appeals and Chief Justice Mary Mullarkey of the Colorado Supreme Court.

Notable Representations

- Obtained a per curiam reversal of the Ninth Circuit's denial of qualified immunity to a Union City police officer in a domestic violence incident in the U.S. Supreme Court.
- Secured reversal of \$15 million punitive damages award in a published California Court of Appeal decision based on no substantial evidence of managing agent liability in an asbestos litigation matter.
- Won a published decision in the California Court of Appeal addressing plaintiffs' burden of proof in FEHA interactive process claims and reversing adverse jury verdict for lack of substantial evidence.
- Upheld \$15 million judgment in insured's favor for breach of the duty to defend competitors' disparagement actions and breach of the implied covenant of good faith and fair dealing in the Ninth Circuit.
- Successfully defended substantial reduction of attorney fee award for Section 1983 action before the Ninth Circuit in case involving plaintiff who sought over \$1.4 million as reasonable costs for the "successful" prosecution of a case that she chose to settle for \$49,999 after failing to certify a class.
- Secured affirmance of the dismissal of FEHA gender harassment and aiding and abetting claims against two school administrators in the California Court of Appeal.
- Won two appeals, in the Ninth Circuit and California Court of Appeal, on behalf of school district in suit by a student, alleging violation of the Establishment Clause, on qualified immunity grounds.
- Obtained affirmance of summary judgment for employer in pregnancy discrimination and retaliation case in the California Court of Appeal.

Lectures

- Getting It Right: Best Practices In Responding To Government Claims; California League of Cities Conference (2022)
- Supreme Court Update and Amicus Brief Practice Seminar; County Counsels' Association of California (2022)

- Attracting Attention: How To Write Effective Petitions For Review & Amicus Briefs; Women Lawyers Association of Los Angeles (2022)
- Be A Good Friend: A Guide To Amicus Briefs In Trial And Appellate Courts; International Municipal Lawyers Association Annual Conference (2021)
- Getting Younger: A Guide To Abstention, Rooker-Feldman, And Other Defenses To Federal Civil Rights Actions That We All Learned In Law School, But May Have Forgotten; International Municipal Lawyers Association Mid-Year Seminar (2021)
- Reptiles, Picassos & Stealth Bombers: Tips Tor Combatting Plaintiffs' Reptile Theory And Other Aggressive Efforts To Inflate Non-Economic Tort Damages; International Municipal Lawyers Association Annual Conference (2019)