



Annie S. Amaral Partner / Mentoring Partner

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Practice Areas

Appellate & Writ Practice | Complex Business Litigation | Employment Litigation | Financial Institutions | Real Property & Land Use Litigation

Clients rely on Annie Amaral for her complex business litigation and advocacy skills to navigate through federal and state courts alike, both independently and where cases are filed simultaneously in both venues.

Annie is an experienced litigator who has practiced and prevailed in state and federal court at the trial and appellate levels, as well as in cases that are cross-venued. With each case, she applies a mix of intelligent, aggressive advocacy, and efficient work ethic to achieve optimal results for clients. Annie's complex litigation practice involves banks and financial institutions, industrial and land use companies, retail distributors, and solo entrepreneurs, to name a few. She defends employers against claims brought by current and former employees, and she protects and pursues trade secret claims that are common in the employment arena. Sensitive to the stress that litigation can impose on all business types, Annie uses her in-depth knowledge in an effort to alleviate her clients' angst when involved in contentious litigation.

In addition to her law practice, Annie serves as the firm's mentoring partner. In this role, Annie helps associates navigate the practice of law (and life at Downey Brand) by partnering them with more senior attorneys within their area of practice, and ensuring they have access to both internal and external resources to aid their professional development. Annie also oversees various internal networking events designed to help associates integrate themselves into the firm by interfacing with attorneys from other practice groups.

Experience

- Represent health care client bringing constitutional claims against the State of California in federal court.
- Over four years, defended major timber company in procedurally and substantively complex litigation that involved six consolidated state actions and one federal action and claims seeking an aggregate of approximately \$1 billion dollars. Conducted all phases of percipient and expert discovery, including taking and defending depositions, and was one of four-person team that prepared for three-month jury trial of consolidated state actions, which resulted in dismissals with prejudice and judgment for the client immediately before trial began. Obtained terminating sanctions, monetary sanctions, and attorney fees for more than \$30 million dollars. Currently on appeal. **Read media coverage on the Moonlight Fire**

Litigation here.

- Defended retail distribution company in national class action wage and hour lawsuit through class certification proceedings; class certification was partially denied. Case subsequently concluded with favorable settlement to defendant.
- Successfully represented employer in trade secret/noncompete dispute with former employees and participated in all phases of trial preparation, including witness and exhibit preparation and drafting of motions in limine and jury instructions; participated in settlement negotiations that successfully concluded case on eve of trial.
- Successfully obtained an alternative writ from the California Court of Appeal, Third Appellate District, which prompted trial court to vacate its order denying motion to dismiss for failure to prosecute case that had been pending for more than five years and enter a new order granting the motion. Subsequently defended writ proceedings on appeal to the California Supreme Court, which declined to hear the case.
- Successfully briefed and argued before the Ninth Circuit Court of Appeals, pro bono, a section 1983 civil rights claim on behalf of prisoner whose state law claims were prematurely dismissed without leave to amend.
- Successfully drafted and obtained stay of state court proceedings in class action where plaintiffs filed litigation in multiple venues.
- Second chair in binding arbitration proceeding; conducted direct examination of witness and participated in all phases of preparation, including witness and exhibit preparation and drafting of arbitration brief.
- Second chair on federal intellectual property dispute and was lead on all phases of trial preparation, including witness and exhibit preparation and drafting of motions in limine and jury instructions; participated in settlement negotiations that successfully concluded case on eve of trial.
- Represented agricultural lending institution in complex collection matters involving multiple defendants and closely held corporations.

Professional & Community Service

- Leadership Sacramento, Sacramento Metro Chamber Foundation, Class of 2017
- Junior Achievement of Sacramento, Board of Directors, 2016-2020
- Juvenile Diabetes Research Foundation for the Northern California Inland Chapter, Board of Directors, 2009-2014

Annie has had type 1 diabetes since she was 11 years old. After attending law school and passing the bar, she decided to put her advocacy skills to use with the Juvenile Diabetes Research Foundation, a national charitable organization dedicated to raising funds and awareness about type 1 diabetes. Annie joined the board as the advocacy chair in 2009 and campaigned locally and in Washington D.C. to have senators and congresspeople renew government funding for diabetes research. The Special Diabetes Program was renewed while Annie held this role, and Congress also pushed for special measures to be taken with respect to researching and conducting outpatient trials of the Artificial Pancreas.

- Habitat for Humanity, Volunteer, 2016-present
- Sacramento Women in Leadership Symposium, Coordinator, 2016-2017

- Anthony M. Kennedy American Inn of Court, Member, 2019-present
- California Society for Healthcare Attorneys, 2018-present
- Sacramento County Bar Association, 2006-present
- California Lawyers Association, Litigation Section
- Women Lawyers of Sacramento, Former Member
- Federal Bar Association, Former Member

Education

- J.D., University of the Pacific, McGeorge School of Law, 2005
- B.A., California State University, Sacramento, 2001

Honors & Rankings

- *Sacramento Business Journal*, 40 Under 40, 2017
- Recognized as one of the area's Young Leaders by *Comstock's Magazine*, 2017
- *Sacramento Magazine*, Top Lawyer, Appellate, Litigation Business and Finance, Commercial Litigation, General Litigation, Real Estate, Health Care, 2015-2021
- *Super Lawyers*, Northern California Rising Star, General Litigation, 2013-2015
- Clerkship, District Judge Garland E. Burrell, United States District Court, Eastern District of California, 2006
- Externship, Associate Justice Kathleen M. Butz, California Court of Appeal, Third Appellate District, 2005
- Externship, Magistrate Judge Kimberly J. Mueller, United States District Court, Eastern District of California, 2004

Speaking Engagements / Events

- *COVID-19 Webinar No. 4: Considerations for Businesses & Employers*, Downey Brand COVID-19 Webinar Series, April 10, 2020
- *Sacramento Women in Leadership Symposium*, Speaker, April 12, 2017
- *Bizwomen Mentoring Monday*, Mentor, April 3, 2017
- *Rules & Procedures for Federal Court Success*, Presenter, National Business Institute, 2008

Publications

- *United States District Court Eastern District of California Checklists*, Practical Law, June 2015
- *Great Judicial Opinions Versus Great Literature: Should They Be Measured by the Same Criteria?*, 36 McGeorge Law Review 757, 2006