



Annie S. Amaral

Partner / Marketing Partner

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Practice Areas

Appellate & Writ Practice | Complex Business Litigation | Employment Litigation | Financial Institutions | Real Property & Land Use Litigation | White Collar, Investigations, and Compliance

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, including many 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 entities of all kinds, both publicly traded and privately held. Examples include banks and **financial institutions**, health care providers, industrial and land use companies, retail distributors, trade associations, and solo entrepreneurs, to name a few. She defends employers against claims brought by current and former employees while also protecting and pursuing trade secret claims that are common in the employment arena.

Apart from obtaining favorable merits-based adjudication of her clients' cases, Annie also employs her smart and efficient litigation skills in settlement efforts. She has successfully mediated dozens of complex disputes over her years in practice. Annie is aware of the stress that litigation can impose on all business types, and she uses her in-depth knowledge and skills to minimize the resources and worry her clients may otherwise expend on contentious litigation.

In addition to her law practice, Annie currently serves as the marketing partner for the firm. Previously, she served as the firm's mentoring partner, helping junior associates navigate the practice of law and life at Downey Brand.

Experience

Annie represents business entities of all sizes in various business litigation disputes. Examples include:

- Defending nationwide industry company against various employment claims in multiple venues after successfully narrowing scope of claims to be resolved.
- Representing industry clients at local, state, and federal levels in challenging governmental regulatory actions.

- Representing internet service provider in various state court and pre-litigation contractual disputes.
- Representing local banking institution in various state court lender disputes.
- Representing agricultural lending institution in complex state court collection matters involving multiple defendants and closely held corporations.
- Representing shareholder and company officer in closely held corporation/dissolution dispute.
- Representing multiple health care clients bringing constitutional claims against the State of California in both state and federal court.
- Representing national health care provider in contractual dispute with national vendor in federal court; negotiated favorable settlement following motion practice at pleadings stage.
- Representing out-of-state healthcare vendor in fraud claims brought in state and federal courts; negotiated favorable settlement after limiting plaintiff's claims through motion practice at pleadings stage.
- Representing major timber company in procedurally and substantively complex litigation involving 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 on eve of trial. Obtained terminating sanctions and monetary sanctions, both of which were affirmed on appeal. **Read media coverage on the Moonlight Fire Litigation here.**
- Representing retail distribution company in national class action wage and hour lawsuit through class certification proceedings in federal court; class certification was partially denied. Case subsequently concluded with favorable settlement to defendant.
- Representing employer in trade secret/noncompete dispute with former employees and participated in all phases of state court 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.
- 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.

Annie also handles appellate work for her individual and business clients. Examples include:

- Successfully briefed numerous appeals in California appellate courts on broad range of topics that were favorably resolved without oral argument.
- Authored numerous amicus curiae briefs.
- Successfully opposed petition for review to California Supreme Court on controversial issue in published decision by lower appellate court.
- Successfully obtained an alternative writ, 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 Subsequently opposed petition for review 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.

Professional & Community Service

- American Leadership Forum, Mountain Valley Chapter, Class XXVIII, 2024-2025
- 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, 2019-2020
- 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

- Best Lawyers in America®, Commercial Litigation, 2023-2024
- *Sacramento Magazine*, Top Lawyer, Appellate, Litigation Business and Finance, Commercial Litigation, General Litigation, Business Litigation, Real Estate, Health Care, 2015-2023
- *Sacramento Business Journal*, 40 Under 40, 2017

- Recognized as one of the area's *Young Leaders* by *Comstock's Magazine*, 2017
- *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

- *Strategies for Success in Business Mediations*, Sacramento County Bar Association Webinar, November 16, 2023
- *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