



# HON. RITA “SUNNY” MILLER

Judge, Los Angeles Superior Court, Retired



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## EDUCATION

Loyola Law School, J.D., 1979  
Harvard University, Special Studies  
Connecticut College for Women, B.A.

Judge Miller graduated first in her class of 375 from Loyola Law School in 1979, *summa cum laude* with the highest grade-point average in the school’s history at that time. She was the Chief Articles Editor of the *Loyola Law Review* and published a comment.

Judge Miller was the recipient of the following awards for academic excellence: the Aggeler Award “for superior scholarship and noteworthy achievement,”; the J. Rex Dibble Honor Award; the Loyola Law School Scholarship for Excellence in the Study of Law; the Loyola Law School Scholarship for Academic Achievement and Financial Need; a Bancroft-Whitney Award; an American Judicature Society Award; and four American Jurisprudence Book Awards. She was also a member of the Alpha Sigma Nu Honor Society and the St. Thomas More Law Honor Society.

## CIVIL LITIGATION CAREER

Munger, Tolles & Olson, 1979-2000  
Associate, 1979-1984  
Partner, 1985-2000

Judge Miller joined the Downtown Los Angeles firm of Munger, Tolles & Olson as an Associate upon graduation from law school in 1979 and was made a partner after five years. She remained at the firm until she was appointed to the bench in 2000.

Judge Miller specialized in complex civil litigation and had extensive experience in many areas, including legal malpractice, entertainment litigation, insurance coverage, insurance bad faith, commercial disputes, and land use litigation.

## SUPERIOR COURT ASSIGNMENTS

Judge, Los Angeles Superior Court, 2000-2018

Judge Miller was appointed to the bench by Governor Gray Davis in June 2000. For more than 14 years, she presided over an Independent Calendar general civil courtroom in Downtown Los Angeles. Previous judicial assignments included Limited Civil Jurisdiction, Misdemeanors, Traffic, and Proposition 36 (Drug) Court.

## HONORS AND AWARDS

Trial Judge of the Year (2012), Consumer Attorneys Association of Los Angeles

## APPELLATE COURT ASSIGNMENTS

Justice *Pro Tem*, California Court of Appeal, Second Appellate District, 2009, 2013-2015

Judge Miller served as a Justice *Pro Tem* of the California Court of Appeal from 2013-2015 and for several months in 2009, hearing arguments and issuing opinions as a member of Division One of the 2nd Appellate District.

## TYPES OF CASES HANDLED

- **Appellate Consultations:** Consultations on pending appeals and upcoming appellate arguments.
- **Aviation and Aerospace:** Air crash litigation; aerospace whistleblower and compliance with government regulations.
- **Banking:** Liability for safe deposit losses, mortgage issues, forged and stolen instruments.
- **Civil Rights:** Civil rights claims involving Los Angeles Police Department, Los Angeles County Sheriff's Department, California Department of Corrections and Rehabilitation.
- **Class Actions:** *Dynamex* cases; cases involving truck drivers; factories; PAGA; attorney's fees.
- **Complex Business Litigation:** Financial fraud, investment disputes, real estate development, disputes among members of partnerships, LLCs and startups, Ponzi schemes, immigrant visa fraud, development of businesses including hospitals.
- **Corporate Governance:** Dissolution; self-dealing; misappropriation of corporate opportunities; breach of fiduciary duty by officers and directors; disputes as to election of board members.
- **Elder Abuse:** Physical and financial abuse by family members, nursing homes, hospitals, fiduciaries and others.
- **Employment:** Discrimination based on disability, age, sex, gender-identity, and race; sexual harassment; other forms of harassment; failure to engage in the interactive process; failure to accommodate; FEHA; CFRA; wrongful termination; retaliation; whistleblower retaliation; PAGA; wage and hour; meal and rest breaks; failure to pay overtime; misclassification; failure to provide compliant wage statements; donning and doffing issues; FEHA and workers compensation exclusivity.
- **Entertainment Disputes**
- **Fee Disputes:** Quantum meruit recovery in lieu of contractual fees.
- **Insurance and Reinsurance:** Insurance contract interpretation; comprehensive general liability insurance; errors and omissions insurance; business interruption insurance with and without public adjusters; insurance bad faith.
- **Intellectual Property:** Theft of trade secrets; non-compete clauses; misappropriation of name or likeness.
- **Legal Malpractice:** Failure to comply with the standard of care; conflicts of interest; duty of loyalty; breach of fiduciary duty; statute of limitations issues.
- **Lemon Law**
- **Malicious Prosecution**
- **Personal Injury:** Traumatic brain injury; products liability; premises liability; government tort; defamation including internet defamation.
- **Professional Malpractice:** accounting malpractice; auditor malpractice; legal malpractice; medical malpractice.
- **Real Property:** Easements for ingress and egress; easements by necessity; recreational easements; partition licenses; boundary disputes; title issues; title insurance; entitlements; land use; commercial tenancies; homeowners' association disputes; CC&Rs.
- **Toxic and Other Torts**
- **Unfair Competition, Unfair Collection Practices and Unfair Business Practices**

## **COURT, PRO BONO, AND COMMUNITY ACTIVITIES**

Judge Miller has served on several professional and community organizations, in the following capacities: member of the Executive Committee of the Court; editor for more than 10 years of *Gavel to Gavel*, a magazine published by and for bench officers of the Los Angeles Superior Court; member of the Association of Business Trial Lawyers' Judicial Advisory Committee and the Board of Directors; founding member of the Loyola Law School Civil Justice Program; member of the Board of Directors of Family Assistance Involving the Homeless; member of the Standing Committee on Group Insurance of the State Bar of California; Secretary of the Human Rights Section of the Los Angeles County Bar Association; member of the Board of Governors of Loyola Law School; member of the Board of Directors of the Cowboy Lawyers Association; and Judicial Advisor to the Civil Jury Project at NYU Law School.

For many years, Judge Miller served as Special Counsel to the Los Angeles County Board of Supervisors assisting the Board by investigating and participating in the publication of semi-annual public reports concerning the Los Angeles County Sheriff's Department. The work involved evaluation of whether the department had implemented reforms designed to achieve gender neutrality in promotions, job assignments, and work evaluations. This necessarily also involved review of practices that might discriminate against other groups. The work also included investigation of incidents of sexual harassment and how the department performed in addressing these incidents and their root causes.

Judge Miller also served as a Hearing Examiner for the Los Angeles Police Department, adjudicating police officer discipline and/or suspension matters and presiding at Police Department license revocation hearings. These hearings involved police misconduct including sexual harassment, improper use of force, utilization of the trappings of office for personal gain, and other claims.

Judge Miller has spoken and taught extensively at events for several organizations such as the Consumer Attorneys Association of Los Angeles, the Association of Business Trial Lawyers, the Loyola Law School Civil Justice Program, the Litigation Section of the State Bar of California, Continuing Education of the Bar, the Los Angeles County Bar Association, and many others.

She has published several scholarly and more colloquial articles, as well as being an author of the *California Judges Benchbook* series.