

# Filomena E. Meyer

Of Counsel

[filomena.meyer@wilsonelser.com](mailto:filomena.meyer@wilsonelser.com)

Los Angeles, CA – 213.330.8945

Filomena Meyer focuses her practice on the defense of personal injury, premises liability, wrongful death, product liability, and health care actions. She has represented both plaintiffs and defendants and handles cases in a wide range of areas including personal injury, health care and medical malpractice, elder abuse, wrongful death and survivor actions, insurance bad faith class actions, professional liability and ethics, complex business and commercial litigation, real estate litigation, labor and employment, construction defects, toxic torts, and intellectual property litigation. Filomena has represented clients throughout the state courts in Northern and Southern California and in the U.S. District Courts for the Central, Southern, and Eastern Districts of California.

An experienced appellate advocate, Filomena has prepared more than 30 appellate briefs, including petitions for writs of mandate and writs of certiorari before the California Supreme Court, including five published decisions in cases involving investor fraud, wrongful termination of employment, legal malpractice, and labor and employment issues. She has likewise presented oral argument before all divisions of the Second and Fourth Appellate Districts.

On each case, Filomena brings to bear not only her decades of experience as a civil litigator but also an unflagging dedication to her clients and her craft, the investigative instincts of a legal bloodhound, and a mastery of law and procedure in her areas of concentration. A client has said of Filomena: "To say this matter was skillfully handled would be a profound understatement ... I've seen a lot of good and bad lawyering over the ... years, and this was, quite simply, the best. Every strategic move was masterfully played, the briefs were amazing, and ... equally great in oral argument ... I wish every client had the luxury of feeling this good about their representation."

## Education

- National University School of Law (J.D.)
- University of the Philippines, Institute of Mass Communications (B.A. Journalism)

## Services

- Professional Liability & Services
- Commercial Litigation
- Complex Tort & General Casualty
- Medical Malpractice & Health Care
- Appellate
- Insurance & Reinsurance Coverage
- Intellectual Property & Technology
- Employment & Labor

## Bar Admissions

- California

## Court Admissions

- U.S. Bankruptcy Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Central District of California

## Professional Affiliations

- Los Angeles County Bar Association
- Santa Monica Bar Association

## Languages

- Tagalog
- Cebuano

# Representative Matters

## Appellate

*Rosenfeld v. Abraham Joshua Heschel Day School, Inc.*, 226 Cal.App.4th 886. The appellate court upheld a verdict in favor of the defendant private school against charges of age discrimination by a former teacher.

*Cleveland v. Johnson*, 209 Cal.App.4th 1315. Appellate court upheld \$3.8 million jury verdict finding that successor liability can apply to the acquisition of an unincorporated line of business of another corporation.

*Daniels v. Robbins*, 182 Cal.App.4th 204. A malicious prosecution action brought by plaintiff against the attorneys who represented a litigant in an underlying defamation action against plaintiff. The Superior Court granted the defendant attorneys' motion to strike pursuant to California's Anti-Strategic Lawsuit Against Public Participation (Anti-SLAPP) statute. Plaintiff appealed. The Court of Appeal upheld the decision upon the ground that plaintiff had shown insufficient evidence of malice.

*Cleveland v. Internet Specialties West, Inc.*, 171 Cal.App.4th 24. Breach of contract and fraud action brought by investors against an internet service provider who had allegedly lulled the latter into believing that the company had folded when in fact the company, under a different name and guise, had become hugely successful. At the trial level, the defendant corporation obtained summary judgment on grounds of the statute of limitations. The appellate court reversed.

*Kresich v. Stolpman, Krissman, Elber & Silver, LLP*, 2009 WL 2231683. A professional negligence action brought by a former principal after the loss of her sexual harassment, gender discrimination, and retaliation claims against the San Bernardino County Superintendent of Schools. Defendant law firm obtained summary judgment for failure of plaintiff to show any triable issue of fact as to causation. The court of appeal affirmed.

*Parsa v. Caplan*, 2007 WL 2938464 1. Legal malpractice and fraud action brought by a former director of the Medimex Clinical Laboratory, who claimed to have lost more than a million dollars as a result of his attorney's allegedly negligent representation during a federal investigation into conditions at the laboratory. The trial court granted summary judgment in favor of the defendant on the ground that plaintiff could not prove that he would have achieved a more favorable result with competent counsel. The court of appeal affirmed.

*Paller v. Garcia*, 1005 WL 1492396. An action for unfair competition against a major insurer. resulted in a summary judgment in favor of the latter on the ground that plaintiff did not state a cause of action for unfair competition and did not timely assert his remaining claims for infliction of emotional distress. The court of appeal affirmed.

#### **State-Level Victories**

Obtained defense verdict in a negligence action against a physician and a pharmacy brought by a plaintiff who allegedly suffered "inner ear" nerve damage as a result of taking a 30-day course of the antibiotic, Gentamicin, via home intravenous infusions.

Obtained \$3.8 million plaintiff's verdict in a fraud action brought by investors against an internet service provider.

Obtained summary judgment for commercial landlord in a COVID-19-closure dispute involving allegations of force majeure, impossibility, impracticability, and frustration of purpose.

Obtained reversal of a DHCS decision to treat \$2.2 million in donations to a medical group as rebates and to offset same against allowable Medicare cost reimbursements resulting in \$15 million recovery for the client.