



Luanne Rutherford

Of Counsel

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San Francisco, CA – 415.625.9329

Luanne Rutherford handles cases on a broad range of issues, including HOA litigation, construction defect, personal injury and property damage claims. With more than 30 years in practice, Luanne has handled all types of construction-related litigation matters for virtually every trade and supplier. Her clients include contractors, subcontractors, architects, engineers and material suppliers in construction liability and defect cases.

Previously at a large defense litigation firm, Luanne handled HOA litigation cases, personal injury, construction defect, landslide cases, habitability claims, property damages claims and failure to disclose matters.

Homeowners' Association Litigation

HOA litigation brings with it a variety of legal issues, ranging from simple parking space disputes to easements and ADA claims. Luanne is adept at learning each sub-specialty in order to effectively defend clients. Her hands-on construction experience provides a unique perspective and advantage in construction litigation. She uses all discovery tools to specifically target key aspects of the defense or weaknesses in the claims being made in order to facilitate resolution and ensure the matter is fully prepared for trial if necessary.

Education

- Pepperdine University School of Law (J.D., 1990)
 - Moot Court Honor Board
- John Carroll University (1984)

Bar Admissions

- California

Services

- Commercial Litigation
- Complex Tort & General Casualty
- Construction
- Directors & Officers Liability
- Professional Liability & Services

Court Admissions

- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California

Professional Affiliations

- Contra Costa County Bar Association
- Association of Defense Counsel of Northern California

Representative Matters

Obtained summary judgment on behalf of an HOA and property management company in a case involving claims related to ADA issues, fraud and breach of fiduciary duty.

Obtained summary adjudication of punitive damage claims in several cases based on a lack of sufficient evidence to support the claims.

Client Wins

Cooper and Rutherford Secure Appellate Decision Affirming Summary Judgement

Robert Cooper (Of Counsel-Los Angeles) and Luanne Rutherford (Of Counsel-San Francisco) secured a decision by the First Appellate District for the California Court of Appeal affirming summary judgment by the San Mateo Superior Court in favor of Wilson Elser's client, Portola Valley Ranch Association. The Association had denied an application for construction of an accessory dwelling unit and a new garage submitted by Association members Craig and Michelle Opperman. The Oppermans sued the Association, alleging their application had been wrongfully denied. Luanne Rutherford filed a motion for summary judgment on behalf of the Association, citing the Business Judgment Rule as well as extensive evidence to show that the Association had conducted a fair investigation before denying the application. The Superior Court granted summary judgment in favor of the Association and awarded the Association \$140,419.49 for its attorneys' fees and costs. The Oppermans appealed to the California Court of Appeal, First District. Robert Cooper prepared the briefs and submissions and argued the appeal before the Court of Appeal. The Court of Appeal affirmed summary judgment in favor of the Association and affirmed the award of attorneys' fees and costs. The Court of Appeal, sua sponte, certified its opinion for publication.