



## Cecilia O'Connell Miller, Partner

Practice Areas	Insurance Litigation, Corporate and Commercial Appellate Law Services Health Care Tax, Corporate and Individual Environment and Natural Resources Construction Education and Charter Schools
Admissions	California U.S. District Court, Southern, Central and Northern Districts of California U.S. Court of Appeals, Ninth and Seventh Circuits
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### Professional Summary

Cecilia O'Connell Miller's practice focuses on complex commercial litigation and pre-litigation counseling with a focus on insurance coverage recovery. She has extensive experience in representing technology, financial services, life sciences, hospitality, multi-media, healthcare, manufacturing, construction and municipal clients obtaining millions in insurance coverage for first and third party liabilities under a wide range of insurance policies. Ceci's practice encompasses trial and appellate representation of her clients in arbitrations, state courts and federal courts across the country.

### Representative Matters

- Represented municipality in prosecution of insurance coverage and bad faith claims resulting in a multi-million dollar settlement mid-trial.



- Obtained on appeal to the Ninth Circuit Court of Appeals reversal of district court's judgment denying an insurer's duty to defend a multi-million dollar underlying Lanham Act litigation.
- Through bad faith litigation, obtained compensatory award and ongoing payment of defense fees and costs in underlying litigation for which healthcare policyholder's exposure exceeded \$20 million.
- Led team in multimillion dollar settlement and payment of ongoing defense in a series of high-stakes and decades-long litigations for municipal policyholder through bad faith litigation obtaining insurer-funded settlement in excess of \$25 million.
- Obtained 100% insurer reimbursement toward settlement of high profile land use litigation and full payment of client's defense fees and costs.
- Represented local municipality in obtaining full insurer-funded defense of multi-party CERCLA action based on alleged contamination of private lake over decades.
- Obtained insurer contribution toward settlement and defense fees in multiple intellectual property, wrongful death, construction defects employment practices, and products liability litigations through pre-litigation negotiations.
- Reversed denial of coverage under Memorandum of Coverage following appellate presentation before self-insurance joint powers authority.
- Obtained contempt order requiring insurers immediately to pay corporate policyholder \$9M in defense costs and prejudgment interest or face incarceration.
- Seminal federal health care fraud prosecution (U.S. v. Weinbaum), including preparation of both expert and percipient witnesses and extensive regulatory analysis.

## Recognitions

- *The Daily Transcript* Top Attorneys – 2013 (Insurance)

## Community

- Girls Scouts of San Diego -Troop Co-Leader for Troop #3994
- Association of Business Trial Lawyers
- Notre Dame Academy – Bonjour Committee



- RIMS - The Risk Management Society, San Diego Chapter - Associate Member in international association of risk management professionals
- San Diego County Bar Association – Appellate Court Committee Past Chair, Insurance and Bad Faith Section Past Chair
- State Bar of California
- U.S. Court of Appeals, Ninth and Seventh Circuits
- U.S. District Court, Southern, Northern and Central Districts of California

## Education

- JD, The Catholic University of America, Columbus School of Law, *summa cum laude*, Valedictorian, 2000 (Note & Comment Editor, *Catholic University Law Review* )
- BA (Political Science, Minor: International Affairs), Boston College, *cum laude*, 1992

## News Coverage

- Sistrunk, Jeff. "[4 Key insurance Rulings You May Have Missed](#)," Law360, April 12, 2019.
- Greenwald, Judy. "Hartford loses dispute with mortgage lender policyholder – again," Business Insurance, March 6, 2019.
- Sistrunk, Jeff. "3 Important Insurance Appeals To Watch In December," Law 360, November 27, 2018.
- "San Diego Settles Decades–Old Spat Over Border Property," Daily Journal, November 18, 2015.
- "San Diego Settles Decades-Old, \$136M Business Park Dispute," Law 360, November 18, 2015.
- "Q&A With Procopio's Ceci O'Connell Miller," Law360, March 20, 2013.
- "Procopio Elects Two Lawyers to Partner," LawExchange Soundbite, January 29, 2015.
- Moran, Lyle. "Law Briefs," The Daily Transcript, January 21, 2015.
- "The Daily Transcript congratulates Top Attorneys 2013," The Daily Transcript, July 31, 2013.



## Seminars

- Ceci is a frequent lecturer and author on insurance coverage issues, including advising clients as to best practices to maximize existing insurance coverage and prospectively managing risk.
- Speaker. "Insurance Law: 2017 Year in Review," The Insurance/Bad Faith Law Section of the San Diego County Bar Association, San Diego, Ca, March 7, 2018.
- "D&O Liability Insurance: Coverages & Current Issues," Corporate and Insurance Sections of the San Diego County Bar Association, June 23, 2015.
- "The Duty to Settle Construction Defects Claims," Construction and Insurance Sections of the San Diego County Bar Association, September 23, 2015.