

ATTORNEY

Christie B. Swiss



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SUMMARY

Christie Bodnar Swiss is the managing partner of the firm's San Diego office. Her practice focuses on general civil litigation; public entity liability; civil rights; architect, engineer, and lawyer professional liability; construction law; business litigation; employment law; and appeals. She has represented public entities in civil rights, police excessive force, false arrest, malicious prosecution, inmate civil rights, wrongful death, design defect, probation, personal injury, and child abuse and child death cases. She has represented design professionals in all areas of their practice, including negligence and contract claims. In employment law, she has handled sexual harassment, wrongful termination, social security, age, and gender discrimination, and class action litigation. She has tried multiple cases to verdict in both state and federal courts.

Ms. Swiss is currently a member of several professional organizations, including the San Diego and North County Bar Associations. She is an affiliate member of The American Institute of Architects San Diego and Palomar Chapters and an affiliate member of the American Council of Engineering Companies San Diego Chapter. She has authored numerous articles on subjects involving her work and is a frequent lecturer for the local chapters of many architectural, engineering, and public entity risk management organizations.

Ms. Swiss has also been named by Super Lawyers as a Rising Star in Southern California in 2018, 2019, and 2020, in San Diego in 2019 and 2020. Ms. Swiss has received an [AV® Preeminent™](#) rating from Martindale-Hubbell®, the highest rating that organization bestows, for both ethics and ability.

Ms. Swiss received her Juris Doctor cum laude from Indiana University McKinney School of Law, her Master's degree in French literature from Bryn Mawr College, and her Bachelor's of Business Administration in Marketing and French from the University of Notre Dame.

EXPERIENCE

Motion for Summary Judgment Granted in Civil Rights Against LASD: Plaintiff and her 2-children claimed that their civil rights and rights to equal protection were violated by the Sheriff's Department (LASD) and other deputies because they failed to arrest and protect them from

plaintiff's boyfriend and Father of her 2- children in response to her alleged calls and disclosures of domestic violence. Plaintiffs alleged that because the boyfriend/father was also a Sheriff's Deputy, that LASD conspired to cover up and protect their own. County defendants filed a motion for summary judgment that plaintiffs could not establish an equal protection or civil rights violation because plaintiffs admitted that all of the alleged acts by boyfriend/Father were while he was off duty and Plaintiffs' calls were made to fellow deputies on their private cell phones and in their private capacities and not while the fellow deputies were on duty and plaintiff never called 911.

Summary Judgment Granted on Behalf of County in Social Work Liability Case: Plaintiffs, parents of 11-week old infant and the infant brought suit against the County of Los Angeles, the individual social workers, U.C.L.A. medical center, the doctor involved, and the Santa Monica Police Department when the child was detained from the parents after the parents brought the child to be examined and was diagnosed with rib fractures and a skull fracture that the doctor described as being "highly suspicious in nature" and that the doctor feared returning the child to the home. Summary judgment was granted as to county and all of the social workers because there was probable cause to detain the child and that the social workers were entitled to rely on the medical opinions of the doctor involved. The Ninth Circuit upheld the summary judgment on all grounds.

Demurrer Granted for County in Wrongful Death of a Minor Case: Minor-decedent, a 4-month old child, died after suffering severe bleeding in the brain consistent with being shaken. Mother had left the child in the care of the father and had told him that the baby was not his. Plaintiffs are the half siblings of the decedent who had been detained previously, following a substantiated finding of physical abuse on one of the siblings by the mother. County filed a demurrer which was sustained without leave to amend on the grounds that Plaintiffs lacked standing to assert a claim pursuant to CCP Section 377.60(a) and the Probate Code, and that the county owed no duty to plaintiffs for them to assert a civil rights claim. The demurrer was sustained without leave to amend and was upheld by the Court of Appeal.

Summary Judgment Upheld for County in Wrongful Death Dangerous Condition Case: This matter involved a traffic collision at the intersection of 70th St. East and Avenue N in unincorporated Lancaster that occurred on September 26, 2009 at approximately 10:15 p.m. between an Audi A4 convertible and a 1997 Cadillac DeVille. The driver in the Nubani vehicle failed to stop at a stop sign at 70th St. East and his vehicle was hit by the Cadillac. All four people in the Audi were killed. The Cadillac driver suffered serious injuries. County was sued for dangerous condition of public property. Summary judgment was granted for the county which was upheld by the Court of Appeal because the county had the regulatory stop sign in place, and the accident was caused by the Audi driver's failure to stop.

Summary Judgment Granted in Eighth Amendment Inmate Abuse Lawsuit: Plaintiff, an inmate who had been diagnosed as a paranoid schizophrenic, claimed he was assaulted and battered by other inmates and that two unidentified deputies allegedly conspired to conceal their involvement in his attempted murder. Summary judgment was granted for all defendants based on plaintiff's failure to show a practice or policy that violated his Eighth Amendment rights.

Won Punitive Damages On Behalf of Los Angeles County Public Guardian Office: CCM+S was retained by the Los Angeles County Public Guardian to represent a conservatee in punitive damages phase of trial against the attorney who defrauded him. We proved that the defendant habitually laundered wrongfully-obtained funds in plain sight, calling them his "client trust account." After a three-day bench trial, we obtained a multiplier of five (5) on the principle balance stolen

(\$50,000), for a punitive damage award of \$250,000. In a written ruling read from the bench, court made explicit finding that defendant's behavior was "vile" and "reprehensible" (two standards for actual malice to ensure award of punitives would hold up on appeal).

Won Favorable Verdict for Deputy and County in Police Excessive Force Shooting Case:

Plaintiff sued the county and Sheriff's Deputies for false arrest and excessive force after plaintiff, a known gang member, was shot once by a deputy sheriff. County and the sheriff's department were dismissed on summary judgment. After a 3-day jury trial, the jury entered a verdict in favor of plaintiff and against one deputy on plaintiff's cause of action for excessive force and awarded plaintiff damages of \$2,500. The jury entered a verdict in favor of the deputy and against plaintiff regarding plaintiff's cause of action for false arrest. The jury further found that the plaintiff was not entitled to punitive damages. The jury then made specific factual findings in answering interrogatories that were all in favor of the deputy. After a post-trial motion, the court entered judgment in favor of the deputy against the plaintiff, ruling that his actions were objectively reasonable.

Defense Verdict For County in Bicycle Accident Case: Plaintiff sued County of Los Angeles and a parking control officer after a vehicle versus bicycle incident where she sustained a shoulder injury. The jury returned a verdict in favor of the County and the officer because they found the bicyclist was at fault for the accident.

Fraud Case Dismissed Against Attorney Client: After achieving defense verdict in trial on behalf of client, attorney sued in federal court by plaintiff in underlying case for fraud, conspiracy, and RICO claims. CCM+S was able to get case dismissed with prejudice after federal court granted attorney's motion to dismiss and special motion to strike.

Favorable Arbitration Outcome For Architect Client: Architect was sued by developer of a multi-family condominium project for delays, design defect, and breach of contract claims. After multiday arbitration, arbitrator awarded developer less than 8% of claimed damages.

Favorable Settlement Reached on Behalf of Engineer Client: Engineer sued in federal court by contractor on federal government military project involving patented material for military construction. Structural issues developed with use of specialized material causing project delays. Low settlement negotiated based on contractual and factual defenses on project.

PROFESSIONAL MEMBERSHIPS

- State Bar of California
- Pasadena Bar Association
- Los Angeles County Bar Association
- Association of Southern California Defense Counsel
- Women Lawyers Association of Los Angeles
- American Bar Association
- Association of Women in Architecture
- The Society of Women of Engineers Los Angeles and San Diego
- Volunteer for Los Angeles County Bar Association Domestic Violence Project
- Lawyers Club of San Diego
- San Diego Bar Association

- North County Bar Association
- Affiliate Member of The American Institute of Architects San Diego and Palomar
- Affiliate Member of the American Council of Engineering Companies San Diego Chapter
- Notre Dame Club of Los Angeles Board (Secretary 2009-2013)
- Notre Dame Club of San Diego
- California Women Lawyers

PUBLICATIONS/SEMINARS

- *Deciphering Indemnity Within Public Agency Contracts*
- *What Do I Do When Hiring a Non-Citizen*
- *The Changing Face of Indemnity-Recent Developments in Indemnity Law and a Closer Look at the Defense Obligation*
- *Lurking in Contractual Indemnity Provisions*
- *Medi-Cal/Medicare Set Asides*
- *Howell v. Hamilton and Medical Special Damages*
- *ADA and the Law*

PRACTICE AREAS

- [Appellate](#)
- [General Business Litigation](#)
- [General Casualty Litigation](#)
- [Labor and Employment Law](#)
- [Professional Liability](#)
- [Public Entity Liability](#)
- [Labor and Employment Law](#)
- Trial

EDUCATION

- Indiana University School of Law, Indianapolis (J.D. cum laude, 2006)
- Bryn Mawr College (M.A. French, 2003)
- University of Notre Dame (B.B.A. Marketing & French, 2002)

BAR ADMISSIONS

- California, 2006

COURT ADMISSIONS

- United States District Court, Central District of California, 2006
- United States Court of Appeals for the Ninth Circuit, 2009
- United States District Court, Southern District of California, 2013