

SAN FERNANDO VALLEY

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M.C. Sungaila

PARTNER - HORVITZ & LEVY

Before embarking on her career as an attorney, M.C. Sungaila considered being a writer.

But as a lawyer handling civil appellate cases, Sungaila gets many chances to write.

“We’re not in court that much,” Sungaila said. “Our stock in trade is the written word.”

Sungaila practices with Encino firm Horvitz & Levy, the oldest and largest civil appellate firm in the state.

Earlier in her career, Sungaila clerked for a federal appellate judge and worked for another firm doing both litigation and appeals work. What tipped her in favor of full-time appellate work was writing a pro bono brief for a successful case before the U.S. Supreme Court.

Having succeeded before the nation’s highest court without much training or experience, Sungaila considered doing more while also keeping a hand in writing and filing pro bono, friend-of-the-court briefs.

At Horvitz & Levy, Sungaila gained expertise in toxic tort and product liability cases. She has pending cases focusing on the issue of state standards for allowing testimony from expert witnesses.

California lags behind other states and the federal courts in setting standards for expert testimony and what a judge’s role and responsibility should be, Sungaila said.

In December, a state court judge granted summary judgment in favor of Sungaila’s client Venoco, Inc. in a case involving former Beverly Hills High School students claiming health problems due to benzene exposure on the grounds. The ruling said expert witnesses

had no basis for their testimony. An appeal of that decision is expected.

Sungaila represents ExxonMobil and Uocal in a pending case before the state Supreme Court that will at last make clear expert witness standards.

“It’s an important standard that both plaintiff and defense bars are looking to,” Sungaila said.

Larry Riff, the managing partner for the Los Angeles office of Steptoe & Johnson LLP, hires Sungaila at the trial stage if he thinks there is the likelihood of appellate proceedings.

Sungaila is a great strategic thinker who plays five or six moves ahead for multiple outcomes, Riff said.

“I will retain her to help me think through possible outcomes and what are we going to need in the record from the trial court in order to maximize our options and our outcomes in the ensuing appeal,” Riff said.

Her pro bono, friend-of-the-court work includes women’s rights issues, the liability of a school for student-on-student sexual harassment, and whether artwork stolen by the Nazis during World War II should be returned to the heirs of the original owners.

Because a Supreme Court decision affects an entire state or the country, the justices need to know the big picture view of what they are deciding, Sungaila said.

“When you are at the Supreme Court level you are deciding policy issues,” Sungaila said.

– Mark R. Madler



M.C. Sungaila

Title: Partner

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