

MONDAY, OCTOBER 21, 2019

Fighting the Paper

JML Law is set up so its attorney teams don't get bogged down by excessive court filings.

By Glenn Jeffers
Daily Journal Staff Writer

WOODLAWN HILLS — Joseph M. Lovretovich sits back in his third-floor office and thinks back to the early days of JML Law APLC 22 years ago.

He remembered when he first started out as a defense attorney for insurance companies and how they would paper sole practitioners into the ground, to the point where they couldn't litigate their cases. So as he grew his Woodland Hills-based firm, Lovretovich settled on a singular goal.

"I built the firm with the idea that I wanted to go toe-to-toe with the biggest firms," he said. "I didn't want a large firm to feel like, 'Oh, this is a firm I can take advantage of.' And I think you'll find that it's definitely true. From what I hear, defense firms are not real happy to see our names on files."

The 16-lawyer firm is considered a leader in plaintiff-side employment and personal injury law while Lovretovich has been a highly-regarded litigator for much of his 46-year career. His combination of experience, expertise and relationship-building makes him a go-to resource for younger attorneys and experienced trial lawyers.

"He's always been a great mentor to everybody," says Jennifer A. Lipski, a partner at the firm. "He's been doing this for so long, and he knows so many people — so many mediators and



Glenn Jeffers / Daily Journal

From left, partner Jennifer A. Lipski, partner Nicholas W. Sarris, managing partner Joseph M. Lovretovich, partner Jared W. Beilke, and partner Eric M. Gruzen

judges and defense attorneys and plaintiffs' attorneys. He's seen a lot of it."

Those relationships come in handy when looking to reach a favorable result for clients, says partner Nicholas W. Sarris. They can help resolve a matter quickly and without the time or stress of a lengthy court battle.

"That can go a long way in just being able to sit down, have the conversation with the defense counsel at lunch and say, 'Let's do this. Let's not put our clients through hell, and let's get this resolved,'" Sarris said.

But Lovretovich and his partners have no problem going to trial. As much as they want to help their clients with their cases, they're also a competitive group that likes to win, and the bigger the opposition, the better.

"I prefer to go against big firms," Lovretovich said before turning to Sarris. "Don't you?"

"I actually do," Sarris replied. "When you have the smart attorneys from the big firms, it actually makes life a lot easier for everybody."

Recently, JML Law added a couple of notches to its win column as the 9th U.S. Circuit Court of Appeals sided with the firm on a pair of employment discrimination cases. In June, the appellate court overturned a lower court decision a Catholic teacher could not sue her employer because she was considered a minister.

The teacher, Kristen Biel, said she was fired from St. James Catholic School in Torrance after learning she had breast cancer and requested a leave of absence to receive treatment. *Biel v. St.*

James Catholic School, 2019 DJDAR 5725. (9th Cir. June 25, 2019).

The 9th Circuit came to the same conclusion in the second case, overturning the federal district court ruling a Catholic teacher could not sue her employer. JML Law alleged age discrimination after Our Lady of Guadalupe School in Hermosa Beach demoted then fired Agnes Morrissey-Berru, who was 65 at the time. *Morrissey-Berru v. Our Lady of Guadalupe School*, 17-56624 (9th Cir. Apr. 30, 2019).

Firms representing both schools have appealed the cases to the U.S. Supreme Court, Lovretovich said. The firm will file its response in coming weeks.

Linda Miller Savitt, a partner at Ballard Rosenberg Golper and Savitt LLP in Encino and

lead attorney for the school in *Morrissey-Berru v. Our Lady of Guadalupe School*, has known Lovretovich for more than 25 years, opposing him the majority of that time. She said he's one of the few lawyers whose number she keeps in her cell phone.

"He's a gentleman," said Miller Savitt. "He's appropriately assertive and aggressive in his cases, and his staff is a reflection of his leadership, but they don't take unreasonable positions."

Again, that ability to resonate with the defense comes from Lovretovich's time as an insurance defense lawyer after graduating from Southwestern Law School in 1976. He stayed with the firm for about five years before striking out on his own in 1981, partnering with a colleague and hanging a shingle in Century City.

"I just didn't like working for people," he said.

Lovretovich continued in insurance defense until 1988, when a family friend asked him to represent her in a harassment case.

"I loved doing it," he recalled. "And it made such a difference in her life that it really kind of spurred me on."

Lovretovich took on more and more cases until 1997, when he had an epiphany.

"I wasn't helping anybody," he said. "It felt like the insurance

industry ... they couldn't care less what happened. But when I represented a plaintiff, their life was in my hands, and that made it important."

Lovretovich separated from his business partner and started a new firm focused on employment law with his wife, Donna, a former insurance adjuster turned investigator, as his only employee. A trio of decisions in 2003 helped cement Lovretovich's reputation on the plaintiff side, including *Colmenares v. Braemar Country Club*, in which the state Supreme Court ruled the state's definition of physical disability under the Fair Employment and Housing Act offered greater protections than the widely-held federal standard. *Colmenares v. Braemar Country Club, Inc.* 29 Cal. 4th 1019 (Cal. 2003).

"I started to get a lot of calls after that," Lovretovich said.

The firm expanded over the next decade. Sarris, a fellow Southwestern alumnus with a family background in workers' rights, started as a law clerk in 2005 then became an associate after passing the State Bar. Lipski followed a similar route, joining in 2010.

Partner Jared W. Beilke came from Engstrom, Lipscomb & Lack in 2016. An attorney with a background in high-stakes civil litigation involving product

liability and serious injury, Beilke joined the firm to take on a leadership role.

"It's what I talked about when I interviewed [with Joe]," Beilke said. "I knew exactly what I wanted, and that's exactly what they were looking for."

Partner Eric M. Gruzen, who joined the firm last year, mirrored Lovretovich's trajectory, working as a defense lawyer for national construction law firm Peckar & Abramson PC. After opposing JML Law on a couple matters, Gruzen grew to appreciate Lovretovich's style.

When Gruzen was ready for "something different," he met Lovretovich for lunch. He'll reach his one-year mark at the end of the month.

"It's definitely a culture shock coming over to plaintiffs' side versus large insurance companies," he said. "Nothing really phases them. They don't take things overly personal versus a plaintiff in an employment case. It's the definition of personal."

Lovretovich structured the firm so Beilke, Sarris and Gruzen each run a litigation team of two to three lawyers and one to two paralegals. Beilke also runs the firm's Anaheim office and handles the firm's day-to-day administrative operations alongside Sarris. Lovretovich also supervises

and handles intake. Meanwhile, Lipski handles the "law and motion" team, which covers all motions, summary judgments and a separate appellate team.

"That frees up the teams to litigate because they're not dealing with the day-to-day motions that compel," Lovretovich said. "We don't have to worry about the defense papering us."

"If they ever want to get into that game, we're always willing to play it," added Sarris.

With the *Biel* and *Morrissey-Berru* cases, Lipski could end up arguing before the U.S. Supreme Court.

"The idea is exhilarating and terrifying," she said. "But it's just another great opportunity to be able to have here."

The plan is for Lovretovich to stay on for about five more years then "slow down in the event I have to slow down," he said. Sarris and Beilke would take over, but Lovretovich would like to continue for a long as he's able with maybe just a few more trips to his Oregon house to ride a few bike trials.

That is, when the kids and grandkids don't stop by.

"I was telling Nick I need a second house," Lovretovich said, "so I can put them in the other house."

glenn_jeffers@dailyjournal.com