



Helen Luetto has over 35 years of experience practicing in state and federal trial and appellate courts in California. She has extensive experience in life sciences, talc litigation, product liability, toxic torts (including asbestos, mold and related exposure claims) and environmental litigation. She also has significant experience in defending insurance bad faith cases, involving both first-party and third-party claims.

Helen has successfully appeared for clients in nearly 50 jury and court trials, spending more than 350 days in trial. She has obtained defense verdicts and dismissals and favorably resolved numerous matters prior to trial by way of motions for summary judgment, binding arbitration and mediation. The majority of her experience centers around actions involving claims for punitive damages, statutory penalties and attorney's fees.

Over the years, Helen has represented individual and institutional clients in a wide variety of other practice areas such as premises liability, insurance coverage, fraudulent claims, catastrophic personal injury and wrongful death, construction, uninsured and underinsured motorist claims, cannabis litigation and professional liability (E&O) cases. She has handled cases ranging from simple auto and slip and fall to sensitive emotionally charged cases with allegations of assault and battery and sexual molestation.

Helen is also experienced in employment law, where she represents her clients in all aspects of employment and business litigation, including defending claims for wrongful termination, harassment, discrimination and unfair business practices.

Helen is frequently invited to speak at national conferences and present on CLE topics on subjects related to her experience. She is Martindale-Hubbell AV Peer Review Rated.

REPRESENTATIVE SUCCESSES

- ***Gutierrez v. Balch Petroleum, et al.*** – Obtained a defense verdict for a general engineering contractor after a five-week jury trial involving claims of exposure to carbon monoxide and other exhaust fumes.
- ***Polakow v. Brenntag North America, Inc., et al.*** – Summary judgment granted with costs for a product retailer in a mesothelioma case where the 65-year-old wife claimed asbestos exposure from laundering her 66-year-old husband's clothing after the husband's one-time use of roofing cement in 1977.
- Obtained a judgment of dismissal for a large insurance company in a bad faith case after the client's demurrer to the plaintiff's complaint was sustained without leave to amend—a rare win early in litigation given the strict rules for demurrers. The action was barred by the doctrine of res judicata, as the insured had already filed a small claims action for the same loss, which resulted in a minimal judgment in her favor. The plaintiff's case was contractually time-barred because she failed to file the complaint within one year of the date of loss as specifically required by the insurance policy.
- Successfully drafted and argued a successful motion for summary judgment in an insurance bad faith case. The client was sued for breach of contract, breach of the implied covenant of good faith and fair dealing and declaratory relief following the denial of a claim made by the plaintiff for property damage to a truck under a commercial automobile policy. The plaintiff argued that the denial of their claim was

Contact Information

Email: hluetto@wfbm.com
Office: (714) 634-2522
Fax: (714) 634-0686

Areas of Practice

- Life Sciences
- Asbestos
- Employment
- Environmental
- General Liability and Casualty
- Insurance Bad Faith and Fraud Defense
- Product Liability
- Professional Liability
- Trial and Appellate Work

Education

- Western State University
College of Law, J.D.
- California State University,
Fullerton, B.A.

Admissions

- California
- United States District Court,
Southern and Central Districts of
California
- United States Court of Appeals,

incorrect based on representations allegedly made by the firm's client when the policy was purchased. The Court found that there was no coverage for the damage to the truck as it did not qualify as a covered vehicle under any interpretation of the policy. Further, the Court agreed that, because the insurance policy was fully integrated, any alleged oral agreements were excluded.

- Successfully litigated an insurance bad faith matter arising from the denial of first party property fire claim from inception through trial. The matter raised issues of material misrepresentation and concealment by insureds. The 18-day bench trial resulted in complete decision in favor of the defense client.
- Obtained defense verdict on behalf of a manufacturer of construction-related materials in a toxic tort asbestos case.
- Convinced the court that insureds' bankruptcy judicial admissions were binding, resulting in favorable rulings on specific motions in limine which effectively eliminated the plaintiffs' claimed damages in first party insurance bad faith matter arising from claimed theft. The case settled on the third day of trial.
- Prepared and argued multiple successful motions for summary judgment/adjudication including one eliminating bad faith as well as punitive damages in an action against an agent and insurer for allegations of misrepresentation or negligence regarding the sale of a policy. This ruling reduced the value of the case to limited jurisdiction by eliminating the potential for punitive damages, emotional distress and attorney fees.
- Effectively evaluated and mediated dozens of insurance bad faith matters involving both first party and third party claims of bad faith, including *Insurance Code* Section 11580 direct actions.
- Successfully defended a novel products liability action filed against a retailer by a medical marijuana cooperative.
- Negotiated hundreds of settlements in cases involving demands of at least seven figures.
- *Hartford Fire Ins. Co. v. Macri* (1992) 4 Cal.4th 318.
- *John DeLoof, et al. v. Ace Hardware Corp., et al.*, No. B265886, Calif. App., 2nd Dist., 2017 Cal. App. Unpub. LEXIS 1503).

INDUSTRY INVOLVEMENT

Professional Affiliations:

- Orange County Bar Association

Speaking Engagements:

- "Talc Talk: A Sprinkle A Day Won't Keep Litigation Away"
- "Perrin Asbestos Litigation Conference: Cutting-Edge Issues in Asbestos Litigation"
- "Recent Developments in Asbestos Litigation"
- "Trial of a Take-Home Exposure Case from Jury Selection to Verdict"
- "Premises Liability"
- "Insurance Bad Faith Claims in California"
- "Third Annual Mold Insurance Litigation"
- "Water Intrusion and Toxic Mold"

NEWS

- The Consequences of Incivility
- Get Ready to Disclose!: An Analysis of Senate Bill 235

- Beyond the Workplace: Duty of Care in the Face of COVID-19
- Code of Civil Procedure section 998 May Apply to Settlements Prior to Trial
- Judgement Of Dismissal for Large Insurance Company
- The Court's Ruling in Hedayati v. Interinsurance Exchange of the Automobile Club Serves as a Stark Reminder to Insurers and their Counsel to Promptly Review and Communicate All Policy Limits, Settlement Demands, and to Seek Summary Adjudication, in Addition to Summary Judgment, where Plaintiffs Identify Numerous Theories of Liability
- Walsworth Expands Trial Team in Southern California