



Elizabeth ("Liz") Diamond focuses her practice primarily in the areas of business and real property, construction, employment, general liability, and premises liability throughout California. She represents builders, design professionals, and subcontractors in complex construction litigation against homeowner claims of fraud and negligence. Additionally, Liz represents landlords, bars, retailers, restaurants, service providers, public entities, and various other residential and commercial property owners in insured claims and lawsuits arising under general liability insurance policies.

Liz has over ten years of state and federal civil litigation experience in a broader range of subject matters, having defended a variety of business entities against contractual, tort, and statutory claims in various practice areas such as cybertechnology, data protection, landlord-tenant issues, personal injury, products liability, and professional liability.

Liz focuses on resolving cases early in the process, and has successfully defended, arbitrated, mediated, and settled hundreds of cases across the state of California. She has deposed numerous plaintiffs, percipient and expert witnesses, and has worked on all aspects of litigation from the pleading stage through settlement, trial, and/or appeal. Liz's large docket of prior cases have garnered successful results to date, including dismissals and favorable demurrers, motions for summary judgment, settlements, writs, and appeals.

Liz was recognized by Super Lawyers Magazine as a "Rising Star" in the fields of Construction Law and Business Law from 2015 through 2018. The honor of Rising Star status is bestowed upon only the top 2.5% of attorneys under age 40, with no more than ten years of practice in California. The Super Lawyer selection process has been recognized by courts and bar associations across the United States.

REPRESENTATIVE SUCCESSES

- *Hudack v. La Cresta Property Owners Ass'n* – Successfully defended homeowner association against breach of fiduciary duty claims by using targeted pre-trial motion practice to pare down plaintiff's manifold allegations for trial and subsequent appeal, obtaining award of nearly \$1 million in attorneys' fees.
- *Patton v. Experian Data Corp.* – Developed and implemented successful defense strategy using aggressive motion practice to encourage nominal settlement in nationwide federal class action data breach lawsuit addressing California's landmark data breach notification statute, Cal. Civ. Code § 1798.82, and allegations of consumer protection violations arising out of a major security breach that allegedly exposed approximately two hundred million U.S. citizens' personally identifiable information to identity theft and fraud.
- *Rodriguez v. Ahern Rentals* – Achieved successful summary judgment for one of the United States' largest independently owned equipment rental companies in a tragic wrongful death products liability suit based on successor liability, resulting in a complete dismissal for the client.
- *Singh v. Unifirst Corporation* – Won summary adjudication for a nationwide supply company in a motor vehicle suit on the grounds that California's Personal Responsibility Act applied to plaintiff's scooter, thereby precluding plaintiff from recovering extensive non-economic damages.
- *Devcon v. Team Ghilotti* – Negotiated creative settlement on behalf of grading contractor on the eve of trial to satisfactorily resolve a highly contentious commercial construction defect matter involving heavily contested scope of work issues and competing breach of contract and unpaid lien claims.

Contact Information

Email: ediamond@wfbm.com
Office: (415) 781-7072
Fax: (415) 391-6258

Areas of Practice

- Business, Commercial and Real Estate Law
- Construction Law
- Employment Law
- General Liability
- Premises Liability

Education

- Pepperdine University School of Law, J.D., *cum laude*
- University of California, Los Angeles, B.A., *magna cum laude*

Admissions

- California
- United States District Court, Southern and Central Districts of California
- United States Court of Appeal, Ninth Circuit

- *Duchine-Khauri v. Granite Library Gardens* – Achieved summary adjudication on statute of limitations grounds in order to limit in time tenant’s habitability claims against landlord for moisture-related damage and to encourage nominal settlement despite apartment building’s well-documented history of moisture-related construction defect issues, including a balcony collapse that resulted in the tragic death of six individuals.
- *KM Construction v. Meltzer* – Successfully brokered settlement on behalf of roofing subcontractor in order to shield client from further liability alleged by highly aggrieved and trial-motivated plaintiff in regards to extensive water intrusion and related construction defect claims arising out of work performed on plaintiff’s original construction custom-built “dream house” project located on Pebble Beach’s historic 17 Mile Drive.
- *Plaintiff v. The Betty Ford Center at Eisenhower* – Successfully settled disability discrimination and wrongful termination claim by former employee which presented novel legal issues in regards to an employee’s right to privacy and reasonable disability accommodations were implicated when drug testing by employer disclosed legal prescription medication usage for which employee was terminated due to the Betty Ford Clinic’s firm “no drugs” policy for employees.

INDUSTRY INVOLVEMENT

Professional Affiliations

- Straus Institute for Dispute Resolution, Certificate in Alternative Dispute Resolution
- Alameda County Bar Association, Member
- Queen’s Bench Bar Association, Member

Publications

- Author, “California Supreme Court Unanimously Affirms the Right to Repair Act as Homeowner’s Exclusive Remedy for Construction Defect Claims,” February 2018.
- Co-author, “The Ongoing Battle of Cyber Liability and Data Breach Litigation,” April 2016.
- Author, “Is SB-800 Still a Thing?,” October 2015.
- Author, “Prescription Medication and the Workplace,” September 2014.
- Author, “SB-800: Right to Repair Act May Not Provide the Exclusive Remedy for Residential Construction Claims,” September 2013.
- Author, “Monkey in the Middle: The HOA’s Role in Neighbor-to-Neighbor Disputes,” June 2013.

BEYOND THE OFFICE

While currently located in the greater San Francisco Bay Area, Liz was born and raised in Fullerton, California. She attended the University of California, Los Angeles, where she received a Bachelor of Arts degree in English and History, with honors. At Pepperdine University School of Law, Liz earned her Juris Doctorate, with honors, and additionally received certification from the Straus Institute of Dispute Resolution.