



ASHLEY VERNICK (VACCARO)

Senior Counsel
Litigation and Trial

Orange County
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As an experienced litigator, Ashley handles all aspects of trial, pre-trial, and post-trial proceedings in state and federal courts throughout the country, including arbitration, mediation and settlement negotiations. Ashley's matters cover a range of practice areas, focusing on complex commercial litigation, and have included employment, insurance, breach of contract, securities, environmental, unfair business practices, and business tort claims. In addition to her litigation practice, Ashley represents clients in government investigations and enforcement actions, and advises clients in connection with internal audits. Ashley guides corporate clients through any business matter they may face, including reviewing and understanding contracts, identifying potential liabilities and coverage positions, understanding and abiding by corporate compliance programs, properly handling investigations, and improving training and related policies and procedures.

Ashley also has an active pro bono practice that spans all areas of law. She advises organizations in all facets of their business, from drafting and reviewing contracts; to developing programs, policies and training; to arbitrating, mediating, and litigating matters inside and outside of the courtroom. Ashley has successfully negotiated and settled claims for clients – both as plaintiff(s) or defendant(s) – and advised clients on how to navigate tricky internal issues to prevent future risks. Ashley has also brought suits against government agencies and employees, and has successfully obtained reversals of denials of medical coverage for patients on Medicaid.

Understanding the complexities of the legal practice and appetite for creative minds and collaboration, Ashley is intimately involved in recruiting, mentoring, and diversity efforts, helping support associates and their professional development.

Related Services

- Appellate Practice Group
- Business and Commercial Litigation
- Contract Litigation
- COVID-19 Resources
- Employment Litigation and Government Agency Proceedings
- Employment Practices Counseling
- Insurance and Dispute Recovery
- Landlord and Tenant Disputes
- Litigation and Trial
- Real Property Litigation
- Securities

Related Industries

- Apparel, Retail and Consumer Products
- Automotive
- Builders and Land Developers
- Food and Beverage
- Insurance
- Restaurants and Hospitality

General Business Litigation

- Obtained favorable settlement on behalf of a major television network in an action for defamation, privacy-related, and emotional distress claims by a judge in response to an investigative report that certain judges were leaving the courthouse before the end of the business day.
- Obtained favorable settlement on behalf of animal rescue organization in lawsuit against a transportation company for damages stemming from a bus crashing into an animal rescue center.
- Represented private clients and their investment companies, including obtaining dismissal of suit brought by former employee for alleged violation of First Amendment rights resulting from a ban preventing the former employee from entering one of the investment company's ski resorts.
- Represented private educational institution in defending against breach of contract and defamation claims by expelled students.

Securities Litigation

- Secured dismissal at pleading stage of putative class action lawsuit against Fortune 500 financial services firm alleging violations of federal securities laws and state-law fiduciary duties.

Insurance Litigation

- Obtained favorable jury verdicts and settlements on behalf of a Fortune 500 chemical manufacturer in multiple trials against insurers/reinsurers for coverage of costs associated with environmental damage remediation.

Employment Litigation

- Achieved dismissal and favorable settlements of claims brought by former employees against a biopharmaceutical company resulting from alleged sexual harassment by its former CEO.
- Achieved dismissal of wrongful termination claim based on age and disability brought by retired officer against an investment firm, and consulted counsel for franchise of restaurants in settlement of same claims.
- Represented large real estate company in defeating wrongful termination claims brought by terminated employee who claimed s/he was fired because s/he was transgender.

Corporate Investigations and Business Consulting

- Conducted internal investigation of Fortune 100 multinational car manufacturer related to a major recall. Represented manufacturer in criminal action, which was dismissed as a result of an extremely favorable deferred prosecution agreement.
- Conducted internal investigation and consulted Universities related to claims of admissions and tax fraud.
- Conducted internal investigations of potential F.C.P.A. violations by, and

Bar & Court Admissions

- State Bar of California
- U.S. District Courts for the Eastern and Central Districts of California
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Southern District of New York

Education

- University of Chicago Law School (J.D., 2011)
- University of California, Los Angeles (B.A., 2007)
- Universitat de Barcelona, Spain Intensive Spanish Language Program (2006)

provided resulting consulting services to, national and international clients (with many interviews conducted in Spanish in Central and South America).

- Conducted numerous confidential internal investigations related to all types of business issues ranging from breaches of contract, unfair business practices, employment, tax, bribery, and other potential criminal matters.

Civil Rights Litigation

- Represented multiple families across the nation in coverage disputes and related §1983 civil rights actions against Medicaid agencies for denial of coverage of an FDA-approved orphan drug aimed to treat Duchenne Muscular Dystrophy.
- Represented inmate in §1983 trial against the state, the County Police Department, and police officers for use of excessive force.

Recent Publications

- *Ensuring Insurance Amidst the COVID-19 Crisis*, Orange County Business Journal, March 2020
- *California Insurance Commissioner Lara Orders Insurance Carriers to Refund Premiums*, Rutan & Tucker, LLP E-Alert, April 2020

Recent Presentations

- *Insurance Issues Implicated by COVID-19*, ACC Webinar, May 2020
- *Rutan & Tucker, LLP COVID-19 Restaurant / Food Industry Roundtable*, May 2020
- *Insurance Issues Implicated by COVID-19*, OCBA Webinar (view [HERE](#)), April 2020

Awards & Honors

- Southern California Super Lawyers, Rising Stars Edition, 2021

Memberships & Associations

- Member, State Bar of California
- Member, Orange County Bar Association (2017-Present)
- Orange County Bar Association Diversity Committee (2018-Present)
- Board Member, Orange County Hispanic Bar Association (2017-Present)
- Member, Orange County Coalition for Diversity in the Law (Immediate Past President and former Secretary, Member since 2017)