

VERDICTS & SETTLEMENTS

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Most Appreciated

Two decades hearing appeals has made Ignazio Ruvolo a popular neutral.

By Malcolm Maclachlan
Daily Journal Staff Writer

Ignazio J. Ruvolo said he's been booked up since joining JAMS last year, but he's not taking anything for granted. "It could be the market is still shaking me out. I don't know," said Ruvolo, who is better known as "Nace" to many in the legal community.

Or it could be that even among the experienced attorneys and retired judges who make up neutral panels, it's rare for someone to come to the job after 22 years on the appellate bench.

"It's clear from his workload he is most appreciated," said Nanci E. Nishamura, a partner with Cotchett, Pitre & McCarthy LLP in Burlingame who said she brought Ruvolo one of his first cases at JAMS. "My firm has regularly called upon him."

"His experience is so vast," said Allison Lane, a partner with Duane Morris LLP in San Francisco. "Trial lawyer, then superior court bench and appellate bench. He really has good knowledge of the rules of professional conduct and all sorts of areas of substantive law."

Ruvolo was the valedictorian of his 1972 class at the University of San Diego School

of Law and editor-in-chief of the San Diego Law Review. He went on to spend five years as a civil attorney with the U.S. Department of Justice and 17 years at the late, venerable San Francisco firm Bronson Bronson & McKinnon, four of them as managing partner of the Walnut Creek office.

He followed this with two years on the bench in Contra Costa County before Gov. Pete Wilson appointed him to the appellate bench in 1996. Ruvolo spent a dozen years as presiding judge of the 1st District Court of Appeal, Division 4.

On top of all of that, Ruvolo is a former chair of the Commission on Judicial Performance. He stepped down last year when he retired from the bench. His time overlapped with Nishimura, who is the current chair.

"Judges' sensitivity to ethics issues has increased a lot over my career," Ruvolo said. "A lot of that I think is the result of the judicial education system we have in this state."

Ruvolo's prominence in the legal community over so many years is a far cry from his working class childhood in New Jersey. His father worked for a company that made umbrellas, his mother for a grocery store. Both eventually moved up into



Gary Wagner / Special to the Daily Journal

management, but neither had a college degree.

After his father died, Ruvolo found a scrapbook he kept of his son's legal career.

"He was quite an honorable, hardworking blue collar man," Ruvolo said. "I admired him a great deal."

Ruvolo graduated from Rutgers University but soon felt the urge to "get out of Jersey" and "come west." After all, he added, it was 1969.

"It was a time when it was The Beach Boys and The Mamas and the Papas and everybody was singing about life in California," Ruvolo said. "I took the bait."

Decades later, Ruvolo made his own small mark on the West Coast counter culture when he ruled a burned man could not sue the Burning Man festival. He wrote the plaintiff knowingly assumed risk when he walked very close to the flames and tripped at the climax of the annual event in the Nevada desert in 2005.

Ignazio J. Ruvolo

JAMS

Areas of specialty:

Appellate, business, class action, employment, Title IX, insurance, professional liability

Beninati v. Black Rock City, 2009 DJDAR 9723.

The case did involve a novel legal issue: Could the festival's attorneys invoke a law more commonly cited by organizers of extreme sporting events? Ruvolo ruled the law applied. The California Supreme Court declined to hear an appeal.

Probably his most famous case on the bench, however, involved California's high school exit exam. Writing for a unanimous court, Ruvolo reversed a lower court injunction and found the exam did not discriminate against minority students. *O'Connell*

v. *Superior Court (Valenzuela)*, 2006 DJDAR 10684.

“If there is a complicated legal issue, I really think he is one of the best people to mediate,” said Elise R. Sanguinetti, a partner with Arias Sanguinetti Wang & Torrijos LLP in Emeryville. “He can give you that perspective and analysis you can’t always get from other mediators.”

“I was lucky I got a lot of broad civil exposure,” Ruvolo said. “My civil practice before I became a judge was quite diversified. It’s given me a lot of opportunity to take on some interesting cases.”

For such a short time in the dispute resolution role, Ruvolo has taken on a wide variety of matters, including intellectual property, legal malpractice, eminent domain, commercial real estate, medical malpractice and sexual harassment. These cases have involved companies

ranging from assisted living facilities to ride-share companies.

He has also developed a bit of a specialty around Title IX cases. Earlier in his career this meant ensuring girls equal participation in school sports. These days, they generally involve alleged sexual assaults and whether or not colleges are respecting the rights of both accuser and accused.

“These days a lot of the sporting equality issues have been resolved,” Ruvolo said. “Now the schools are dealing with the interpersonal relationships, mostly among the students.”

Ruvolo said he spends far more time as a mediator than arbitrator. This may be a reflection of his temperament, according to attorneys. Simona A. Agnolucci said he helped settle a case where emotions ran high on both sides.

“I think one of his strengths is very high interpersonal skills,” said the partner at Willkie Farr & Gallagher LLP in San Francisco. “He’s a highly affable person who makes connections immediately with the parties.”

“He won’t be pounding the table and strong-arming the parties,” Nishimura said. “He takes a very calm approach.”

In his spare time, Ruvolo enjoys fly fishing though he said he doesn’t go as often as he did when he was younger. He also performs with a group called The Ashmolean Singers.

“Last summer we did a program called ‘The Golden Age of Television,’” he said. “It was all themes and advertisements. I got to be Archie Bunker and sing with Edith. I had to resurrect my old East Coast accent for that one. After 50 years it wasn’t easy to do.”

He added that his wife, Barbara, also performs and is a much better singer than he is. Ruvolo has four grandchildren from his two adult children from an earlier marriage.

“They’re both biologists,” Ruvolo said. “No lawyers. I’m hoping the gene passes down to one of my grandchildren.”

Here are some attorneys who have used Ruvolo’s services: Simona A. Agnolucci, Willkie Farr & Gallagher LLP; Marc A. Eisenhart, Gates Eisenhart Dawson; Allison Lane, Duane Morris LLP; Barbara A. Lawless, Lawless & Lawless; James A. Murphy, Murphy, Pearson, Bradley & Feeney; Nanci E. Nishimura, Cotchett, Pitre & McCarthy; Elise R. Sanguinetti, Arias Sanguinetti Wang & Torrijos LLP.

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