

ELLIS GEORGE CIPOLLONE

ELLIS GEORGE CIPOLLONE O'BRIEN ANNAGUEY LLP



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Dalmacio V. Posadas, Jr. is an Associate with the Los Angeles office of Ellis George Cipollone O'Brien Annaguey LLP. Prior to joining the firm, Mr. Posadas previously practiced at a civil litigation and criminal defense boutique in Los Angeles. During law school, Mr. Posadas was the Editor-in-Chief of the *Loyola Entertainment Law Review* and a member of the National Moot Court team where his team was first runner-up and won best brief in the competition.

Education

- Loyola Law School, Los Angeles, J.D.
- University of California, Riverside, B.A.

Bar Admissions

- California

Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California

Clerkships

- Law Clerk, Magistrate Judge Shashi H. Kewalramani, United States District Court for the Central District of California (2017-2018)
- Law Clerk, District Judge Dale S. Fischer, United States District Court for the Central District of California (2018)

Representative Matters

State and Federal Civil Matters

- Successfully represented five female employees of a large advertising agency for employment discrimination based on age, sex, and gender, and harassment, wrongful termination, and wage disparity, which resulted in a multi-million-dollar settlement.
- Successfully represented two clients in Anti-SLAPP litigation resulting in a dismissal of the Complaint with prejudice.
- Successfully had Complaint against client mortgage broker dismissed through a Motion for Judgment on the Pleadings.
- Successfully negotiated favorable settlement agreement for client in construction site injury Complaint.
- Successfully argued against a demurrer to a client's Cross-Complaint for violation of Business and Professions Code section 17200, indemnity, and Cal. Penal Code § 496, which resulted in a favorable settlement agreement for client.
- Represented entertainment production company in breach of contract and fraud claim.
- Represented Internet advertising agency in arbitration.
- Successfully negotiated the transfer of website domain name to client under the Anticybersquatting Consumer Protection Act.

State and Federal Criminal Matters

- Successfully negotiated complete dismissal of client's charge for misdemeanor manslaughter and successfully argued for the reinstatement of the client's driver's license during the corresponding administrative hearing.
- Successfully argued that an alleged victim's restitution related to a client's hit and run charge was unreasonable.
- Drafted several Ninth Circuit briefs regarding sentencing issues
- Drafted Motion to Suppress and Reply Brief related to client's unlawful stop, search, and seizure.
- Assisted in getting charges against a client dismissed and the sentence vacated on appeal in the Ninth Circuit.

Government Tort Liability and Civil Rights Litigation

- Successfully negotiated favorable settlement in Ninth Circuit civil rights appeal against the California Department of Corrections.
- Represented Plaintiff in Brown Act litigation against local municipality.
- Represented a client for 42 U.S.C. § 1983 case regarding off-duty police officer's abuse of position resulting in multi-million-dollar verdict, which included punitive damages.
- Represented fire department union and individual firefighters in 42 U.S.C. § 1983 case against a city and the fire chief for violation of First Amendment rights.

White Collar Fraud

- Defended large financial institution in FINRA arbitration.
- Defended real estate developer in a complex case involving multiple properties and parties.
- Represented mortgage broker in administrative proceedings in several states and in the Consumer Fraud Protection Bureau.

Publications

- "The Internet of Things: The GDPR and the Blockchain May Be Incompatible," 21 No. 11 *Journal of Internet Law* 1 (2018).
- "Regardless of the Outcome in *United States v. Carpenter*, the Stored Communications Act is Problematic," Apr. 3, 2018, *Harvard Journal of Law & Technology*.
- "After the Gold Rush: The Boom of the Internet of Things & the Busts of Data-Security and Privacy," 28 *Fordham Intellectual Property, Media & Entertainment Law Journal* 69 (2017).
- "The Internet of Things: Abandoning the Third-Party Doctrine & Protecting Data Encryption," 53 *Gonzaga Law Review* 101 (2017).

Noteworthy

- Selected to the Southern California Rising Stars list, 2020–2022
- Adjunct Professor at Loyola Law School, teaching Appellate Advocacy
- Coach of Loyola Law School, Los Angeles, Federal Bar Association's Thurgood Marshall Moot Court Team (2019-present) and National Criminal Procedure Moot Court Team (2019-present)
- Federal Bar Association, Editorial Board
- Articles Editor for *The Federal Lawyer*