



MARY-CHRISTINE SUNGAILA: LAWYER, LEADER, HUMANITARIAN

by ELIZABETH L. KOLAR

Mary-Christine (M.C.) Sungaila, appellate partner in Haynes and Boone's Orange County office, OCBA Board Member, and Orange County Women Lawyers' Association's 2017 Attorney of the Year, is one of those rare attorneys who has earned the widespread respect and admiration of the judiciary, colleagues, clients, and the wider community. She exemplifies the kind of servant leadership once referred to by Albert Einstein: "Only a life lived for others is a life worth living."

I had the honor of meeting M.C. after being introduced to her by a client on a matter that was being appealed to the California Supreme Court. In what has now become one of the seminal cases in the area of franchise law, *Patterson v. Domino's Pizza*, 60 Cal.4th 474 (2014), M.C. was asked by our joint client, Domino's Pizza, to spearhead the appeal to the California Supreme Court—first, to convince that court to take our case, and then to persuade the court to decide in our client's favor the issue of whether a franchisor could be held responsible for the alleged tortious

conduct of a franchisee's employee. Working with M.C. on the appellate process was truly a pleasure. She had an uncanny ability to accurately and succinctly pinpoint the issues. She would call at all hours of the day and night with her thoughts on the case and the appeal.

During her argument in front of the California Supreme Court, she had questions thrown at her by the panel that would rattle most attorneys, but not M.C. She was thoughtful and deliberate in her responses. And we won! The California Supreme Court reinstated summary judgment in

favor of our client, concluding that there was “considerable, essentially uncontradicted evidence that the franchisee made day-to-day decisions involving the hiring, supervision, and disciplining of his employees,” in the process setting the standard for franchisor liability throughout the state. As a result of that case, M.C. and I had the honor of receiving the 2015 California Attorney of the Year (CLAY) Award in Franchise Law, which we received from California Supreme Court Justice Tani Cantil-Sakauye. We traveled to San Francisco for the award, where it was clear M.C. was well respected—she was greeted warmly by her first name by the Chief Justice. Following the award ceremony, I went to dinner with M.C. and her father. He was delightfully witty and intelligent, just like M.C. I remember thinking to myself “well, that apple didn’t fall far from the tree.”

M.C. can be tough when necessary, but most of the time she is friendly, gracious, and a lot of fun. Other co-counsel agree. Gianna Gruenwald, the OCBA Trusts & Estates Section Chair and partner at Ross, Wershing & Wolcott, says:

M.C. is a fearless advocate for her clients. She leaves no stone unturned and works tirelessly to come up with creative arguments where the law is often gray or undecided. Her writing cuts straight to the issues and facts. She takes my calls any time of the day or night, regardless of whether she is home, in the office, or traveling. I have often emailed her in court when opposing counsel dumps a last-minute pleading on my lap, and she responds instantly with cases or arguments that I can use.

Jennifer Keller, a past OCBA President and founding partner at Keller/Anderle LLP notes: “M.C. is a brilliant legal analyst with a practical side.” Keller provided one recent example of M.C.’s value to Keller/Anderle clients:

We had a client’s issue all teed up and thoroughly researched when we decided to run our approach past M.C., who can offer a keen perspective from the appellate side. (We do this periodically on high-stakes cases we want to run past a different set of eyes and ears.) She quickly found an even better way to present the issue that might be more palatable to the trial judge and give us a better record on appeal. We adopted her advice and got a great result for our client.

Neda Mansoorian, a past President of California Women Lawyers who presented that organization’s Judith Soley Law-

yer as Citizen Award to M.C., similarly recalled how, in preparation for the award presentation, she and M.C. somehow got to chatting about their litigation styles, and M.C. shared that she had been described by a recent opponent as a “pitbull with an olive branch.” M.C. then told her, “You know, while I suppose that was a compliment, I consider myself more of a Mama Bear. I only stand up on my hind legs when I know the people who need me will be unfairly treated or in harm’s way. And . . . that’s *not* happening on my watch!” She went on to note that whether M.C. is out there

fighting for others’ rights—whether she is a pitbull or a mama bear—“we are grateful for your dedication and service to this great profession and to those who need you the most. On *your* watch, we shall rest much easier and look to a brighter future for our profession and our state.”

M.C. has a longstanding commitment to pro bono work and community service, having led or served on one or more nonprofit boards since 1996, and taken on and won one or more pro bono appeals on behalf of women, girls, or in defense of human rights each year for the past twenty years. As for-

mer OCWLA President and attorney Pearl Mann, who nominated M.C. for OCWLA's Attorney of the Year noted when introducing her for the award:

As an outstanding member of the California, United States, and world legal community, she is one of *my* heroes. She is a fantastic advocate for women's rights! In her campaign email for the OCBA's Board of Directors, I noticed her slogan: INTEGRITY-COMPASSION-HARD WORK-RESULTS. What a perfect description of her as a great lawyer and a wonderful human being. She has successfully briefed and argued appeals raising cutting-edge and core business issues, as well as helped secure important rights for women and girls nationally and internationally. . . . As a former appellate law practitioner, I am in awe.

Judge Franz Miller, who also nominated M.C. for the OCWLA award, noted that he met M.C. when they sat at the same table at an OCWLA anniversary dinner the year after his daughter was OCWLA President. He "had no idea who M.C. was or where she came from" but he "had the most enjoyable evening, learning about her, and chatting about law and other things." He indicated that the "most remarkable thing about her was, and is, how engaged and engaging she is. She knows so much about so many things, and she can talk articulately about them all." He describes M.C. as a "force of positive energy" and adds that "she speaks and acts constructively." He added, "I am so very proud to call M.C. Sungaila my friend."

M.C. has received many awards and recognition for her work. In 2017, she received the Ellis Island Medal of Honor bestowed by the National Ethnic Coalition of Organizations for her combined professional achievements and her humanitarian and pro bono work. Indeed, M.C. noted that of all of the awards she has received, the Ellis Island Medal of Honor has meant the most to her. In her words, "the award recognizes the professional and humanitarian contributions of immigrants and children of immigrants to this country; honorees include seven U.S. Presidents and well-known fig-

ures from business, the arts, science, politics—and every once in a while, a lawyer." The ceremony, which takes place on Ellis Island and features all branches of the military, is patriotic and moving, and celebrates the sacrifices the awardees' families made to come to this country and to provide freedom and opportunity for their children and grandchildren. M.C. continues:

My grandparents came to this country through Ellis Island; to have the contributions of their granddaughter celebrated in the very Arrivals Hall where they entered the United States was remarkable, and honored them, and their sacrifices, as well as those of my parents, as much as any individual good work I have done.

For someone who has been honored so many times, she is extremely modest.

When I asked M.C. about her most

ily and the way she was brought up that made her so passionate about her work and helping others. She answered:

My parents, by their example, instilled in me the importance of contributing to the community as soon as you are able; the Catholic faith, which they baptized me in, was also instrumental in reinforcing the responsibility to serve. I joined my first nonprofit board at the age of twenty-six, and worked on my first U.S. Supreme Court case at twenty-nine. Both were early career opportunities some folks might not have agreed to take on; I did, because I felt the urge to contribute.

M.C., who is the "proud custodian of a series of adopted 'furry children' (dogs) – currently, seventeen-year-old Bichon Frise, John, and three-year old mutt, Betsy," also hosts an annual "jewelry party" with her

mother to raise funds for Los Angeles dog rescue Bichons & Buddies to offset the cost of medical treatment and other needs of rescue dogs.

When you think of an appellate lawyer, you might have this vision of someone who is stuffy and serious. But M.C. is just the opposite. In both her professional and personal life, she brings a passion that is unparalleled. She is

not satisfied with mediocrity. She excels and stands out because of her commitment to her family, friends, colleagues, and those sometimes forgotten members of society (of both the two and four-legged varieties). Those who might otherwise be overlooked have a voice because of the compassion that M.C. not only preaches but practices every day. Anyone who knows M.C. will attest to the fact that her wit, compassion, and commitment to making the lives of those around her just a little bit brighter leaves an indelible mark on their lives.

I cannot wait to see what she does next.



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1. Mary-Christine Sungaila and mother at Ellis Island Arrivals Hall 2. Mary-Christine Sungaila and parents at the OCWLA awards.



rewarding case, she responded that it was her very first human rights case, The Cotton Field Cases before the Inter American Court of Human Rights in Costa Rica, in which the court held Mexico responsible for decades of unsolved killings and disappearances of women and girls in Ciudad Juarez. M.C. filed a brief on behalf of Amnesty International and over fifty other human rights organizations and experts—the first time U.S.-based organizations had participated as *amicus curiae* in a case before the Inter American Court of Human Rights—which resulted in the first international human rights court decision to interpret a women's rights treaty. M.C. explains, "The case had all of the ingredients that move me as an advocate: an opportunity to fight for long-delayed justice and the chance to obtain a result that reverberates far beyond the individuals involved and the case itself."

I asked M.C. what it was about her fam-