



## ELAINE K. FRESCH

## PARTNER

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Named to the Daily Journal's 2016 "Top 100 Women Lawyers in California" list and the "Top 50 Women in Southern California" list from Super Lawyers (2014-2021), Elaine Fresch serves on the firm's Executive Committee and is the Managing Partner of both the firm's Construction Law practice and the firm's Las Vegas office.

Her primary focus is construction defect litigation, representing developers and general contractors, as well as all types of subcontractors and construction product manufacturers. One of her primary goals has been to develop ways to aggressively defend her clients in a cost-effective manner, including formatting and operating successful joint defense agreements.

While it is rare to take a complex construction defect case to trial, Elaine has done so and has handled a variety of complex commercial/real estate litigation matters, including trial in the U.S. District Court. Elaine has also arbitrated construction cases successfully over the years including a defense award for her client over contractual obligations claimed by the plaintiff. She is aggressive in her pursuit of settlement on terms that are cost effective and strategically sound for her clients. Additionally, Elaine represents product manufacturers in complex subrogation claims, as well as defends a variety of clients in general liability and construction accident lawsuits.

With an established Equine Law practice, Elaine is one of few in the country who, not only fully understands the complexities of horse-related cases and claims, but who is also a trained and awarded equestrian who actively competes. In this capacity, Elaine regularly advises clients on their contracts and releases and litigates matters ranging from personal injury to contract claims relating to purchases, sales, and loss-of-use.

Elaine is a member of CLM's Construction Advisory Board and is a Co-Chair of CLM's Diversity and Inclusion Committee. She has been invited to speak at numerous seminars sponsored by such organizations as CLM, West Coast Casualty, Perrin, and DRI on a variety of topics related to the construction industry and the defense of construction defect cases. She is also a Fellow of the Construction Lawyers Society of America and a Senior Fellow of the Litigation Counsel of America. For her contributions to the construction industry, Elaine has been honored with the Syhre Award.

### BAR ADMISSIONS

California, 1985

Nevada, 2005

U.S. District Court Central District of California

U.S. District Court District of Nevada

U.S. Court of Appeals Ninth Circuit

### EDUCATION

University of San Diego School of Law, J.D.

University of California, Los Angeles, A.B.

*cum laude*

Pi Gamma Mu

### AWARDS & AFFILIATIONS

CLM, Member

Diversity and Inclusion Committee, Co-Chair

Construction Advisory Board

Adjustor Training Courses

Committee, Chair

DRI, Member

Litigation Counsel of America (LCA), Senior Fellow

Construction Lawyers Society of America (CLSA), Fellow

Association of Southern California Defense Counsel

ABA Equine Law Sub-Committee, Chair

ABA Equine Subcommittee, Tort Trial & Insurance Practice Section

USHJA-Owner's Task Force, Chair

*Super Lawyers*, 2006-2007, 2009-2021