

# Snell & Wilmer

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## **Anthony J. Carucci**

Partner | Orange County

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### **Main Bio**

Tony Carucci has a multi-faceted general and complex commercial litigation practice concentrated in the areas of general business matters, class actions, and business litigation. Tony has significant experience representing clients in matters involving real estate, breach-of-contract, consumer class actions, trade secrets, business competition torts, corporate governance issues, construction, franchise, and partnership disputes. He also has experience with fraud and fraudulent transfer litigation, judgment collection against domestic individuals and companies, and advising U.S. and foreign-based gaming companies in complying with U.S. gaming laws and regulations. Tony represents clients in a range of industries, including real estate developers and investors, apparel manufacturers, large financial institutions, herbal and nutraceutical manufacturers and retailers, landlords, tenants, general contractors, and subcontractors, among others.

Tony has extensive experience in all aspects of client management and litigation. He brings this knowledge, an old-school work ethic and attention to detail to every stage of litigation, where he cuts through complex legal issues and develops creative and effective solutions for his clients. These clients range from Fortune 100 companies and national banks to small business entrepreneurs and investors.

Tony also serves as a business advisor and counselor to his clients, developing efficient, effective, and practical solutions to the complex and intricate problems they encounter in today's ever-changing business and legal landscape. In doing so, he strives to develop strategies with the goal of avoiding or minimizing the chances of litigation.

Tony is a member of the firm's class action litigation, commercial litigation, real estate litigation, financial services litigation, gaming, and Native American affairs practice groups.

### **Representative Experience**

- Defended companies in the food & beverage, restaurant/catering, skincare, and nutraceuticals industries in Americans with Disabilities Act (ADA) and Unruh Civil Rights Act litigation based upon allegedly inaccessible Websites
- Defended minority member and manager of limited liability company against breach-of-contract, breach of fiduciary duty, and fraud claims
- Prosecuted matter on behalf of investors related to claims involving complex and sophisticated fraudulent investment scheme
- Prosecuted claims on behalf of seller of real property related to complex revenue-sharing and fraud issues

- Defended apparel manufacturer in multi- and single-state class actions alleging violation of consumer protection statutes
- Represented manufacturer of water well casing and screen in unsecured creditor actions
- Represented manufacturer of window washing maintenance systems against breach-of-contract, negligence, indemnity, breach-of-warranty and negligent misrepresentation claims
- Represented environmental services provider responding to third party document and deposition subpoenas in connection with complex environmental litigation
- Represented homeowners in complex disputes with homeowners' associations related to governing documents and rules

## Education

- Notre Dame Law School (J.D., *cum laude*)
  - Recipient of the Dean Konop Legal Aid Award
  - Executive Note Editor, Journal of Legislation
  - Dean's Awards
    - Legal Research and Writing II - Moot Court
    - Intensive Trial Advocacy
  - Excellence in Oral Advocacy Award
- Tufts University (B.A., International Relations and Philosophy, *magna cum laude*)
  - Men's Tennis, Varsity

## Professional Memberships & Activities

- Notre Dame Club of Orange County (2018-Present)
  - Orange County Notre Dame Lawyers Group (2015-Present)
- ProVisors, Orange County (2020-Present)
- American Bar Association (2014-Present)
- Orange County Bar Association (2014-Present)

## Representative Presentations & Publications

- "[Tort Claims Against an Alter Ego May Be Considered an Action "On a Contract" for the Purposes of an Attorneys' Fees Award Under California Civil Code Section 1717](#)," Author, Snell & Wilmer Real Estate Litigation Blog (March 26, 2021)
- "[CCP 998 Does Not Confer an Independent Right to Attorneys' Fees](#)," Author, Snell & Wilmer Real Estate Litigation Blog (June 7, 2019)
- "[What If Your CCP 998 Offer is Silent on Costs?](#)" Author, Snell & Wilmer Real Estate Litigation Blog (January 17, 2019)
- "[California Supreme Court Clarifies Deadline to File Anti-SLAPP Motions in Light of Amended Pleadings](#)," Author, Snell & Wilmer Real Estate Litigation Blog (June 14, 2018)
- "[Withdrawal of an Admission in California May Shift Costs—Including Attorneys' Fees—Incurred in Connection with the Withdrawal](#)," Author, Snell & Wilmer Real Estate Litigation Blog (January 11, 2018)

- "[California Mediation Confidentiality May Apply to Third Party "Participants" Retained to Provide Analysis](#)," Author, Snell & Wilmer Real Estate Litigation Blog (October 27, 2017)
- "[Does Your 998 Offer to Compromise Include Attorneys' Fees and Costs?](#)" Author, Snell & Wilmer Real Estate Litigation Blog (June 8, 2017)
- "[Tribal Gaming in the Wake of the Injunction Against Santa Ysabel's Desert Rose Bingo](#)," Co-Author, Online Gambling Lawyer (January 2017)
- "[Federal Court Issues Permanent Injunction and Permanently Shuts Down Santa Ysabel's Desert Rose Bingo](#)," Author, Snell & Wilmer Real Estate Litigation Blog (January 19, 2017)
- "[Avoiding Lender Liability for Credit-Related Actions in California](#)," Author, Snell & Wilmer Real Estate Litigation Blog (October 21, 2016)
- "[California's One-Action Rule May Apply to Federal Lenders](#)," Author, Snell & Wilmer Real Estate Litigation Blog (June 3, 2016)
- "[iGaming Under the Indian Gaming Regulatory Act](#)," Co-Author, Indian Gaming Lawyer (Spring 2016)
- "iGaming in Indian Country Under the Indian Gaming Regulatory Act," Speaker, 2nd Annual Tribal Government E-Commerce CLE Conference - Wiring the Rez: Expanding the Borders of Indian Country through E-Commerce, Chandler, AZ (February 12, 2016)
- "[Lenders Should Contract for the Right to Recover Lost Goodwill Proceeds when Commercial Property is Taken in Eminent Domain](#)," Author, Snell & Wilmer Real Estate Litigation Blog (January 14, 2016)
- "[Lessons from the Santa Ysabel Tribe's Bet on Internet Bingo](#)," Co-Author, iGaming Business North America (Dec 2015-Jan 2016)
- "[Tribal Interests Face Stacked Deck in Latest Skirmish Over Limits of Tribal Jurisdiction in the Supreme Court](#)," Co-Author, American Gaming Lawyer (Autumn 2015)
- "[Supreme Court to Review Tribal Jurisdiction Case that Could Impact Doing Business in Indian Country](#)," Co-Author, Snell & Wilmer Legal Alert (July 30, 2015)
- "[Federal Courts to Apply More Protective State Law when Analyzing Validity of Pre-dispute Jury Trial Waivers in Diversity Jurisdiction Cases](#)," Author, Snell & Wilmer Real Estate Litigation Blog (April 22, 2015)
- "[New California Online Poker Bills Seek Political Compromise and Consensus: But Could Prove Costly for the Santa Ysabel Tribe's Bet on Internet Bingo](#)," Co-Author, American Gaming Lawyer (Spring 2015)
- "[New California Internet Poker Bills Seek Political Compromise and Consensus, But May Further Divide Stakeholders in the Absence of Meaningful Concessions](#)," Co-Author, Snell & Wilmer Global Connection (March 24, 2015)
- "[The Santa Ysabel Tribe's Bet on Internet Bingo May Determine the Future of Class II Internet Gaming](#)," Co-Author, Gaming Law Review and Economics, Volume 19, Number 2 (March 2015)
- "[Californian Court Puts Tribal Online Bingo Website on Ice](#)," Co-Author, World Online Gambling Law Report (January 2015)
- "[California Court Grants TRO Against Iipay Nation in Online Bingo Case](#)," Co-Author, Snell & Wilmer Legal Alert (December 15, 2014)
- "A Functional Approach to Adequacy of Representation," Author, Student Note, 40 J. Legis. 168 (2013-2014)

## Professional Recognition & Awards

- Best Lawyers in America®, Ones to Watch, Commercial Litigation (2021-2024)
- Wiley W. Manuel Certificate for Pro Bono Legal Service, State Bar of California (2015)

## **Community Involvement**

- Constitutional Rights Foundation – Orange County
  - [Board of Directors, Member](#) (2021-Present)
  - Associate Board of Directors, Board Chair (2018-2020)
  - Mock Trial Committee, Member (2017-Present)
- Tufts University Admissions Network, Interviewer (2016-Present)
- Emerging Leaders United Board Member, Orange County United Way (2016-2020)

## **Previous Professional Experience**

- Notre Dame Economic Justice Project, Legal Intern
- Snell & Wilmer, Summer Associate
- Notre Dame Law School, Research Assistant to Professor Jay Tidmarsh

## **Bar Admissions**

- California

## **Court Admissions**

- Supreme Court of California
- United States Court of Appeals, Ninth Circuit
- United States District Court, All Districts of California