



Kim Karelis

Partner

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Kim serves as an expert witness in connection with legal fee audits, arbitrations, and litigation. He has analyzed legal invoices and corresponding attorney work product in many types of matters, including complex commercial litigation, cases involving employment retaliation claims, wage and hour litigation, construction defect actions, family law cases, eminent domain actions, and other types of civil litigation.

He has experience representing both lawyers and consumers of legal services, including the analysis of legal fees in connection with contribution actions between insurance carriers, as well as subrogation actions brought by additional insured carriers and developers against subcontractors. He also presents CLE seminars regarding the reasonableness of legal fees incurred in the defense of developers in large construction defect actions, as well as the allocation of such fees that fall within various subcontractors' indemnity obligations. Kim has qualified as an expert witness regarding the

PRACTICE AREAS

[Insurance Services](#)

COURT ADMISSIONS

California

US Court of Appeals for the Ninth Circuit

USDC: Central District of California

USDC: Northern District of California

USDC: Southern District of California

EDUCATION

JD, Southwestern Law School, *cum laude*, 1994

BA, Winona State University, 1976

reasonableness and allocation of attorneys' fees and costs in the federal and state courts, as well as in fee dispute arbitrations.

Additionally, Kim represents insurance companies in coverage litigation arising from commercial and personal lines policies, defending and prosecuting lawsuits regarding coverage disputes between insurance companies and between policyholders and insurance companies in state and federal courts. He also provides coverage opinions analyzing complex claims under the laws of California and many other states.

Kim has also established a growing practice in special education law, representing students with disabilities in disputes with local school districts regarding classroom placement and related services that such students are entitled to receive under both federal and state law.

Representative Matters

- Retained by a large insurer defending a sheet metal manufacturer to provide expert opinions regarding the reasonableness of attorneys' fees and costs billed by multiple law firms. At issue is a cross-complaint filed by the plaintiff alleging its subcontractors entered into a written subcontract agreement which includes express indemnity provisions. The plaintiff seeks reimbursement for such fees and costs pursuant to an assignment of rights.
- Retained by a large insurance company to provide expert opinions regarding the reasonableness of attorneys' fees which the insured sought to recover from the insurance carrier, based on the allegation that the insurer had wrongfully withheld benefits due.
- Retained by a real estate developer to provide expert opinions regarding the reasonableness of attorneys' fees that were billed to the developer in connection with a large real estate development, and provided expert testimony in the subsequent Bar Association Mandatory Fee Arbitration.
- Retained by the defendant in a breach of contract action to provide expert opinions regarding the reasonableness of attorneys' fees sought by the prevailing plaintiff pursuant to the contract, and provided an expert declaration in support of the opposition to the fee motion.
- Retained by the plaintiff to provide expert opinions regarding the reasonableness of attorneys' fees being sought by the defendant as the prevailing party on an Anti-SLAPP motion, and provided expert declaration in support of the opposition to the fee motion.

- Defended an insurance carrier whose insured lost most of his furniture and belongings after a fire broke out in an apartment he rented. The lease provided that the landlord would purchase fire insurance for the building only. The landlord's carrier paid for the damage and then pursued a subrogation claim against the insured renter.
- Defended an insurance carrier in an alleged bad faith claim arising from its decision to not defend its insured in an underlying action. However, the policy clearly provided that there was no coverage for the claims asserted by the claimant against the insured.
- Pursued an administrative law request for due process after a school district refused to provide a special needs student with a one-on-one behavioral aide. The mother of the student worried that his uncontrolled behavior, in which he threw things across the classroom, might result in serious injury to another student or teacher. Based on our filing, the school district agreed to provide this much-needed assistance at no charge to the parents.
- To save money, a school district unilaterally decided that a student should be withdrawn from a private special needs preschool and enrolled in public school against the wishes of his parents. We convinced the school district to let the student remain at the private special needs preschool for the current school year at no cost to the parents.
- A school district repeatedly attempted to transfer a student with muscular dystrophy from a Specific Learning Disabilities (SLD) classroom to an Autism Core classroom. However, his illness makes his bones brittle and highly susceptible to injury. This concerned his parents because some of the students in the Autism Core classroom often behaved aggressively, posing a clear and present danger to the MD student in his fragile physical condition. We persuaded the school district to allow the student to stay in an SLD classroom.

Articles

Disabled Students' Rights Bolstered

The Daily Journal

March 28, 2017

Kim Karelis discussed disabled student rights

One-Way Fee Shifting Proves Risky

The Daily Journal

March 21, 2013

Kim Karelis and Gerald G. Knapton give insight on fee shifting

Welcome to the Cafeteria of Jankey v. Lee

The Daily Journal

December 27, 2012

Kim Karelis and Gerald G. Knapton discussed prevailing party fee awards

State High Court to Review Fee Award in Disability Access Suit

The Daily Journal

October 17, 2012

Kim Karelis and Gerald G. Knapton examine fee awards and ADA preemption

Legislative History Says No Fee-Shifting in Meal and Rest Break Litigation

The Daily Journal

May 16, 2012

Kim Karelis and Gerald G. Knapton discuss attorneys' fees in employment cases

State Justices to Rule on Labor Code Fee-Shifting Provisions

The Daily Journal

February 17, 2012

Kim Karelis and Gerald G. Knapton review fee shifting in employment cases

Fee Recoveries in Self-Representation

The Recorder

November 07, 2011

Kim Karelis and Gerald G. Knapton relay considerations when seeking attorneys' fees

US Supreme Court Clarifies Recoverable Attorney Fees for Public Entities in Successful Litigation

Public CEO

July 22, 2011

Kim Karelis and Gerald G. Knapton discuss attorney fee recovery

What Fees Can Public Entities Recover From Successful Litigation?

Public CEO

April 21, 2011

Kim Karelis gave an overview of civil recovery issues

News

Hassle-Free Battle Planning - How to Avoid a Legal Fee Dispute

Smart Business

March 01, 2013

Kim Karelis discusses legal fee dispute avoidance with *Smart Business*