



Litigation

White Brenner LLP attorneys have litigated hundreds of complex cases in state and federal court, including trial courts, appellate courts and the California Supreme Court. Our attorneys are highly regarded for trying complex cases, often under severe time constraints, and winning cases through creative dispositive motions, well-crafted trial strategies, and focused and effective appeals. We understand that our clients count on us to choose the right winning strategy. Sometimes that strategy includes alternative dispute resolution. In others, the solution may involve other branches of government. For example, one of our lawyers drafted retroactive legislation that effectuated a favorable settlement in a class-action lawsuit involving the inadvertent release of medical records.

White Brenner LLP's philosophy is focused on pursuing good faith negotiations before either party decides to go to court. We pride ourselves on advising clients in how to avoid litigation, or how to resolve disputes without resorting to litigation. Where there is an opportunity to negotiate, mediate, or arbitrate a resolution that favors our client without sacrificing

important rights and opportunities to the client, we are well prepared to do so. Our litigators combine experience working as government regulators with courtroom experience, industry knowledge, and sound business judgment to know when to settle and when to move the case forward. Our litigation teams strive to keep the client involved in every stage of the process.

Our litigation attorneys have worked on a variety of matters, including cases involving water resources and quality, CEQA compliance, fee and rate challenges (including Proposition 218), hazardous materials and toxic clean-up, eminent domain, real estate, labor and employment disputes, public contracting and bidding, equal protection claims, open meetings and sunshine laws, and more.

Examples of our litigation successes are as follows:

- Successfully represented the City of Dixon in a pre-election challenge to two initiatives filed by a local taxpayer association on the basis the initiatives were unconstitutional and beyond the power of the electorate. By prevailing against the local tax payer group, the City of Dixon was able to move forward



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with increasing its sewer rates to comply with a state regulatory mandate in order to protect the City's groundwater from contamination and implement a wastewater solution for the next generation.

- Amador Water Agency recently engaged the Firm to defend a similar taxpayer challenge to the Agency's water rate increase. In 2015, the Agency raised its rates in order to deal with a crippling budget deficit as a result of the drought and reduced water consumption. The Firm successfully defended the Agency in superior court. As a result, the water rate remains intact, helping to ensure that the Agency will remain financially solvent (pending an appeal by the taxpayer group).
- Successfully represented the City of Patterson in a decade-long lawsuit against members of the Patterson Hotel Associates, LLC ("PHC"). This three-week trial stemmed from the city's claim for unpaid taxes in the amount of \$237,000 and PHC's various cross claims for approximately \$4,000,000. The court found in favor of the city for all taxes owed, plus interest, and nothing owed by the city to PHC. Since the city was the prevailing party, the city was also awarded attorneys' fees and costs.
- In *Mount Shasta Bioregional Ecology Center v. County of Siskiyou* (2012) 210 Cal. App. 4th 184, the County's CEQA findings were successfully defended and costs on appeal were awarded against the opposing party.
- In another CEQA litigation matter, the court awarded a \$4,000,000 judgment to the City of Riverbank. This case was featured in the *California Journal's* Top Plaintiff Settlement and Verdicts.



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White Brenner LLP is a law firm with deep roots in California. Based in the state's capital, we have a particular focus on sound public policy. Our lawyers and lobbyists work in the areas of government relations, regulatory matters, public law, political issues, ethics and conflicts of interest, real estate and land use, environmental and natural resources, water, litigation and more.

whitebrennerllp.com

1414 K Street, 3rd Floor
Sacramento 95814
T 916.468.0950 | F 916.468.0951

White Brenner LLP