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RW&G Establishes Important New Precedent for Suits over Construction Permit Fees

Every city regulates construction quality by issuing building, plumbing, electrical and mechanical permits. In addition, every city funds its construction regulation program by charging fees for those permits. **B. Tilden Kim** and **Juliet E. Cox** recently defeated a suit by a mass residential developer, Barratt American, alleging that the City of Rancho Cucamonga's construction permit fees were too high. *Barratt American, Inc. v. City of Rancho Cucamonga*, 109 Cal.App.4th 709 (2003).

Several years ago, Rancho Cucamonga adopted a schedule of construction permit fees. When the city re-adopted the same fees as part of a regular overhaul of its "Master Fee Schedule," Barratt filed its suit. Barratt asked the court to order Rancho Cucamonga to lower its fees for the future, and to order more than \$140,000 in refunds for allegedly excessive permit fees Barratt claimed to have paid during the previous two years.

In a published opinion, the California Court of Appeal made several important rulings that will benefit any city facing a challenge to its construction permit fees. First, the court of appeal ruled that any lawsuit over a city's permit fee schedule has to be filed within 120 days of the *first time* the city adopts that fee schedule. The court confirmed that Rancho Cucamonga had not re-exposed its construction

RW&G Reception at the 2003 League Conference in Sacramento

Please be our guest at RW&G's Dessert Reception on Tuesday, September 9, 2003, from 8:00 to 10:00 p.m., at the annual League of California Cities Conference. The reception will be held at "Vines" Restaurant in the Hyatt Regency Hotel, 1209 "L" Street, Sacramento.

permit fees to a lawsuit simply by including them without revision on a Master Fee Schedule that changed other fees.

Second, the court of appeal ruled that no law permitted Barratt to pay for and accept construction permits and then to sue later for fee refunds. Having failed to challenge Rancho Cucamonga’s permit fees within 120 days of their adoption, Barratt was required simply to take those fees into account when deciding whether or not to proceed with its project. The court agreed with Rancho Cucamonga that builders may not take out construction permits and then surprise cities—months or even years after completing their projects—with suits alleging in hindsight that the permits were overpriced.

Third, the court of appeal ruled that cities have discretion to decide how often to revise their permit fee structures. Government Code Section 66016 requires every city to confirm periodically that its permit fees do not generate more revenue than the city needs to pay for construction regulation activities. Because the court held that cities are free to tailor their building department fees and budgets to multi-year construction cycles, it rejected Barratt’s argument that the statute requires cities to perform detailed fee studies and to adjust permit fees every year.

Since the mid-1990s, Barratt has sued many cities over allegedly excessive construction permit fees. The court of appeal’s decision in this lawsuit establishes, however, that developers and builders cannot belatedly substitute their judgment for that of city officials on how much should be charged for construction permits. The opinion will help other cities defeat these suits and preserve their building department budgets for construction supervision and public service.

LITIGATION

**An Overview of Tort Claims:
Part One**

BY ROBERT C. CECCON

This article is the first of a two-part overview of tort claims. Part One answers basic questions concerning those claims. Part Two will appear in the next issue of the *RW&G Advisor* and will discuss a public entity’s response to a claim.

Under Government Code Section 910, a claim must include: (1) the name and address of the claimant; (2) the address to which notices are to be sent; (3) the date, place and other circumstances of the occurrence or transaction that gave rise to the claim asserted; (4) a general description of the indebtedness, obligation, injury, damage or loss incurred; (5) the name or names of the public employee or employees causing the injury, damage, or loss; and (6) the amount claimed if it totals less than \$10,000. Under Section 915, the claim should be presented to the clerk, secretary or auditor of the relevant public entity.

If the claim does not contain information responding to the six categories listed above, the public entity should consider rejecting the claim as insufficient. As a practical matter, however, courts are unlikely to find that a claim is insufficient if it provides enough information for the public entity to investigate and consider the claim. *Crow v. State*, 222 Cal.App.3d 192, 201 (1990).

WHAT DOCUMENTS CONSTITUTE A CLAIM?

Most public entities provide claim forms to be used by claimants. Under prior law, claimants were not required to use them. Until July 1, 2003, any document could satisfy the Tort

Claims Act “if it discloses the existence of a ‘claim’ which, if not satisfactorily resolved, will result in a lawsuit against the entity.” *Phillips v. Desert Hospital Dist.*, 49 Cal.3d 699, 709 (1989). As of July 1, 2003, however, Government Code Section 910.4 requires a claimant to use the form provided by a public entity in order to present a claim to that entity.

DOES THE TORT CLAIMS ACT APPLY TO BREACH OF CONTRACT ACTIONS?

Yes. “By its own terms, the filing requirements of the statute extend only to actions for ‘money or damages.’ (Government Code, §§ 905, 905.2.) Although this term is not defined in the act, it is comprehensive in scope and includes tort claims arising out of negligence, nuisance, breach of statutory duties, and intentional wrongs. Actions for breach of contract *also* fall within the scope of claims for ‘money or damages.’” *Loehr v. Ventura County Community College Dist.*, 147 Cal.App.3d 1071, 1079 (1983) (citations omitted).

WHAT TIME LIMITS GOVERN CLAIMS?

Claims for death, personal injuries, and property damage must be presented within six months of the date the cause of action accrues. All other claims are governed by a one-year claims presentation period. This includes claims for injury to real property, and non-tort claims, such as breach of contract claims. If the public entity enters into a contract, Government Code Sections 903 and 930.2 allow the parties to specify a different claims procedure in that contract. However, if the agreement provides that the period in which to present claims is less than one year, then Section 930.4 allows the claimant to seek relief under the late claims procedure.

WHEN DOES A CAUSE OF ACTION ACCRUE?

Generally, a cause of action accrues when damage occurs. In the majority of cases, the

date of accrual is easy to determine. There are, however, three types of claims in which the date of accrual is counter-intuitive.

Indemnity claims. Government Code Section 901 provides that a claim for equitable or partial indemnity against a public entity accrues when the complaint is served on a defendant.

Claims for death, personal injuries, and property damage must be presented within six months of the date the cause of action accrues.

Subrogation claims. Many insurers pay losses and then file a claim against public entities to recover damages to the extent of their payment. Counsel for the insurers often assume that their claim accrues when they pay out money to the insured. In fact, the insurer’s claim accrues when the insured suffered injury. *Commercial Union Assurance Co. v. City of San Jose*, 127 Cal.App.3d 730 (1982). However, if the insured files a timely claim, the insurer may rely upon that claim to satisfy the Tort Claims Act. *Smith v. Parks Manor*, 197 Cal.App.3d 872 (1987).

Claims for false arrest. The claim accrues when the claimant is released from custody, not when the claimant is cleared of the alleged false charges. *Collins v. County of Los Angeles*, 241 Cal.App.2d 451 (1966). Thus, a false arrest claimant often must file a claim while criminal prosecution is pending.

WHO IS REQUIRED TO FILE A CLAIM?

Every person asserting a claim for money or damages is required to independently file a claim on that person’s own behalf. A claimant may not rely upon the claim of another claimant. For example, a minor’s claim against a medical center for malpractice did not support a claim by the minor’s parents for negligent infliction of emotional distress. *Nguyen v. Los Angeles County*, 8 Cal.App.4th 729 (1992).

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ELECTIONS

Court of Appeal Limits Review of Initiative Petitions by Election Officials

BY WILLIAM P. CURLEY

“An election official’s role in certifying an initiative petition is confined to the ministerial task of examining the four corners of the petition for compliance with submission requirements.” The First Appellate District of the California Court of Appeal reached this conclusion last April in the case of *Alliance For a Better Downtown Millbrae v. Wade*, 108 Cal.App.4th 123 (2003). This holding unequivocally prohibits an election official, typically the city clerk, from exercising any investigative functions or from considering any extrinsic evidence when reviewing an initiative petition. The election official must review the petition on its face and, if it conforms to all statutory requirements, the official has a ministerial duty to accept and certify it.

The court of appeal reached this holding both by strictly interpreting the Elections Code and by liberally construing the people’s right to exercise the initiative and referendum power. These guiding principles were applied in response to a situation where the Millbrae City Clerk had rejected and refused to certify an initiative petition because she had determined that it failed to conform to Elections Code Sections 9203(b), 9201 and 9207. These determinations were based on the city clerk’s conclusions that the petition format was incorrect and that the circulation process was defective because the initiative’s full text and notice of the intention to circulate had not been attached to the circulated signature pages.

The court of appeal first found that the physical form of the petition substantially complied with the statutory requirements set forth in Elections Code Section 9203(b). This subsection requires that every individual petition signature page include the title and summary of the measure being proposed. The city clerk argued that the word “page” should be interpreted to require that all the required disclosure information be set forth on each side of each sheet of paper. Both the trial court and the court of appeal disagreed, citing both practical and technical difficulties with her analysis. After a discussion of the two purposes underlying the statute’s requirements, the court of appeal concluded that the intent is appropriately served by having the initiative’s title and summary placed once on each individual sheet of paper rather than on each side of each individual sheet of paper.

The court of appeal then reviewed the city clerk’s rejection of the initiative petition for alleged noncompliance with Elections Code Sections 9201 and 9207. These statutes regulate, respectively, the form of the initiative petition when submitted to the city and the form of the petition while being circulated for signature by voters.

In reviewing the petitions submitted for examination, the city clerk examined their face for statutory compliance, then went beyond that ministerial function by extrapolating factual deductions from external evidence, which caused her to conclude that the proponents of the initiative had violated applicable law. The court of appeal identified the evidence the city clerk relied on to reach her conclusion as including third-party reports of improper conduct, her own observations about the amount of wear and tear on the petitions, her

awareness of “unassembled” petitions prior to their submittal, and her personal belief that the proponents had violated Elections Code requirements in previous unrelated matters.

The court of appeal concluded that the Legislature did not intend that this investigative conduct be applied to the review of petitions and noted that, if it was so intended, the

The city clerk argued that the word “page” should be interpreted to require that all the required disclosure information be set forth on each side of each sheet of paper.

Legislature would have unambiguously specified that the election official has an active fact-finding role. The city clerk’s argument that the statutes do not expressly preclude such investigation was conclusively rejected.

The court of appeal concluded with the observation that the election official’s review function is limited to a facial review of petitions for conformance to the requirements of statute and that litigation is the proper forum for addressing all other issues challenging the legal adequacy of petitions. This holding leaves no room for doubt about the scope of the review that an election official may exercise in reviewing a referendum or initiative petition. Any review action that goes beyond a ministerial review for facial

compliance with statutory requirements will be judicially rejected and declared invalid.

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LAW ENFORCEMENT

Supreme Court Limits Consequences of *Miranda* Noncompliance

BY D. CRAIG FOX

Ever since the Supreme Court decided *Miranda v. Arizona*, 384 U.S. 436 (1966), police have been required to advise every criminal suspect prior to questioning of the right to remain silent, to not self-incriminate, and to have legal counsel. Absent an effective waiver, the questioning should cease. In *Chavez v. Martinez*, 123 S. Ct. 1994 (2003), the Supreme Court was asked to decide the consequences of a police supervisor's coercive questioning of a severely wounded criminal suspect in a hospital bed, without a *Miranda* warning, and while emergency medical treatment was being rendered. The court ruled that the questioning did not violate the suspect's Fifth Amendment right against self-incrimination and thereby defeat the supervisor's claim of qualified immunity to civil liability. Additionally, the court determined that the suspect could pursue his claim that the questioning violated his right to due process.

On November 28, 1997, Oxnard Police Officers Pena and Salinas were conducting a narcotics investigation when they heard a bicycle approaching on a dark path nearby. The officers ordered the rider, Oliverio Martinez, to dismount and place his hands behind his head. Martinez complied. Officer Salinas conducted a pat-down frisk and discovered a knife in Martinez' waistband. Although the specific facts are disputed by Martinez, what followed was a tragic series of events. According to the officers, when the knife was found, Martinez began to run. A scuffle between all three ensued. All parties

agree that, at one point, Officer Salinas yelled “he’s got my gun!” Officer Pena then drew her gun and shot Martinez in the head and torso, leaving him blinded and paralyzed.

Patrol Supervisor Ben Chavez soon arrived and accompanied Martinez to the hospital where he questioned Martinez over a forty-five minute period, interrupted only to permit emergency medical treatment. During the interview, Martinez repeatedly stated “I am dying” and “I am choking.” Martinez later admitted that he took the gun from Salinas’ holster and pointed it at the officers, and that he used heroin regularly. At no point during the interview was Martinez given the *Miranda* admonition. Martinez was never charged with a crime, and his answers were never used against him in any criminal prosecution.

Thereafter, Martinez filed a civil action under 42 U.S.C. Section 1983, contending that Chavez’ actions violated his Fifth Amendment right against self-incrimination, and his Fourteenth Amendment substantive due process right to be free from coercive questioning. The district court granted summary judgment to Martinez on Chavez’ qualified immunity defense on both claims, and the Ninth Circuit Court of Appeals affirmed. Citing various prior decisions, the Ninth Circuit held that the purpose of the Fifth Amendment is to prevent coercive interrogation practices and that Chavez’ coercive questioning of Martinez violated his Fifth Amendment rights even though those statements were not used against him in any criminal proceeding. The Ninth Circuit also held that a police officer violates the Fourteenth Amendment by obtaining a confession through coercive conduct, whether or not the confession is subsequently used at trial.

The Supreme Court overturned the judgment involving Officer Chavez, but a majority

could not agree on a single rationale. Justice Thomas’ plurality opinion first noted that an officer is entitled to qualified immunity against a Section 1983 claim if the officer’s conduct does not violate an established constitutional right. Furthermore, the Fifth Amendment does not prohibit coercive questioning when the answers will not be used in a criminal case. Because Martinez was never prosecuted for a crime, or compelled to be a witness against himself in a criminal case, no violation of the Fifth Amendment occurred. In fact, Justice Thomas noted that coercive questioning commonly occurs and is judicially sanctioned. For example, a witness may be compelled to testify at trial or before a grand jury, under threat of contempt, so long as the witness is not the target of the criminal case in which he or she testifies. A public employee may lose his or her employment upon a refusal to answer potentially incriminating questions concerning official duties, provided the employee is advised that the answers may not be used against the employee in a criminal proceeding.

The plurality then distinguished between specific constitutional rights and “judicially crafted prophylactic rules” designed to safeguard those rights. Here, the *Miranda* exclusionary rule, requiring the exclusion in criminal proceedings of statements obtained without first providing the *Miranda* admonition, is such a prophylactic rule. Because *Miranda*’s warning requirement is not expressly required by the Fifth Amendment, but rather arises as a result of judicial measures established to protect that right, a failure to comply with the rule does not violate a person’s constitutional rights and therefore cannot be grounds for a Section 1983 action.

Although a majority of the Supreme Court agreed that remand was necessary in order to

permit Martinez to pursue his substantive due process claim, a plurality held that the coercive questioning of Martinez was not so offensive as to “shock the conscience” and thereby violate due process. The plurality noted that this conclusion might be different had Chavez acted with intent to harm Martinez or aggravate his injuries. In fact, they argued, such questioning was arguably justified based upon the possibility that Martinez might die taking with him evidence of possible police misconduct.

The *Chavez* case makes clear that a failure by police to provide the *Miranda* warning prior to questioning a criminal suspect will not automatically constitute a civil rights violation and provide a basis for liability. The case also confirms that, whether or not there is a *Miranda* warning, police interrogations that “shock the conscience” may violate the Due Process Clause of the Fourteenth Amendment and result in Section 1983 liability.

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PUBLIC WORKS

Court of Appeal Outlines Requirements for Debarment of Contractors

BY DAROLD PIEPER

The City of San Diego recently prevailed in an important public works case, *Southern California Underground Contractors, Inc. v. City of San Diego*, 108 Cal.App.4th 533 (2003), which involved the permanent debarment of a contractor. The California Court of Appeal not only upheld the debarment, it provided some useful analysis of the procedures by which debarment can be lawfully accomplished.

In *Southern California Underground Contractors*, San Diego permanently debarred the contractor for numerous acts including: falsifying traffic control permits; working in the public right-of-way without traffic control plans or appropriate controls; taking city water without using meters; using inoperable water meters or meters that had been reported missing and could not be billed; misrepresenting work as having been completed and attempting to cover up those misrepresentations; submitting false claims for extra work at inflated labor rates; physically altering equipment model numbers to support false claims for equipment rates; and submitting false workers’ compensation claims to the city’s owner-controlled insurance program.

Under San Diego’s Municipal Code, a contractor could be debarred for up to three years for contract performance issues or permanently debarred for corrupt practices involving the administration or award of a contract with the city. The contractor twice sued San Diego, and the trial court ultimately upheld debarment, but only for a period of three years. The trial court found that the conduct cited was in connection with the performance of the contract, not with its

administration. That determination was reversed by the court of appeal, which found that the practices were in connection with both the performance and administration of the contract.

In upholding San Diego’s debarment determination, the court of appeal dealt extensively with the issue of what due process rights a contractor has in debarment proceedings. In this case, the court found that the following procedural elements were sufficient to give the contractor the full and fair opportunity to defend itself: (1) adequate and timely notice of the reasons for the proposed debarment; (2) an effective opportunity to confront witnesses at depositions; (3) an effective ability to present its position in writing through its counsel; and (4) an opportunity to present arguments and evidence orally before the decision maker.

The contractor argued that it had been denied due process because San Diego did not allow it to confront and cross-examine witnesses or to present live testimony before the city council. Those arguments were rejected in light of the opportunities that the contractor did have to defend itself as enumerated above. As a practical matter, the contractor received 60 days notice of the reasons for the proposed debarment; took 19 depositions of city inspectors and staff; had the right to submit unlimited written materials, including legal briefs, witness declarations, and deposition transcripts to the city council; actually submitted nearly 400 pages of materials before the hearing; was allowed a 40-minute presentation to the city council; received a one-week continuance so the city council could consider the written materials; submitted a supplemental brief and additional deposition transcripts after the hearing; and made an additional 40-minute oral presentation at the continued hearing.

San Diego’s debarment procedures have been extensively modified over the years. Summary procedures were adopted in 1992 and then substantially expanded in 1996. It is those expanded procedures that appear to have been the basis for the current proceedings. Late last year, San Diego again amended its debarment ordinance to provide further procedural clarity and to move debarment hearings from the city council to a debarment hearing board. The board’s decision is final in the case of nonpermanent debarments, but the contractor can appeal the board’s decision to the city council in the case of permanent debarments. That appeal is limited to the record before the board, however, and no new evidence may be presented, although the appellant may submit written argument to the city council and the city may submit written rebuttal arguments.

Debarment is a remedy infrequently used by local government, possibly because there is no state legislative framework for these proceedings. This case suggests that, given a proper local procedural ordinance, debarments can be successfully accomplished under appropriate facts. While San Diego obviously invested substantial time and cost (including staff time and legal services) in preparing its case against the contractor and then defending that case in 19 depositions, twice before the trial court, and once before the court of appeal, it accomplished its goals. It reaffirmed its power to debar contractors, it reaffirmed its debarment procedures, and it avoided ever again having to deal with a contractor that it found to have engaged in corrupt contracting practices.

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LITIGATION VICTORIES

Lisa Bond successfully represented the City of Carson in a significant federal court environmental law case regarding alleged pollution from storm water runoff and involving claims under CERCLA, RCRA, the federal Clean Water Act and various common law theories. The case, *Carson Harbor Village Ltd. v. Unocal Corporation, et al.*, concerned a property owner’s attempt to impose pollution-related costs in excess of \$2.7 million on the city and other defendants, and to force the city to acquire the contaminated property at issue. United States District Judge Margaret Morrow granted summary judgment for Carson and denied the plaintiff’s motion for summary judgment.

Ms. Bond litigated the *Carson Harbor Village* case on behalf of Carson over a seven year period. The action was closely-watched by public entities and property owners due to the plaintiff’s assertion that Carson was liable for the costs of cleaning up property allegedly contaminated by pollution in storm water runoff. Having previously granted summary judgment in Carson’s favor on five other environmental claims, the district court ruled that the city was not liable under CERCLA either.

“The case is an important environmental ruling to cities for at least two reasons,” Ms. Bond explained. “First, it will have far-reaching impact by restricting public entities’ potential liability as ‘arrangers’ or ‘operators’ under CERCLA. Second, if public entities comply with the provisions of NPDES permits, pollution-related claims against them that allege violations of the Clean Water Act or common law nuisance and trespass are barred.”

The victory in the *Carson Harbor Village* case is the latest in a series of major litigation successes obtained by RW&G on behalf of Carson during

the firm’s 35 year representation of the city. A copy of the opinion is available by request to lbond@rwglaw.com.

Rochelle Browne and **David M. Snow** successfully represented the City of Temecula in an important challenge to the County of Riverside’s approval of a large specific plan without properly analyzing or mitigating the project’s traffic impacts. Temecula asserted that the county had failed to properly address traffic impacts and cumulative impacts, and had also failed to impose feasible mitigation measures. The court agreed and ordered the county to prepare a supplemental environmental impact report before again considering whether to approve the project. This significant victory furthers Temecula’s ongoing battle to force developments outside of its boundaries to mitigate their own traffic impacts, rather than relying on its circulation system to meet the regional transportation demands.

Robert C. Ceccon obtained a jury verdict in favor of the City of Brea in *Nieto v. City of Brea*. The plaintiff was injured when he struck a pothole in a city street while riding a bicycle at night. Brea contended that the plaintiff violated the law by failing to have a light on his bicycle and further, that its pothole inspection program was reasonable. The jury deliberated less than one hour and found in favor of the city.

Robert C. Ceccon obtained a judgment in favor of the City of Beverly Hills in *Houchim v. City of Beverly Hills*. The plaintiff collided with a city garbage truck in an intersection and he alleged that he injured his knee, requiring a knee replacement surgery. The plaintiff contended that he had the right-of-way because the truck had a stop sign controlling its entrance to the intersection. Beverly Hills argued that its vehicle was slowly moving across the

intersection, and that the plaintiff should have seen it. The court agreed with the city and rendered a judgment in favor of the city.

Robert C. Ceccon obtained a non-suit in favor of the City of Carson in a wrongful death action titled *Garcia v. City of Carson*. The city brought a motion to exclude all of the plaintiffs' evidence at the start of the trial because the plaintiffs provided evasive discovery responses. The court granted the motion to exclude the evidence, and then granted a motion for nonsuit in the city's favor. Notably, the jury later awarded \$3.6 million to the plaintiffs on a claim against a co-defendant.

PRESENTATIONS AND APPOINTMENTS

Mitchell E. Abbott made a presentation on "Legalities and Realities of Stormwater Program Funding, Post Proposition 218" to the California Stormwater Quality Association in Sacramento on May 9, 2003.

Alexander Abbe published "The Glue for Houses of Cards: The Role of Cities in Mobilehome Park Regulation" in the Spring 2003 issue of *Public Law Journal*. A copy of the article is available by request to aabbe@rwglaw.com.

Quinn M. Barrow has been appointed City Attorney of the City of South El Monte.

Terence Boga published the following articles: "Newsrack Regulation in California" in the Spring 2003 issue of *State and Local Law News*; "PACs Americana: Reinventing Public Access Channel Cable Television Programming" in the Spring 2003 issue of *Communications Lawyer*; and "Zoning Adult Entertainment Businesses" in the Summer 2003 issue of *Planning Commissioners Journal*. Copies are available by request to tboga@rwglaw.com.

Lisa Bond has been appointed to the Executive Committee of the Environmental Law Section of the State Bar of California and has also been appointed to the Programs Subcommittee of the Environmental Law Section of the Los Angeles County Bar.

Janet E. Coleson made a presentation on "The Public Records Act as Relates to Records Commonly Held by Law Enforcement" to the Contra Costa County Sheriff's Office on July 17, 2003.

William P. Curley, III has been appointed City Attorney of the City of Upland and has also been appointed as General Counsel for the Mid-San Gabriel Valley Consortium.

D. Craig Fox published “Miranda: Observations on the Rule Forty Years Later” in the Summer 2003 issue of *Public Law Journal*. A copy of the article is available by request to dfox@rwglaw.com.

T. Peter Pierce published “*Rubin v. City of Burbank*: Separating Church and State at City Council Meetings” in the July 2003 issue of *Western City*. A copy of the article is available by request to ppierce@rwglaw.com.

Peter M. Thorson participated in a panel discussion and presented a paper on the subject of “City Attorney’s Response to Criminal Investigations” at the League of California Cities May 2003 City Attorney’s Department meeting in Napa, California. A copy of the paper is available by request to pthorson@rwglaw.com.

NEW LAWYERS

Matthew A. Finnigan received his J.D. from the University of Southern California Law School in 2003 and is awaiting admission to the California Bar. Matthew joins the firm’s Litigation Department in our Los Angeles office.


Ginetta L. Giovinco received her J.D. from the University of California, Los Angeles School of Law in 2003 and is awaiting admission to the California Bar. Ginetta joins the firm’s Litigation Department in our Los Angeles office.

Candice K. Lee received her J.D. from the University of California, Davis School of Law in 2003 and is awaiting admission to the California Bar. Candice joins the firm’s Public Law Department in our Los Angeles office.


Trisha Ortiz received her J.D. from Loyola Law School in 2003 and is awaiting admission to the California Bar. Trisha joins the firm’s Public Law Department in our Los Angeles office.

Ezra J. Reinstein received his J.D. from Harvard Law School in 1998. Ezra joins the firm’s Entertainment Law Practice Group in our Los Angeles Office.



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