

Case No.

**IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA**

LISA MORENO, JYNAIA BADIE, NANXUN ZHOU CONROY, BRUCE
L. BIALOSKY, and SYLVESTOR BLAND,
Petitioners,

v.

CITIZENS REDISTRICTING COMMISSION,
Respondent.

**DECLARATION OF COUNSEL IN SUPPORT OF EMERGENCY
PETITION FOR WRITS OF PROHIBITION
AND MANDATE OR OTHER EXTRAORDINARY OR
IMMEDIATE RELIEF FOR A STAY ON SECRET MEETINGS OF
THE CITIZENS REDISTRICTING COMMISSION, DISCLOSURE
OF INFORMATION INFLUENCING REDISTRICTING, AND
RETAINING NEW COUNSEL;
MEMORANDUM OF POINTS AND AUTHORITIES;
DECLARATIONS OF PETITIONERS MORENO, BADIE,
ZHOU CONROY, BIALOSKY, AND BLAND**

COMMUNICATING ABOUT REDISTRICTING MATTERS OUTSIDE
OF A PUBLIC HEARING, TACTICAL CONCEALMENT OF
STATISTICAL ANALYSES AS ATTORNEY WORK PRODUCT, AND
SHARING COUNSEL WITH THE LEGISLATURE VIOLATE THE
STATE CONSTITUTION AND REQUIREMENTS FOR AN OPEN AND
TRANSPARENT REDISTRICTING PROCESS WITH FULL PUBLIC
CONSIDERATION AND COMMENT, AND A COMMISSION FREE
FROM THE INFLUENCE OF THE LEGISLATURE

IMMEDIATE RELIEF REQUESTED BY DECEMBER 13, 2021

HARMEET K. DHILLON (SBN: 207873)
MARK P. MEUSER (SBN: 231335)
MICHAEL A. COLUMBO (SBN: 271283)
DHILLON LAW GROUP INC.
177 Post Street, Suite 700
San Francisco, California 94108
Telephone: (415) 433-1700
Attorneys for Petitioners

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DECLARATION OF MICHAEL A. COLUMBO

I, MICHAEL A. COLUMBO, declare as follows:

1. I am an attorney at the law firm Dhillon Law Group Inc., counsel of record for Lisa Moreno, Jynaia Badie, Nanxun Zhou Conroy, Bruce L. Bialosky, and Sylvester Bland (“Petitioners”). I am a member in good standing of the State Bar of California. I have personal knowledge of the facts set forth in this Declaration and could and would testify competently to such facts under oath.

2. On or about September 24, 2021, I submitted a California Public Records Act request to the California Citizens Redistricting Commission (“CRC”) pursuant to Cal. Gov. Code §§ 6250-6276.48 on behalf of the firm’s client, Katy Grimes (the “Request”). A true and correct copy of the Request is attached hereto as Exhibit 1.

3. The Request was based on concerns raised by a letter from Charles T. Munger to the CRC, dated May 7, 2021, and an opinion-editorial authored by two former CRC commissioners, Cynthia Dai and Jodie P. Filkins, dated July 14, 2021. A true and correct copy of Mr. Munger’s letter is attached hereto as Exhibit 2, and a true and correct copy of Ms. Dai and Filkin’s opinion-editorial is attached hereto as Exhibit 3.

4. In response to the Request, the CRC produced numerous documents.

5. Attached hereto as Exhibit 4 is a true and correct copy of the CRC's Commissioner Code of Conduct, adopted November 4, 2020.

6. Attached hereto as Exhibit 5 are true and correct copies of documents the CRC produced between October 22, 2021, and November 22, 2021 in response to the Request.

7. Attached hereto as Exhibit 6 is a true and correct copy of a Standard Agreement between CRC and the law firm of Strumwasser & Woocher, LLP, executed on May 11, 2021, which the CRC produced in response to the Request.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Proposal to the Citizens Redistricting Commission ("Proposal"), dated January 29, 2021, which was submitted to the CRC by Strumwasser & Woocher, LLP in order to obtain the Standard Agreement that is attached hereto as Exhibit 7. The Proposal is available on the CRC's website at the following address: <https://wedrawthelines.ca.gov/wp-content/uploads/sites/64/2021/02/SW-Levitt-Litigation-Counsel-Proposal-CRC.pdf>.

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[continued on following page]

Executed on November 30, 2021 at San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Michael A. Columbo

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EXHIBIT 1



Michael A. Columbo
MColumbo@DhillionLaw.com

September 24, 2021

VIA EMAIL AND CERTIFIED MAIL
Legal Team
California Redistricting Commission
721 Capitol Mall, Suite 260,
Sacramento, CA 95814
votersfirstact@crc.ca.gov

Re: California Public Records Act (“CPRA”) Requests

This letter is being submitted to the California Redistricting Commission (“Commission”) on behalf of Katy Grimes (“Requestor”). I request you direct this letter to the responsible personnel to respond to my client’s CPRA requests.

GENERAL SCOPE

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Requestor respectfully requests to inspect all of the following records in the possession or control of the Commission. This Request is limited to records relevant to information provided to the Commission outside of a public Commission meeting, including information provided to individual members of the Commission and Commission staff. The time period covered by this request is from July 2, 2020 to the Present. These requests are for any and all writings and communications (including but not limited to, letters, electronic communications, e-mails, text messages, notes, memorandums, messages) whether or not those communications are stored in the Commission’s files and/or servers or on personal devices / accounts such as private electronic mail accounts or cellular telephones. *City of San Jose v. Superior Court (Smith)* (2017) 2 Cal. 5th 608.

PUBLIC RECORDS ACT REQUEST NO. I

Records Identifying All Individuals, Groups, or Other Persons Who Provided Written or Verbal Information to the Commission, its Members, or to Commissions Staff.

This request includes, but is not limited to, information provided by: Facebook, Inc., Google, LLC or any affiliated companies within and including Alphabet, Inc., Common Cause, the Black Census and Redistricting Hub, the California Redistricting Collaborative and its members, the California Secretary of State’s Office, the California Association of Clerks and Election Officials, any other state government agency or official, state legislators and members

of their staffs, the California Republican Party, the California Democratic Party, national party committees or groups, county, municipal or other local government agencies or officials, individual citizens, nonprofit organizations, groups, lobbyists representing any person, and any other person (collectively, “Covered Persons”).

This includes records identifying the date, time, format, and recipient of any such information.

PUBLIC RECORDS ACT REQUEST NO. II

All records comprising, summarizing, transmitting or discussing the information provided by Covered Persons.

PUBLIC RECORDS ACT REQUEST NO. III

All records reflecting or including or related to Commission policies, procedures, manuals, guides, training, plans, formal or informal guidance, and directions regarding the handling of information provided by any person to the Commission, its members, or its staff outside of a public meeting.

PUBLIC RECORDS ACT REQUEST NO. IV

All records reflecting, recording the occurrence of, summarizing, or related to meetings between the Commission, individual commissioners, and/or its staff with Covered Persons.

Public Records Act Request No. V

Any records of complaints or communications by any person inside or outside of the Commission regarding the Commission’s compliance or non-compliance with the Bagley-Keene open meeting act and the California Public Records Act, including any such complaints or communications and any response to them by the commission, its members, or staff. This includes any response to or discussion about the concerns raised by Charles T. Munger in his May 21, 2021 letter to the Commission and Cynthia Dai and Jodie Filkins in their July 14, 2021 Op Ed in the Sacramento Bee.

PUBLIC RECORDS ACT REQUEST NO. VI

All records provided by the Commission in response to other Public Records Act requests for the information any of the Covered Persons provided to the Commission or regarding meetings of the Commission, commissioners, or Commission staff with Covered Persons.

PUBLIC RECORDS ACT REQUEST NO. VII

All records of or relating to any meeting of commissioners constituting less than a quorum of the Commission, including schedules, agendas, documents discussed, attendance by

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commissioners, staff, and other persons, recommendations for consideration by other commissioners, minutes or any other document or communication recording or reflecting issues discussed and actions taken, and communications among commissioners or agency staff about any such meetings.

PUBLIC RECORDS ACT REQUEST NO. VIII

All records of any decisions made or votes taken by the Commission or commissioners outside of public or closed meetings, including votes and decisions made by combining separate discussions, meetings, or votes of one or more commissioners which, separately, comprised less than a quorum of commissioners.

PUBLIC RECORDS ACT REQUEST NO. IX

All records reflecting, including, or related to (a) Commission policies, procedures, manuals, guides, training, plans, formal or informal guidance, and directions regarding maintenance of the Commission's independence from the state legislature and/or avoiding potential conflicts of interest arising from the Commission retaining the law firm of Strumwasser and Woocher, LLP, and (b) the Commission's retainer agreement with Strumwasser and Woocher, LLP; (c) internal discussions among commissioners and staff about the retention of Strumwasser and Woocher, LLP; and (d) any records reflecting payments made to Strumwasser and Woocher, LLP, for its work on behalf of the Commission, including invoices or bills submitted for payment by that firm.

**REQUEST FOR INFORMATION IN ELECTRONIC FORMAT PURSUANT TO
GOVERNMENT CODE SECTION 6253.9 (A) (2) & (E).**

My client is seeking these records in any and all electronic formats the Commission keeps them in. Under the Public Records Act, the Commission is required to deliver the information in whatever electronic format it is in no matter whether it is Excel, Word, WordPerfect or some other program or programs. Government Code section 6253.9 (a) (2) & (e). **My client's request extends to receipt of this information in the electronic format your office maintains these records in.** Delivery of this information to me by electronic mail (mcolumbo@dhillonlaw.com) or via a file transfer site is fine. *Please advise what electronic format these records are kept in.*

In addition, if there are documents that satisfy this request that are in **both** electronic and paper formats, my client offers to receive the electronic version of those records and forgo inspection and potential photocopying of those paper copies. It is hoped that this will save the Commission and my client's time, trouble and expense.

If you anticipate that data compilation, extraction, or programming will be required to satisfy a request (per Section 6253.9(b)), please provide a written estimate and justification for same. Given the high profile of this matter with the public, a compilation, extraction or programming should not be required to obtain responsive documents.

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REQUEST FOR INSPECTION OF DOCUMENTS

For any records not delivered electronically, once my client's agent and/or I have had an opportunity to inspect these records, we will designate which documents we will wish to obtain copies from your office and its agents, employees, consultants, etc. If a document exists in both electronic and paper formats, my client selects to receive a copy of the electronic version of the document. This should save both your office time and funds in duplication time and costs and my client duplication costs.

The California Public Records Act requires the Commission to "reveal the general nature of the documents withheld," and to "set forth the names and titles or positions of each person responsible for the denial." Cal. Govt. Code Section 6253 (d). I emphasize my client's request for a specific response and all applicable exemptions to the request. A blanket list of exemptions that may or may not apply to the request coupled with a failure to indicate the existence of documents responsive to the request denies us the ability to evaluate whether the Commission has justifiably withheld responsive documents. Denying my client its opportunity frustrates the Legislature's primary purpose in enacting the California Public Records Act, which is to "maximize public access to agency records."

We agree that after our inspection of documents made available, to pay the direct cost of duplicating any and all responsive writings we request to have copied in accordance with Section 6253(b). However, we will not pay for any charges related to searching, reviewing or redacting documents or portions thereof. Cal. Govt. Code Section 6253(b).

Terms utilized that are defined by the California Public Records Act should be given their full meaning. Thus, for example, a request for any "writing" includes a request for "any handwriting, typewriting, printing, Photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Govt Code section 6252 (g). In keeping with the provisions of the California Public Records Act, "writing" includes any preliminary drafts, notes or interagency or intra-agency memoranda unless such draft items are "not retained...in the ordinary course of business" and "the public interest in withholding clearly outweighs the public interest in disclosure."

Additionally, certain common terms should be given broad interpretation. For example, "relating to" means, in addition to the usual and customary meaning, depict or depicting discuss or discussing, refer to or referring, reflect or reflecting, support or supporting, refute or refuting, address or addressing, evidence or evidencing, or record or recording.

For the purposes of this letter, a reference to an entity or body, such as the Commission, includes any and all representatives of the entity or body.

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**THE COMMISSION'S RESPONSE TO
OUR REQUESTS ARE DUE WITHIN TEN DAYS**

In accordance with Section 6253 (c), please contact me within ten (10) days of your receipt of this request and notify me whether this request seeks copies of disclosable public records in the Commission's possession, and, if not, the reasons for such determination. We will wish to make an appointment with you to review the disclosable records at your office.

Thank you in advance for your courtesy and cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. Columbo', with a long horizontal flourish extending to the right.

Michael A. Columbo

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EXHIBIT 2

DR. CHARLES T. MUNGER, JR.

May 7, 2021

California Citizens Redistricting Commission
c/o Public Comment
721 Capitol Mall, Suite 260
Sacramento, CA 95814

RE: Public Access to Citizens Redistricting Commission Proceedings

Honorable members of the Citizens Redistricting Commission:

My name is Charles T. Munger, Jr. I was a financial supporter of Proposition 11, and was the co-author, proponent, principal financial backer, and campaign chair of Proposition 20, which gave the Citizens Redistricting Commission the authority to establish congressional districts in addition to Assembly, Senate, and Board of Equalization districts.

I write to express my concern that the Commission's "outreach" efforts are being conducted in violation of the transparency provisions of these measures, specifically Government Code section 8253(a)(2) and (3). It is important both that this stop and that it not set a precedent for how the Commission conducts itself as maps are being drawn.

The purpose and intent behind the transparency provisions in both of Propositions 11 and 20 is the same: both measures create an open redistricting process that cannot be influenced in secret. Indeed, the stated purpose and intent of both Propositions 11 and 20 is that "every aspect of [the redistricting] process will be open to scrutiny by the public and the press." (emphasis added).

The transparency requirement is legally codified and required in Section 8253 of the Government Code, which states, in part:

(a) The activities of the Citizens Redistricting Commission are subject to all of the following:

(1) The commission shall comply with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3), or its successor. The commission shall provide not less than 14 days' public notice for each meeting held for the purpose of receiving public input testimony, except that meetings held in August in the year ending in the number one may be held with three days' notice.

(2) The records of the commission pertaining to redistricting and all data considered by the commission are public records that will be posted in a manner that ensures immediate and widespread public access.

(3) Commission members and staff may not communicate with or receive communications about redistricting matters from anyone outside of a public hearing. This paragraph does not prohibit communication between commission members, staff, legal counsel, and consultants retained by the commission that is otherwise permitted by the Bagley-Keene Open Meeting Act or its successor outside of a public hearing...

(7) The commission shall establish and implement an open hearing process for public input and deliberation that shall be subject to public notice and promoted through a thorough outreach program to solicit broad public participation in the redistricting public review process. The hearing process shall include hearings to receive public input before the commission draws any maps and hearings following the drawing and display of any commission maps. In addition, hearings shall be supplemented with other activities as appropriate to further increase opportunities for the public to observe and participate in the review process. The commission shall display the maps for public comment in a manner designed to achieve the widest public access reasonably possible. Public comment shall be taken for at least 14 days from the date of public display of the first preliminary statewide maps of the congressional, State Senatorial, Assembly, and State Board of Equalization districts, which shall be publicly displayed no later than July 1 in each year ending in the number one. The commission shall not display any other map for public comment during the 14-day period. The first preliminary statewide maps and all subsequent statewide maps shall comply, to the extent practicable, with the criteria set forth in subdivision (d) of Section 2 of Article XXI of the California Constitution. Public comment shall be taken for at least seven days from the date of public display of any subsequent preliminary statewide maps and for at least three days from the date of public display of any final statewide maps. (emphasis added).

I write to express my concern that the Commission's "outreach" efforts are being conducted in violation of Section 8253(a)(3).

Commission Outreach

First, it appears that the Commission has taken the position that any "meeting" of less than a majority of Commission members (i.e., a "sub-committee") is not subject to the Bagley-Keene Open Meeting Act, and therefore in such a "meeting" the other provisions of Section 8253 do not apply. That is not correct.

The language of Section 8253 is:

(a) The activities of the Citizens Redistricting Commission are subject to all of the following:
(1)...(2)...(3)...

There are 3 separate requirements, (1), (2), and (3), to which each of the "activities" (a very broad word that encompasses far more than merely "meetings," let alone "public meetings") of the Commission are subject.

Individual members meeting without a majority of Commission members present are still subject to certain provisions of requirement (1). As an example, the Bagley-Keene Act forbids members of a public commission, in a number sufficient to make a voting majority, to discuss the same issue outside a public meeting, even in a series of meetings or conversations no majority is present at one time. That provision, and others, continues to apply to the Commission even if no majority is ever present at any one meeting.

Members of the Commission are also bound by the requirements of (2) and (3) independent of the requirements of (1). For example, (2) says, "The records of the commission pertaining to redistricting

and all data considered by the commission are public records...” which clearly applies to any record, not just one that may be submitted or may appear in a meeting run under Bagley-Keene. And (3) states clearly:

Commission members and staff may not communicate with[,] or receive communications about redistricting matters from[,] anyone outside of a public hearing. [commas added for clarity, though there is no alternative to this interpretation of the clause.]

This on its face is a requirement that applies outside a public hearing. Under all circumstances, it is impermissible for a member of the Commission, or a member of its staff, to communicate about redistricting matters with anyone outside of a public hearing.

There appear to be many instances of one or more Commissioners meeting with interest groups in non-public meetings and without proper public notice, opportunity for public comment, or recordkeeping. Specific examples are too numerous to list here, but the most egregious, and the ones that compelled me to write this letter, are as follows:

- Most recently, the April 24, 2021 memorandum from Commissioners Sadhwani & Toledo describes stakeholder meetings held on both March 23, 2021 and April 21, 2021 to discuss the census timeline. The meetings were between the CRC governmental affairs subcommittee and such participants as “representatives from the Secretary of State’s office, the California Association of Clerks and Election Officials (CACEO), the Statewide Database, Democrat and Republican representatives of the Legislature, and Common Cause. Also joining the April 21st meeting were representatives of the Black Census and Redistricting Hub and Robin Johansen, a partner at the law firm Olson Remcho...” This meeting was clearly prohibited by Section 8253(a)(3) as it was not held as a public meeting. As one of the primary objectives of the Commission was to take the process of redistricting away from the hands of the Legislature, the public has a right to know exactly what the Legislature has told the Commission about the process. That is only achieved by complete transparency.
- At the April 12, 2021 Commission meeting, Commissioner Sadhwani referenced conversations had with Common Cause that were not made public: “The last time we met on the 29th of March, we had a panel of folks talking about the impact of the delayed census and delayed maps...last week I spoke with Karin MacDonald... and Lori Shellenberger from Common Cause. They are hearing that census will release the census legacy data between August 16-20 something. This puts us in a predicament because we have to set a date to deliver the maps because so many different components flow from the finalization of those maps. Given that it looks like it will be sometime in August... this would be put us somewhere Dec 31- Jan 4. My understanding from Ms. Shellenberger is that community groups are not liking that timeline...” Again, this conversation occurred in violation of the statute. While I am sure that Common Cause’s interest is noble (I have served on its Board), and it is nice that Commissioner Sadhwani reported on the content of the conversation, the statute requires such communication to occur at a public hearing. This example begs the question: What else was discussed and not reported by Commissioner Sadhwani and who else has she spoken to and not reported?
- At the March 16, 2021 Commission meeting, Commissioner Yee inquired as to where he should report “contacts made as commissioners,” and was informed a database would be created to track these communications. No such database exists and no such contacts are lawfully made.

- At the March 9, 2021 Commission meeting, Commissioner Sinay states: “There is confusion right now because we talk about outreach — sometimes we’re talking about public education sessions — which are the presentations (hosted by other groups) — and then all of us, within our zones and other places are doing outreach as well. To ask how should we do outreach? When we talk about it — we mix up the two — and I can understand why the community is confused. We should list all of our 1 on 1 conversations in addition to our presentations on the website.” Again, the substance of these conversations is nowhere to be found, but more importantly are not permissible.
- At the February 8, 2021 Commission meeting, also from Commissioner Sinay: “Last week was a fruitful week in doing outreach and connecting. I did want to share that we did speak with Facebook as well as Google. Both of them are open to having conversations on how we can help the public our redistricting efforts locally. They were really interested and so we will see how that goes...” I am sure that the public would like to know what the two social media giants think about redistricting too.

In each instance, there was no advance public notice about these meetings, which means there was no opportunity for the public to participate and witness the content of the conversations, submit comments, and there were no after-the-fact recordings or transcripts of these meetings. Yet, the law clearly states that “[c]ommission members and staff may not communicate with or receive communications about redistricting matters from anyone outside of a public hearing.” (Gov. Code, § 8253(a)(3).)

It is of course highly desirable that members of the Commission, and their staff, communicate their work to the widest possible audience; audio-visual recordings and documents, developed by the Commission and its staff and posted on the Internet for free and universal access, are both ideal for that purpose and entirely proper.

It also highly desirable that members of the Commission converse with, question, and receive information from anyone and everyone, and for that, some form of meeting is essential. However, there must be due notice to the public of these meetings, and the public is entitled to a complete record of what was said and presented, and of all other communications (documents, for example) that may have been shared. Even COVID-19 is no excuse for not complying with the law; it is perfectly possible to make an audiovisual recording of a public meeting, with callers participating remotely and not in person, and have that recording posted promptly to and maintained on the Internet.

For example, since the passage of Proposition 54 (also co-authored by me), the California Legislature has been required to make an audiovisual recording of each of its public proceedings, post that recording to the Internet within 24 hours, and maintain it for free download for 10 years. To my knowledge the Legislature has managed to comply despite COVID-19.

I had the honor of serving in California (2003-2007) on the grandly named Curriculum Development and Supplemental Materials Commission, which had the controversial tasks of drafting and revising the curriculum for the California public schools, grades K through 12, and recommending to the State Board of Education which instructional materials should be eligible for use in the public schools. Effectively, we on that commission were the gatekeepers to publishers’ access to public funds, which at the time ran \$400,000,000 a year. Under the Bagley-Keene provisions, we commissioners never met in private with the representative of a publisher, or with a teacher’s or parent’s or other association, or

any individual. We took no documents that did not go into the public record. We listened to everyone who came to our meetings, which were recorded, and we got the public's business done.

As an initiative proponent, I can state that this is the way the Commission was intended to work, and the way the law was written to make it work.

Failure to Post Transcripts of Meetings

Section 8253(a)(2) requires the Commission to make its record public "immediately." Despite this legislative mandate, it appears the Commission is not making transcripts or video recordings of its meetings available in a timely manner. My fear is that such recordings or transcripts may not even exist. For example, only a handful of outreach meeting videos are posted as part of the Commission's Outreach Calendar (wedrawthelinesca.org/outreach_calendar). This web page states that even recordings for upcoming or past presentations that are not open to the public will be posted on this calendar — and yet, there are a number of videos from earlier this year that are not posted. For example, there is no recording for the January 27, 2021 meeting hosted by Sierra Health Foundation, the February 10, 2021 meeting hosted by the Inland Empire Redistricting Hub, the February 19, 2021 meeting hosted by the Leadership Counsel for Justice and Accountability, and the March 3, 2021 meeting hosted by Miracosta Puente College. I understand these earlier sessions took questions and answers from the participants, yet the public has no knowledge or information about what these questions pertained to because there is no recording available.

Improper Conflict of Interest by Commission Counsel

Lastly, I recently learned that the Commission has retained the legal services of Strumwasser and Woocher LLP. I do not doubt that the lawyers in that firm are qualified to provide the Commission with the legal services it seeks. My concern is that the law firm also represents the California State Legislature, and has for many years. The primary objective of Propositions 11 and 20 was to remove the Legislature's power and influence over the drawing of their own legislative districts. The Legislature cannot be allowed to assert any influence over the process of redistricting directly or indirectly, through its trusted counsel. Since the interests of the public in having fair districts and of incumbents and factions to have easy election are necessarily not the same, I submit it is not credible that any one firm could act in good conscience when the advice it should give to one party is contrary to the interests of another; nor is it credible that the advice offered to the Commission could ever be uninfluenced by any firm's private knowledge of the concerns of another, and possibly more financially significant, client. One might as well hire the counsel for the California Democratic Party or the California Republican Party. I urge you to reconsider this decision as there is no shortage of competent counsel available to the Commission.

Sincerely yours,



Charles T. Munger, Jr.

EXHIBIT 3



VIEWPOINTS

California redistricting board must stop meeting privately to prove democracy still works

BY CYNTHIA DAI AND JODIE P. FILKINS *SPECIAL TO THE SACRAMENTO BEE*

JULY 14, 2021 07:00 AM



Give-away stickers to promote the application process of the chance to serve on the 2020 Citizens Redistricting Commission are shown at a news conference held by Stephanie Ramirez-Ridgeway, chief council for California State Auditor's office, at the Betty Rodriguez Regional Library in Fresno, California on Tuesday, June 11, 2019. JOHN WALKER JWALKER@FRESNOBEE.COM



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In November 2008, Californians took a bold step to eliminate partisan gerrymandering and foster a stronger democracy by establishing an independent citizens commission.

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decision-making process from behind closed doors into an open forum in collaboration with the public.

Ten years ago, we had the honor of leading that process as members of the inaugural [California Citizens Redistricting Commission](#). Despite our different partisan affiliations, we conducted the redistricting process in a fair, accessible and, above all else, transparent way.

TOP VIDEOS

AD



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OPINION

With a new commission seated and census data on the way, 14 other Californians will redraw congressional and legislative districts for the next decade. As the first commissioners, we have shared our experiences to help guide the new line drawers — a benefit we never enjoyed.

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Our message to the current commissioners is simple: Stop the closed-door discussions and recommit yourselves to true transparency in this process.

This commission has held an unprecedented number of closed session meetings to untangle complex issues under the guise of personnel and legal deliberation. The Constitution allows few exceptions to the requirement that the commission hold its meetings in the light of day, no matter how difficult or uncomfortable discussions may get.

The commission seems to be relying on an overly narrow interpretation of “redistricting matters” and two-person subcommittees to sidestep its legal obligation to allow the public to observe and understand who is influencing and how it’s making decisions.

Individuals from the Secretary of State's Office, the California Association of Clerks and Election Officials, the Statewide Database, Democrat and Republican representatives of the Legislature, Common Cause, and two redistricting commissioners all met behind closed doors.

The subcommittee only released a memo after the meeting, vaguely summarizing the discussion. The meeting left a perception of favoring the "invited" over others who were not — elevating certain stakeholders to advise on everything from timelines that will influence final map deadlines and elections to the minutiae of planning educational briefings.



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Our concern is that this may [remind some of smoke-filled back rooms of the past](#) and lead to distrust in the process. The 2020 commission faces unique challenges because of COVID-19, including a protracted process due to delayed census data. Nevertheless, a bias toward transparency should remain a cornerstone of the commission's objectives throughout.

Our commission a decade ago followed the rule of thumb: Three people makes a "meeting." The next question should always be: Why wouldn't we meet about this in public? It's not too late for the 2020 California Citizens Redistricting Commission to address this issue.

Videoconferencing tools allow greater public access to commission deliberations. Extra time granted to this commission also makes it easier to comply with public noticing requirements. Likewise, announcing specific reasons for closed sessions in advance would not only make it easier for the public to plan, but also increase confidence.

Now is the time to reevaluate past practices and commit to full transparency for the duration of the redistricting process. This will provide greater protection to the legal standing of this commission's final product and encourage ordinary Californians — not just those funded to follow redistricting — to participate.

The stakes are higher than just the fair representation of 40 million Californians. [Democratic institutions are being threatened](#) and scrutinized at every level. California needs a fully transparent redistricting commission to prove that this great experiment in direct democracy continues to work.

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7 Weed Strains To



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Cynthia Dai, a Democrat, and Jodie P. Filkins Webber, a Republican, served together on the 2010 California Citizen’s Redistricting Commission.

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1 of 2

Cynthia Dai, a Democrat, served on the 2010 California Citizen’s Redistricting Commission. CYNTHIA DAI

COMMENTS

Document received by the CA Supreme Court.

1 Comment

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**Mac McCauley**

We are not now nor have we ever been a democracy.

Secrecy and chicanery are the hallmarks of prgressive/communist "leadership"

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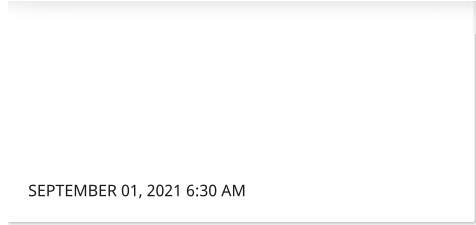
FDA approval for Pfizer vaccine is another reason to get COVID vaccine as delta surges

VIEWPOINTS

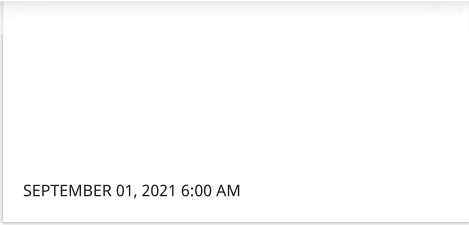
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Document received by the CA Supreme Court.

EXHIBIT 4

Commissioner Code of Conduct

Adopted 11/4/2020

The Commission's Code of Conduct is a set of conventional principles and expectations that are considered binding on any person serving on the California Citizens Redistricting Commission.

Per Government Code Section 8253 (a)(3), Commission members shall not communicate with or receive communications about redistricting matters from anyone outside of a public meeting/hearing. This does not prohibit communications between Commissioners, staff, consultants, and legal counsel that are otherwise permitted by the Bagley-Keene Act.

Every Commissioner shall:

- Conduct themselves in a manner which reflects positively on the Commission, their colleagues, and themselves.
- Speak the truth with no intent to deceive or mislead by technicalities or omissions.
- Ensure that all reports presented to the Commission or the public are accurate and honest.
- Honor all agreements made with the Commission or colleagues, with the understanding that individual Commissioners may not bind the entire Commission without action by the full Commission.
- Disclose any actual or perceived conflicts of interest to the Commission.
- Take personal responsibility for their actions – for success or failure.
- Act impartially and provide no special privilege to any one member of the Commission, staff, or the public.
- Discharge their responsibilities with dedication to achieving the Commission's mission and in line with the Commission's principles.
- Act with fiscal prudence when conducting Commission business.
- Comply with all levels of governmental regulations and Commission policies.
- Disclose information that belongs in the public domain freely and completely and protect privileged Commission information.
- Actively encourage diversity of thought through the inclusion of people from diverse backgrounds and refuse to engage in and or sanction discrimination on the basis of race, gender, age, religion, national origin, sexual orientation, physical appearance, or disability.
- Refuse to engage in and/or sanction activities for personal gain at the expense of the Commission or in violation of government code.
- Build relationships with others from a place of collaboration and respect that supports and upholds the dignity of California's diverse population, the Commission members, Commission staff, and all individuals participating in the redistricting process.

Document received by the CA Supreme Court.

EXHIBIT 5

Hi Sara -

Thanks for arranging that call with Rosalind--very helpful not only for our VRA work but also in gaining a fuller sense of her, so to better frame her thoughts when she calls in Public Comments!

For our report tmr, here are the points I think we have to share. If you like, you're welcome to go first and cover whichever you wish, then I can pick up the rest.

- ✓ 1. Had conversations with Angelo (Rose Inst., 2010 CRC) and Rosalind (NALEO)
- ✓ 2. Contingency planning around H.R. 4 (Voting Rights Advancement Act of 2019) possibly reintroducing preclearance in some form *John Lewis* *Passed House* *New formula*
- ✓ 3. Issue we will face: Coalition Districts / Unity Mapping (courts to-date seem to allow but not require)
4. Advised to have VRA counsel in place by early 2021
5. Look for counsel who can provide clear, relevant examples & explanations; no need to be CA-based
6. Controversy over 2011 picks of Gibson Dunn and of Nielsen Merksamer [is it worth bringing this up?]
7. What training do Commissioners want/need now/later? (What more would help us make a good VRA counsel pick?)
8. Shd VRA subcommittee start drafting RFPs for VRA counsel? RPV consultant?

Sec 8253.5: "The commission shall require that at least one of the legal counsel hired by the commission have demonstrated extensive experience and expertise in implementation and enforcement of the federal Voting Rights Act of 1965"

Anything else?

9. Praying - Justin Leitt

Analyst
③ VRA Consultant (Trin Leung?)

Statisticians + Poly Sci
How to defend a VRA consultant

Senate Play 2022?

④ RPA Consultant (Matt Barrett)
brought on by G/O
w/ i/A - v/w work Sec

2020 No solution

G/O recommended Matt

RPA →

□ 2020 RPA pt - release?

i/A is
agreed
w/ list
not
included

RPA work
kept confidential

11/10/20

John Lentt + Sam

VRA Counsel

Attorney Counsel

RPV Counsel

VRA Analyst

who are (or don't) conduct
from the state records to be in
sync w/ VRA Counsel

Find a live donor to explain how to
actually use the program of using VRA Counsel
to draw lines

Present VA as example

- Leg don districts w/ 50% African,
w/o checking RPV

Was a way to correctly pack African
under the cover of VRA

2010

Mitt B RPV analysis kept confidential
to deprive opposition of targets to challenge

It remains confidential as long as
we want it to be

Work product vs. Bay Keene a FOIA

~~202 crossover~~ 25% crossover

How to show RPV

enough to justify VRA district

Challenges

1. Should have drawn a VRA dist but didn't
2. Drew a VRA dist but didn't have to

RPU Session

Sara By
Don Morin
Matt B

11/12/20

No shareable ! For a research

1/A Agreement?

Keep private

Hired by AN ATTORNEY

Some data SB public -- by region, larger patterns
(shows CBC considered such factor)

Keep private: scenario analysis for specific districts
(hot spots)

Keep public things that others can easily replicate

2010 G.D. Mr. Brown

~~RPA~~ RPU Analysis + VRT } go together

Matt doesn't care how he comes on
if he did RPP vs 1/A

Voter
choice

~~Other~~ work of Commission's work

Contrast high level work 1st
Get more

2020
Amplifier 1 needs census data

CA legislator asks for adjustments to
census data

Mett + Sam: RRV - Stage 1 12/4/20

via Live Driver }
via VRT Counsel ? } Stage 2

Mett - Live Drawing ?

Ty Rush

One jurisdiction = \$100k's for full RRV

Full CAT ~ \$6 mill!

CATS cd be important location

Wong
one
long
seat

Statewide candidates a ballot needs

Will George Brown (GIS Penn) have
Mett for 10 things. Pub only
3 v. detailed districts only

Mapel on
CCAP
Salary

Stage 1: Statewide County level analysis

OK best

ASCA + Latin Surveys

Lee

Block - Block level sensors

Center
work
given
Mett \$6

BISG + CCAP
run on census
interfile Peter

Surname LIST

Stage 1: - First step (Stage 2) (how many
1

Granger 1 historically used CCAP
But now more performance analysis

MEMORANDUM

Summary and Recommendation from the Voting Rights Act (VRA) Compliance Subcommittee for the 2020 California Citizens' Redistricting Commission (CRC)

Over the last several weeks, the VRA subcommittee has met several times and had conversations both with staff and VRA experts to help inform our process. This memo reports our recommendations to the Commission:

- 1. Write and distribute two Requests for Information (RFIs) to hire VRA counsel and Outside Litigation counsel.**
 - a. The purpose of VRA counsel is to provide a legal advice on the creation of districts that are VRA compliant. The purpose of outside litigation is to provide counsel if/when our maps are challenged in court. The commission will be best served by identifying and recruiting litigation counsel and having them on retainer as soon as possible so that they are available to us for any matters as they arise. The VRA counsel and the outside litigation team *could* be the same entity, however they need not be. In our conversations we discovered there was a general consensus that the 2010 Commission was not best served by having a single entity, as they lacked relevant experience. We therefore recommend the release of separate RFIs to draw the best possible pool of applicants.
 - b. The use of the RFI (rather than a more formal Request for Proposals (RFP)) is preferable for hiring counsel. The Commission will select counsel based on factors other than simply cost – we should consider the quality of the experience and the kind of relationship we will establish between our general counsel, VRA counsel, outside litigation, line drawers and statistical analyst. The RFI is a noncompetitive, attorney to attorney contract and thus allows the commission to consider these factors in a more meaningful way.
- 2. Combine the task of RPV Statistician and VRA Analyst**
 - a. It was previously suggested that we would need to establish Requests for Proposals for both a RPV statistician and for VRA analyst, we recommend finding someone who can do both stages of this analysis for continuity.
 - b. Identify an analyst who can begin work early to develop a report on the broad picture of racially polarized voting in California and some of the key considerations we will need to consider for VRA compliance. This document should be made public.
- 3. Discuss and develop a plan for contracting RPV+VRA analysis, possibly in closed session, as it relates to potential future litigation.**
 - a. Beyond a public assessment of racially polarized voting in California, we will likely need more specific analysis at localized levels
 - b. This is the level of analysis that was and remains confidential for the 2010 CRC
- 4. Develop a larger legal subcommittee that meets publicly to review VRA and Litigation applications and to coordinate VRA compliance and any legal strategies.**
 - a. Ideally a subcommittee of at least 3 and no more than 5 members.

BCRH

1

Sam

Sam Woodson Policy Dir BH

Arthur Gailen VCB offering last ^{date} ^{budget}

Samir Gambhir Equity Metrics offering

AMA Nyametye BH Co, Mgt

1/21/21

Sam becoming dir of BH as it spins off from CA calls

~~Sam~~ Prob not any areas to have dense enough pop to build a majority black district

Have seen coalition voting supporting Black interests

~~Arthur~~ where have black folks been in/out?

Out of Bay Area SF/Oak/Berkeley

Nylon Summer Stock

Compton, LA

Hypocrite Park, other north L.A.

* Look for small, isolated black communities
Dist 37 - one tract (w. of Westwood)
Try not to isolate in a dissimilar district

Happy to present any of BH findings to CRC

Data ^(ACS) at hand getting analyzed by early April

BCRA NAMED MAJORITY DIST Uniting Majority effort ^{Table}

2020 Map 3/3/21

Eric McChes + Jen Paluch + ^{any} SS

Maps

Pop change vs.

change in share of pop

Deviation from statewide avg

Total pop vs CVAP (for outreach vs. LRA)

May have had a 2019-20 actual decline

Sac, Bay Area, Inland pop = growth
LA counties

26T
PUMAP

Declines: Fuller many rural → urban

Not much inflow

Focus on outreach right now, not district

Eastern Riverside

SE San Ber

Agam -

Non Hispanic @ - declining overall

~~March 25-26~~ March 29/30

April 1

Yee, Russell <russell.yee@crc.ca.gov>

CVAP

Karin Mac Donald <karinmacdonald.q2@gmail.com>

Thu, Apr 29, 2021 at 6:12 PM

To: "Sadhwani, Sara" <sara.sadhwani@crc.ca.gov>

Cc: "Yee, Russell" <russell.yee@crc.ca.gov>, Andrew Drechsler <andrew@haystaqdna.com>

Commissioners:

Your line drawing team will be delighted to work with you on this project!

Some preliminary quick ideas of how this might work:

1. use the CVAP special tab to identify areas where protected minority groups might constitute a majority (don't know accurate tot pop but can use acs tot pop estimate)
2. direct RPV analyses toward those areas (perhaps outreach to figure out totality of circumstances ***not a legal opinion***!!)
3. 2020 census data comes out - geography is adjusted - tot pop is established... take another look
4. go back, test assumptions and start with some actual potential district boundaries

Happy to collaborate and figure this out.

Best wishes

Karin

On Thu, Apr 29, 2021 at 5:44 PM Sadhwani, Sara <sara.sadhwani@crc.ca.gov> wrote:

[Quoted text hidden]

Document received by the CA Supreme Court.

Yee, Russell <russell.yee@crc.ca.gov>

CVAP

Karin Mac Donald <karin@statewidedatabase.org>
 To: "Yee, Russell" <russell.yee@crc.ca.gov>
 Cc: Sara Sadhwani <sara.sadhwani@crc.ca.gov>

Thu, Apr 29, 2021 at 5:34 PM

Hello Commissioner Yee,

it is nice to hear from you! I am going to reply with my SWDB hat on regarding the data question. I reviewed the presentation from last August that I think you referred to. It has a few slides on CVAP (including some preliminary maps) and one that talks about 2 types of CVAP.

ACS CVAP versus Post 2020 CVAP

■ Post 2020 CVAP is "expecting" to use and evaluating data from federal administrative record sources including

- Social Security Administration
- Internal Revenue Service
- Centers for Medicare and Medicaid Services
- Department of Housing and Urban Development
- Department of Homeland Security
- Department of State
- Indian Health Services
- Department of Justice, and Bureau of Justice Statistics

In addition to state and local records when available including

- Temporary Assistance for Needy Families
- Low-Income Home Energy Assistance Program
- State Driver's Licenses

37

The "post 2020 CVAP" block level dataset mentioned above was mandated by an Executive Order from the last president. It raised significant concerns about accuracy and the general consensus was that the ACS special tab was more accurate, tested, and completely sufficient for FVRA compliance. The census bureau had begun to work on "post 2020 CVAP" dataset and then cancelled it once the Biden administration came in.

See excerpt from a letter to the Biden Administration from various scholars and advocacy groups:

"...President-elect Biden to rescind Executive Order 13380 (July 11, 2019) as soon as possible after he assumes office on January 20. We also urge the Biden Administration concomitantly to direct the Census Bureau to immediately cease all activities to create the block-level database of United States citizenship mandated by that Executive Order."

What we have now is the (2015-2019) ACS CVAP data on the 2010 geography. We will not have a newer ACS release available for this redistricting cycle because the special tabs are released around February 1 each year. SWDB allocated these data to the 2010 census block level (they are released by block group), and once the legacy data are available, we will begin the work to move them over to the 2020 block geography.

Can you start working with these data now? yes! While the geography will change, on the aggregate level you will not see differences that are so large that you couldn't get started: the data are the same, just the underlying units of analysis are changing.

I will leave it to your line drawing team to elaborate on how to front load these analyses. I hope this makes sense.

Best wishes

Karin

[Quoted text hidden]

--

Karin Mac Donald
 Director
 Statewide Database
 University of California
 M126 Berkeley Law
 Berkeley, CA 94720-7200

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SS David B
my Anthony

7/8/21

VRA

There is no set plan that ensures §2 compliance. Will get sued. No set plans to follow.

Brnovich did not change std for redistricting

Focus on Gingles preconditions. Can get much of it ~~via~~ before Census data. (Much of the rest of "totality of circumstances" is for historic Confederacy) - was mostly B/W

Small meeting
July 21
Karin

Hickman + RPV analysis - General election

RPV ~~why~~ ↑ downballot (except Bradley v. Perkins '80)

Liability

↓
Remedy

Gingles 1+2 = ^{established} liability for §2 compliance
→ Does NOT require a majority district!
(which all be party)

Gingles 1 can be > 1 minority but NOT crossover

Influence in District

Not in VRA

Redistricting: Can use crossover & vote to "share down" and not pack a dist.

Sara: Don't need to disaggregate ADP 1: they're large but not cohesive (?)

VRA - Roe meeting

8/30/21

Danl Sara Sal Andre
Fred Anthony Ry

① VRA/RPV on 8/31

Intro Megan (has not run any RPV analyses)

Discuss process

Heit mgs LK Karin

Start 10 Gwinett #1 regions (→ actual analysis in Sept.)

Megan
started
Fri 8/27

Sara: Also need to educate one how this all works, what it means, and what we do if it. And when it happens

Danl: Army far end of Sept. after ^{recognition} 12 months
SW advice is to keep RPV confidential

Sara: Need to prep CAC for RPV recommendations

Danl: The typical challenge is a poorly
telling elections

② VA Supreme Court update

Megan
↓
9/1/23
Gwinett
County
GA

VRA Strategy

Sara
Ry
Angelo A.

10/19/20

Training
VRA Counsel
RDV Analyst
Claypool

Be careful w/ 2-person virtual subcommittee
But eventually may need study committee
w/ open mtg - critique by govt & public

Database report: Incl an intermediate stage
Sort by input by COI/regions/maps
"Fatigue Factor" & overruled
Report back COI to public?

Coalition analysis ...?

~18
majority
minority
districts
Precedence restoration p Nov 3 H.R. 4
Non retrogression if United Dem
govt

VRA training before vs. Counsel on actual map

Anna Henderson ^{upset} ^{about} ^{having} ^{free} Gibson ^{Sec} ^{biparty} ^{leader}
(Out of state people didn't have vote)
Nelson Markman for favored
Ideally: DOT background + ^{now can easi} ^{do remote work}
other govt

Think about positions w/ inside, outside politically

Gibson Dunn treated Matt Barretto as expert witness
→ his info became privileged

Document received by the CA Supreme Court.

Learn a Google

1/29

Election team → your pollsters
what they did places

- When you do your search - the card
- they did Geotargeting for State of CA
- what do you want the priority to be
- what do you want & when

Doodle - Country Driven

Google

- ↳ Ads
- ↳ YouTube
- ↳ Google MAP

Google's Information
Civik All Link
Document received by the CA Supreme Court.

Misinformation → How will this be an issue

Civik Info & Civik Engagement

Caitlin Phillips - PPR, Water

Water → Resources
+ legislative

- Bonds
- Laws on Fees
- \$ driver of change
- Water Management
-

Water Agencies - Water
Irrigation
Storm water

What are

Feb. 8-9 < ~~all open~~
open

Wednesday -

Send restructuring

7/1/21

Call of Neal

- line drawing ~~input~~ community
input session
↳ design

CDI as it relates to political
power

↳ I'm still not sure
how to explain

Our smallest unit is 500K
so how are we giving

New schedule - Dec 15

- let's step back
- make it less crazy
- what is ~~whose~~ role
↳ clear role staff
+ Comm

Our role now as outreach committee
now that there is staff

Did we have staff focus
on this phase

↳ Dan has the idea
that we would
~~have~~ have

lets think how to do it

- ↳ Prison
- ↳ Rural
- ↳

Panel → 2 O'clock Wednesday

- water
-
-

How are we going to give
up five public consultation

Meghan Afshar

2/2

L Afghan

Muslim community

Civil Right + Immigration Community
BASE IN LA MESA

would like to host an event
w/ Islamic Centers + Kurdish
Community

worked w/ Mid-City CAN

2 Staff members

L Border kids for

Arabic, Farsi, ~~Arabic~~ DARI
Kurdish

Students input - very engaged

Next month - March

L Connect her w/ Mary

L no longer than hour

L translation

SD Immigration Consortium →
going through elections

make some on grants outreach

Face Book

2/2/21

Christina Flores
Mona Rogers

Mona Rogers - CA Public Policy
Christina Flores - Govt

Face book ; Instagram ; Whats App

↳ We can't promise anything
↳ Strategy

COI Tool → Can Face book
promote our tool
so FB users can

* Best Practice Training for
Com

* Next step Big FB

* \$ Verify ~~if~~ our Accounts

Ad Authorization process

11/18/20

Met w/Jonathan at Common Cause and James

Thanked us for being so intentional and working so hard

Understand that this is an art not a science – which Com Le Mons also stated

Please take the pressure off on the number of people reached and make sure that you are reaching a rich diverse swath of communities.

Regarding grantmaking;

This is exciting

Preferably use a third party for several reasons:

- Insulate for the commission in case folks want attack the commission
- Its awkward to take money from government to do advocacy
- Redistricting is much harder than census and not all groups who did census may be appropriate to do redistricting

Census Regions; Some were great and some were so-so.

Conversations with Amy who is the consultant with Philanthropy CA & Megan Thomas from SD Grantmakers

The state groups that had received funding include:

- Asian Americans Advancing Justice-Asian Law Caucus with Asian Americans Advancing Justice-Los Angeles
- Black Census and Redistricting Hub
- MALDEF
- NALEO Educational Fund
- They had reached out various times to California Native Vote, but they were not ready to submit a proposal.

These are the types of activities to which the statewide groups committed:

- In collaboration with partners, develop a set of educational materials on redistricting, which include PowerPoint presentations, fact sheets, "tip sheets" on how to prepare and deliver testimony, and testimony templates.
- In coordination with partners, conduct multiple rounds of community education workshops throughout the state.
- Develop an on-demand redistricting webinar series accessible online.
- Gain input from community members on appropriate district boundaries in their regions.

- Provide input into the unity mapping process with regard to feedback from community members about COIs and advice that may help resolve conflicts among various VRA-protected groups.
- Provide assistance to community partners on their involvement in state and local redistricting processes.
- Developing preliminary district maps based on population estimates and data collected by community partners and work with other leaders from communities of color to develop unity maps.

Regional Grants: \$75K to each

- Inland Empire
- San Diego
- Orange County
- Los Angeles
- Fresno

Conversation with various local groups including MAAC Project, San Ysidro Health, PANA,

- Concern that if the funding is given to state or regional groups they will be trained and given materials to use but not funding
- Appreciate Unity Mapping efforts but they want to make sure that they have direct access to the commission
- Yes, Redistricting is harder than Census, but the communities are ready to do more

Document received by the CA Supreme Court.

Julian Canete, CEO
Bob Gutierrez, Board (Stockton)
Neal + Patricia

→ How can we help the Commission

⇒ We want to make sure our
Latino community engaged

1) Education

2) So new last time
↳

Opportunity to do virtually
↳ create the channel
to assure participation

IDS Hispanic of Chamber in CA

- Education
- Pre-census input
- Post-census map drawing

Working → Four Regions for Chamber
Webinar

→ Newsletter

Tool

Next Steps : letter
Newsletter
social media
Webinar

who → Julian
Bob
Michelle Nguyen

Black Chamber

Paul Rodriguez - LGBTQ
June is Pride Month
His Chamber may do

Nat'l Assoc V D

Betty Jo CA Small Business

Business Assoc →
Group in Sacramento

Sierra Club N. SO Coastal 2/23
present (11 participants)
Political Committee for
3 Chapter

~~Why~~ Why ~~we~~ we do Education Sessions

- Raise awareness
on Redistributing
- Inspire to engage &
engage their com
in process

~~Goal~~ - Build trust ~~at~~ ^{among} public
about the process
~~at the EDN~~

~~Build Confidence~~ - Connecting public to the
Commissioners; ~~removing~~
the curtain

We can do all w/ staff + ~~ambassadors~~
except for last bullets &
~~may~~ 2

Please feel free to add your meetings as well if you think it is helpful to have all our meetings in one place

Association	Who CRC	Why	Date	Zone
Center for Civic Design	Turner, Sinay	Better understand Civic technology	October 9	National
UCR, Center for Innovations	Vazquez, Sinay	Invite to present -- ended up not doing	October 8	Statewide
Former Com Dai	Sinay	Learning	Oct 13	
Parent Institute for Quality Education	Sinay	Invite to present	Oct. 20	CRC
Philanthropy CA	Sinay	Invite them to present to CRC		Statewide
NCSL	Vazquez, Sinay	Understand civic tech	September 22	National
League of California Community Foundations	Vazquez, Sinay	Explore if they could do regrating	December	Statewide
Complete Count, CA	Sinay	Understand how we can build on Census outreach	October 22	Statewide
San Diego Economic Development	Vazquez, Sinay	Understand how to engage business sector in redistricting	October 22	K
Census, San Diego	Ahmad, Sinay	See how we can build on their outreach for CRC	October 26	K
United Way San Diego	Ahmad, Sinay	See how we can build on their Census outreach for CRC	October 26	K

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San Ysidro Health	Vazquez, Sinay	Invite to present	November	K
True North Organizing Network	Vazquez, Sinay	Invite to present	October	A
Common Cause	Vazquez, Sinay	Invite to present	October	Statewide
California Calls	Sinay	Invite to present	Nov 16	Statewide
Former Com Dai	Sinay	learning	Nov 20	CRC
Dolores Huerta Foundation	Sinay	Invite to present	Nov 20	F
Philanthropy CA	Sinay w/Staff	Grantmaking options	Nov 30	Statewide
League of CA Com Foundations	Sinay, Vazquez w/staff	Grantmaking options	Dec 7	Statewide
SEIU	Vazquez, Sinay	Invite to present to CRC	Dec 11	Statewide
South Bay Community Forum (San Diego)	Sinay	Introduced myself	Dec 14	K
CA League of Conversation Vote	Vazquez, Sinay	Invite to present to CRC	Dec 17	Statewide
Butte County	Yee, Sinay	Explore how to build on census efforts	Dec 18	B
Pacific Arts Movement & API Coalition	Sinay	Outreach	Dec 23	K
Sacramento Community Foundation	Sinay, Fernandez, Yee	Outreach	Dec 23	B, D
Statewide Database	Fernandez, Sinay	Discuss prison allocation	January	Statewide
CA Redistricting Collaborative	Sinay	Attended their outreach meeting	January 8	Statewide
Sue Reynolds, former CEO of Com Housing Works	Sinay, Fornaciari	Explore housing panel	January 13	Statewide

CA Farm Bureau Federation	Fornaciari, Sinay	Invite to present	January 13	Statewide
CA Dept of Correctional	Fernandez, Sinay	Invite to present	January 15	Statewide
Parent Institute for Quality Education (PIQE)	Sinay	Outreach	January 18	Statewide
Southern CA Tribal Chairman Association	Sinay	Redistricting Basics	January 19	Southern CA
CA Chamber of Commerce	Fornaciari, Sinay	Invite to present	January	Statewide
CA Chamber, Farm Bureau, Silicon Leaders	Fornaciari, sinay	Prep for CRC panel	Jan 20	CRC
Silicon Valley Leaderships	Fornaciari	Invite to present	January	
CA American Water	Sinay	Outreach	January 20	Statewide
Initiate Justice	Fernandez, Sinay	Invite to present	January 21	Statewide
Alberto's group	Fernandez, Sinay	Invite to present	January 21	K
PANA	Ahmad, Sinay	Outreach	January 22	K
CA Redistricting Collaborative	Fornaciari	Outreach	January 22	Statewide
AAPI Alliance SD	Ahmad, Sinay	Redistricting Basics	January 28	K
Orange County Transit Association	Sinay	Invite to present	January 29	J
Google	Sinay	Explore how Google tools can help CRC with outreach	January 29	Statewide
PPIC	Fornaciari, Sinay	Invite to present	January 29	Statewide
Borderland for Equity	Ahmad, Sinay	Outreach	Feb 2	K
PPIC, Conservation, OCTA	Fornaciari, Sinay	CRC Panel Prep	Feb 3	CRC

Connecting Point	Fernandez, Sinay	Outreach	Feb 4	B,D
UnidosUS, CA	Sinay	Outreach learning	Feb 3	Statewide
Comite Civico	Ahmad, Sinay	Outreach	Feb 4	K
CA Hispanic Chamber of Commerce	Fornaciari, Sinay	Outreach	February 23	Statewide
Sierra Club, North SD Coastal	Ahmad, Sinay	Redistricting Basics	February 23	K
Wellness Center	Sinay	Outreach	February	B
CA Redistricting Collaborative	Sinay	Outreach	February 5	Statewide
CA Association of Nonprofits	Sinay	Outreach	February	Statewide
SD Veteran Coalition	Sinay	Outreach	February 12	K
SDSU, Imperial County	Ahmad, Sinay	Outreach	February 11	K
Imperial County Library	Ahmad, Sinay	Outreach	February 11	K
San Diego LGBT Center	Ahmad, Sinay	Outreach & invite to present	February 10	K
Glenn County	Sinay	Outreach	February 5	B
Connecting Point	Fernandez, Sinay	Outreach	February 4	B, D
CA Probation & CPOC	Fernandez, Sinay	Outreach	Feb 22	Statewide
Imperial LGBTQ Center	Ahmad, Sinay	Outreach & invite to present	March 3	K
MiraCosta College Puente (presentation)	Sinay	Redistricting Basics	March 3	K
CAL Asian Chamber	Lee, Akutagawa	Outreach learning	March 2	Statewide
Palomar College	Sinay	Redistricting Basics	March 4	K

San Diego North Coastal Sierra Club (presentation)	Ahmad, Sinay	Redistricting Basics	February	K
National Association of Latina Women Business	Sinay	Outreach	March	K
NALEO	Vazquez, Fernandez, Sinay	Redistricting Basic (just intro)	February 18	Statewide
United Way of Northern CA	Yee, Sinay	Outreach	March 10	A/B
CA GOP	Fornaciari, Sinay	Outreach	March 11	Statewide
Equality CA	Fornaciari, Sinay	Outreach & invite to present	March 10	Statewide
CA Library Association	Sinay, Ahmad w/staff	Outreach	March	Statewide
SD Chamber of Commerce	Sinay, Ahmad	Outreach	March 11	K
CA Strategies	Sinay	Outreach	March 11	K
North San Diego LGBTQ Center	Sinay		Needs to be rescheduled	K
National Association for the Advancement of Colored People	Sinay	Outreach	March 10	Statewide
Palomar College	Sinay	Redistricting Basics	March 4	K
Encinitas & North Coast Dem Club	Sinay	Redistricting Basics	March 6	K
YMCA, CA	Sinay, Fornaciari	Outreach	March 15	Statewide
South Bay Forum	Sinay	Just attended	March 15	K
SD County Independent Redistricting Commission	Sinay	Prep for presentation w/LWV SD	March 18	K
North SD Business Chamber	Sinay, Ahmad	Outreach learning	March 19	K
CA State Sheriffs Assoc	Fernandez, Sinay	Outreach	March 22	Statewide

Northern CA Farm Bureaus	Sinay	Outreach	March 24	B
Unity Map group	Sinay, Fornaciari w/staff	Invite to present to PIDC	March 24	Statewide
LWV San Diego & North San Diego	Sinay	Discuss presentation	March 25	K
SIEU San Diego	Sinay	Outreach	March 26	K
SD Veterans Coalition	Sinay	Redistricting Basics	April 2	K
Boys & Girls Club CA	Fornaciari, Sinay	Outreach	April 2	Statewide
Community College Association	Yee, Sinay w/staff	Outreach	April 5	Statewide
Latino Community Foundation	Sinay w/staff	Outreach	April 5	Statewide
Ca Library Assoc	Ahmad, Sinay w/staff	Outreach	April 5	Statewide
NAACP CA	Sinay	Redistricting Basics	April 6	Statewide
Unidos US (CA)	Sinay	Redistricting Basics	April 6	Statewide
CA Labor Federation	Fornaciari, Sinay w/staff	Outreach; invite to present	April 7	Statewide
Farmworker Care Coalition and Universidad Popular	Sinay	Outreach	April 7	K
CA Community College Assoc	Sinay	Outreach	April 12	Statewide
City of SD, Redistricting Com staff	Ahmad, Sinay	Outreach	April 14	K
League of Women Voters	Sinay	Redistricting Basics	April 15	K
Environmental Health Coalition	Ahmad, Sinay	Outreach	April 20	K
United Way of CA	Sinay, Fornaciari	Outreach	April 21	Statewide

LGBTQ groups	Sinay, Fornaciari	Prep for CRC pane	April 21	CRC
Engage San Diego	Sinay	Outreach learning	April 22	K
CSU Sacramento	Sinay	Redistricting Basics	April 23	D
Imperial Valley LGBTQ Resource Center	Sinay	Redistricting Basics	April 30	K
Mayor of Lemon Grove	Ahmad, Sinay	Outreach learning	May 3	K
Psych Armor	Sinay	Outreach learning	May 4	Statewide
Escondido Chamber of Commerce	Sinay	Redistricting Basics	May 4	K
Carlsbad Chamber of Commerce	Sinay	Redistricting Basics	May 5	K
Vista Chamber of Commerce	Sinay	Redistricting Basics	May 6	K
CA State Library	Sinay	Outreach	May 6	Statewide
SIEU CA, CA Labor Fed, Dolores Huerta	Sinay	Prep for CRC panel	May 7	CRC
Imperial Valley Library	Sinay	Outreach	May 10	Statewide
CA Labor Federation	Sinay	Redistricting Basics	May 11	Statewide
Imperial County librarians	Sinay	Outreach	May 11	Statewide
Hillcrest Town Council	Sinay	Redistricting Basics	May 11	K
UCLA, govt relations	Sinay	Outreach	May 12	H
Sunnyvale Democratic Club	Sinay	Redistricting Basics	May 15	C
North State Together	Sinay	Outreach	May 17	B
United Way of Northern CA, Butte and Redding Leagues of Women Voters	Sinay	Redistricting Basics	May 18	B

PsychArmor	Sinay	Outreach	May 18`	Statewide
California Federation of Teachers (community colleges)	Sinay	Redistricting Basics	May 19	Statewide
Comite Civico de la Valle	Sinay	Redistricting Basics	May 20	B
Imperial County Farm Bureau	Sinay	Redistricting Basics	May 20	B
Parent Institute for Quality Education	Sinay	Redistricting Basics	May 25	Statewide
Reach Higher Shasta	Sinay/Yee	Outreach	May 27	B
Latino Community Foundation	Sinay	Latino Press Briefing	May 27	Statewide
Expect More Tehama	Sinay/Yee	Outreach	May 28	B
Modoc	Sinay/Yee	Outreach	May 28	B
North County Business	Sinay	Redistricting Basics	June 3	K
San Diego Farm Bureau	Sinay	Redistricting Basics	June 3	K
Facebook	Sinay w/staff	Outreach	June 8	Statewide
San Diego Gas & Electric	Sinay	Outreach	June 15	K
Rotary Club of Fallbrook	Sinay	Redistricting Basics	June 17	K
Westside Regional Alliance of Councils	Sinay	Redistricting Basics	June 21	H
San Marcos Democratic Club	Sinay	Redistricting Basics	June 21	K
Uptown Democratic Club	Sinay	Redistricting Basics	June 22	K
Torrey Pines Democratic Club	Sinay	Redistricting Basics	June 25	K
Democratic Club of Carlsbad Oceanside	Sinay	Redistricting Basics	June 26	K

Document received by the CA Supreme Court.

Oceanside Chamber of Commerce	Sinay	Redistricting Basics	July 1	K
Veterans of Foreign Wars	Sinay	Redistricting Basics	July 6	K
Latino American Political Association	Sinay	Redistricting Basics	July 20	Statewide

EXHIBIT 6

SCO ID: 0911-CR20CRC018

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER

CR 20-CRC-018

PURCHASING AUTHORITY NUMBER (if Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

Citizens Redistricting Commission

CONTRACTOR NAME

Strumwasser & Woocher, LLP

2. The term of this Agreement is:

START DATE

Upon OLS Approval

THROUGH END DATE

June 30, 2022

3. The maximum amount of this Agreement is:
\$1,200,000

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibits	Title	Pages
Exhibit A	Scope of Work	1-4
Exhibit B	Budget Detail and Payment Provisions	5-7
Exhibit B1	Billing Guidelines	8-16
+ Exhibit C *	General Terms and Conditions	17
-		18
+ Exhibit D	Conflict and Impartiality	18
-		19-45
+ Exhibit E	Resumes	
-		

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.
These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

Strumwasser & Woocher LLP

CONTRACTOR BUSINESS ADDRESS

10940 Wilshire Blvd., Suite 2000

CITY

Los Angeles

STATE

CA

ZIP

90024

PRINTED NAME OF PERSON SIGNING

Dale Larson

TITLE

Partner

DATE SIGNED

5/11/21

SCO ID: 0911-CR20CRC018

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER
CR 20-CRC-018

PURCHASING AUTHORITY NUMBER (If Applicable)

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Citizens Redistricting Commission

CONTRACTING AGENCY ADDRESS

721 Capitol Mall, Suite 260

CITY

Sacramento

STATE
CA

ZIP
95814

PRINTED NAME OF PERSON SIGNING

Alvaro Hernandez

TITLE

Executive Director

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

5/11/2021

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

SCM Vol, Section 3107

Document received by the CA Supreme Court.

EXHIBIT A

SCOPE OF WORK

1. Contractor (Strumwasser & Woocher, LLP) agrees to provide to the Citizens Redistricting Commission (Commission) legal services as described herein:

The required legal services may include, but will not be limited to, legal support to the Commission, staff and consultants through June 30, 2022, regarding the Redistricting process, based upon the 2020 census and to advise specifically, on Voting Rights Act ("VRA") matters. This may include, but is not limited to, review of documents, including proposed district maps, review and preparation of legal memoranda related to applicable legal issues, advice to the Commission, Commission staff and consultants, and attendance from time to time at Commission meetings throughout the state.

2. The services shall be performed at times and locations to be mutually agreed upon by the Commission and Contractor.
3. The services shall be provided during the course of the contract through June 30, 2022. Work may include evening and weekend hours as necessary to fulfill the requirements of the contract.
4. The project representatives during the term of this agreement will be:

Citizens Redistricting Commission	Strumwasser & Woocher, LLP
Attention: Alvaro Hernandez, Executive Director	Attention: Fredric Woocher, Dale Larson
Address: 721 Capitol Mall, Suite 260 Sacramento, CA 95814	Address: 10940 Wilshire Blvd., Suite 2000 Los Angeles, CA 90024
Email: alvaro.hernandez@crc.ca.gov	Email: [REDACTED]
Phone: 916.323.0323	Phone: [REDACTED]
Fax: 916.323.0356	Fax: [REDACTED]

DETAILED DESCRIPTION OF WORK

Contractor shall perform legal services in each of the areas described below:

General Considerations:

1. Perform all normal and customary duties required of special redistricting counsel in connection with legal issues related to Redistricting Activities.
2. Advise the Commission, Commission staff and consultants as to procedures, legality of documents, policy concerns, and legal implications concerning the Redistricting Activities, and specifically work with Commission, Commission staff and consultants with respect to legal issues in connection with drawing new district boundaries.
3. Advise the Commission, Commission staff and consultants regarding the requirements of State and Federal laws relevant to Redistricting Activities, and in particular demonstrate expertise and experience with Section 2 and Section 5 of the Voting Rights Act, including but not limited to issues with respect to the *Shaw v. Reno* 509 U.S. 630 (1993) and *Miller v. Johnson* 515 U.S. 900 (1995) line of cases and appropriate population analysis in "majority/minority districts."
4. Advise the Commission, Commission staff, and consultants regarding *Shelby County v. Holder*, 570 U.S. 529 (2013), and of the progress of legislative proposals to affect that decision, including, but not

EXHIBIT A

limited to, H.R. 1 (117th Congress), the "For the People Act of 2021," and the John Lewis Voting Rights Advancement Act, previously introduced as H.R. 4 (116th Congress).

5. Advise the Commission, Commission staff and consultants of litigation risks associated with Redistricting Activities and approaches to limit such risks.
6. Attend various Commission public meetings and hearings as requested by the Commission or Commission staff. The attorney or firm may be required to submit written interim and final reports and summaries as requested by the Commission or Chief Counsel.

Specific Considerations:

1. Provide, as soon as possible following acceptance of this contract by both parties, a thorough briefing to the Commission regarding the principle legal issues under the Voting Rights Act and applicable provisions of the federal constitution the Commission will face in its work. This should include anticipated litigation risks and advice about minimizing such risks.
2. Work with the technical consultants (HaystaqDNA and Q2) to become sufficiently expert on population shifts, as well as other related census issues, such as population growth or demographic shifts or minority groups covered by the Voting Rights Act, where prisoners should be counted, and issues with respect to racial discrimination in the electoral process and racially polarized voting, in order to advise the Commission regarding map drawing in geographic areas where these issues are presented.
3. Propose and make available to the Commission any advice relevant to community groups and members of the public as to how they can most effectively provide input to the Commission on redistricting matters.
4. Engage on an on-going basis with the technical consultant and other experts, to provide legal advice regarding the preparation of the proposed and final maps. This includes regularly receiving information from the technical consultant and others, as needed, regarding the information submitted at the community outreach meetings across the state, working with consultants and other experts on analyzing racially polarized voting relevant to compliance with the Voting Rights Act, and advice to the technical consultant and the Commission about legal options, balancing and minimizing legal risk.
5. Participate in Commission business meetings, line drawing meetings, and such other public outreach meetings, as agreed to by the Commission and Contractor, as necessary, to advise the Commission on all legal issues associated with preparing and finalizing the new maps.
6. Prepare and deliver to the Commission a report supporting the approved maps and their compliance with the Voting Rights Act and related constitutional provisions (California and federal). This report will be integrated into the final report accompanying the statewide maps produced by the Commission.
7. Provide advice and assistance with the preparation of documents for pre-clearance review, as formerly required by the U.S. Department of Justice under section 5 of the Voting Rights Act, should future federal legislation reinstate this requirement.

EXHIBIT A

Provisions Pertaining to Legal Services Contracts

1. As per California Public Contract Code, Section 10353.5, Contractor shall:
 - A. Agree to adhere to legal cost and billing guidelines designated by the Commission
 - B. Adhere to litigation plans designated by the Commission
 - C. Adhere to case phasing of activities designated by the Commission
 - D. Submit and adhere to legal budgets as designated by the Commission
 - E. Maintain legal malpractice insurance in an amount not less than the amount designated by the Commission
 - F. Submit to legal bill audits and law firm audits if so requested by the Commission. The audits may be conducted by employees or designees of the Commission or by any legal cost-control provider retained by the Commission for that purpose, and
 - G. At the discretion of the Commission, Contractor may be required to submit to a legal cost and utilization review.
2. As per Section 6072 of the California Business & Professions Code, Contractor shall make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lesser of:
 - 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year, or
 - 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

General Provisions

1. Commission Participation

The Commission's Chief Counsel will be assigned to this project and, along with other key Commission personnel, will be working with the Contractor as active participants to provide project continuity at the operating level. This assignment is to foster support for the project and enhance its chances for success.
2. Progress Report/Schedule

Contractor shall provide progress reports on an as needed basis as determined by the Commission, Chief Counsel, or the Executive Director. This may be in the form of a progress schedule or reports, meetings on a regular basis, and/or a Final Summary Report once the project is completed. The Final Summary report will be in addition to any report(s) specified under, "Specific Considerations" (6), above. Any request for a written or verbal report must be addressed within twenty-four (24) hours of notification.
3. Retention of Experts and Independent Consultants

Independent consultants and experts shall not be engaged by outside counsel without prior approval of the Commission. Any time a consultant or expert is recommended, an estimate of the cost of that individual's retention, including costs associated with any written reports, if necessary, should be provided to the Commission accompanied by the curriculum vitae of the expert or consultant, for approval.

EXHIBIT A

4. Assignment or Subcontracting

It is the policy of the Commission to withhold consent from proposed assignments, subcontractors, or novations when such transfer of responsibility would operate to decrease the Commission's likelihood of receiving performance on this Agreement. No performance of this Agreement or any portion thereof may be assigned or subcontracted by the Contractor without the express written consent of the Commission and any attempt by the Contractor to assign or subcontract any performance of this Agreement without the express written consent of the Commission shall be void and shall constitute a breach of this Agreement.

- i. Whenever the Contractor is authorized to subcontract or assign, all the terms of this Agreement shall be included in such subcontract or assignment.
- ii. Nothing contained in this Agreement, or otherwise, shall create any contractual relation between the Commission and any subcontractors, and no subcontract shall relieve the Contractor of Contractor's responsibilities and obligations hereunder.
- iii. The Contractor agrees to be as fully responsible to the Commission for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them, as it is for the acts and omissions of persons directly employed by the Contractor.
- iv. The Contractor's obligation to pay its subcontractors is an independent obligation from the Commission's obligation to make payments to the Contractor. As a result, the Commission shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

5. Racially Polarized Voting Analyst

Upon prior agreement by the Commission, the Contractor may obtain the services of an individual to conduct Racially Polarized Voting analysis. Total costs for this service will not exceed \$300,000.

- i. The Commission reserves the right to request and review the curriculum vitae of any proposed individual.
- ii. The proposed analyst will be required to conform to the Commission's conflict of interest requirements as specified by the Commission under CA GC §8253 (a)(5).
- iii. The analyses and work products of the analyst will be as determined by the Contractor in collaboration with the Commission. The services and their ensuing costs shall be specified as a separate line item on the invoice and conform to the invoicing requirements as specified in Exhibits B and B1.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. For services satisfactorily rendered, and upon receipt and approval of the invoices, the Commission agrees to compensate the Contractor for actual expenditures incurred in accordance with the rates specified herein, which are made a part of this Agreement, and included below. The maximum amount of this contract is \$900,000 with an additional \$300,000 available if the Commission agrees for Contractor to contract the services of a Racially Polarized Voting Analyst under this agreement.

	Hourly Rate
Senior Partners (Michael Strumwasser)	\$ 575.00
Senior Counsel and David Becker (Fredric Woocher, Andrea Sheridan Ordin)	\$ 575.00
Junior Partners (Dale Larson)	\$ 525.00
Associates (Salvador E. Pérez, Caroline Chiappetti, Julia Michel)	\$ 375.00
Analysts	\$ 210.00
Paralegals	\$ 175.00
Law Clerks	\$125.00

- B. Invoices shall include the Agreement Number and shall be submitted not more frequently than monthly in arrears. Invoices shall be submitted by email to the Commission's designated project representative and by US postal mail to:

Citizens Redistricting Commission
Attn: Accounting
721 Capitol Mall, Suite 260
Sacramento, CA 95814

- C. Each invoice submitted by the Contractor shall include the following:
1. The contract number as it appears on this Agreement.
 2. The Contractor's full name, company name (if applicable), and billing address as it appears in this Agreement.
 3. An invoice number and invoice date.
 4. A summary sheet with a cumulative total of the invoice by hourly costs and by other category of costs (copying, for example).
 5. A detailed invoice with a separate line item for each charge.
 6. As needed, supporting invoice information as an attachment.
 7. Original receipts for all included travel.
 8. The signature of the Contractor or the Contractor's representative.
 9. See also Exhibit B1, Section III for Billing Requirements.

2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall

EXHIBIT B

be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

4. Travel and Per Diem Expenses

- A. Travel Mileage, parking and subsistence costs must have prior approval by the Commission or its representative pursuant to current State per diem rules. These expenses must follow the guidelines listed below:
- i. Mileage up to the current State rate may be paid if over 50 one way miles are traveled from the Contractor's residence, and if agreed to by the Commission prior to travel date and time.
 - ii. Parking fees, only if accompanied by a receipt, will be paid if agreed to by the Commission prior to travel date and time.
 - iii. Lodging and meal costs up to the current State reimbursement rates (only if accompanied by a receipt) will be paid if agreed to by the Commission prior to travel date and time.
 - iv. All of the above noted costs will be paid on a reimbursement basis. No travel expenses will be paid prior to the actual date and time of travel.
 - v. Transportation and subsistence costs shall not exceed rates authorized to be paid to non-represented State employees under current California Department of Human Resources rules. California Department of Human Resources rates for reimbursement can be found at: <http://www.calhr.ca.gov/employees/Pages/travel-rules-excluded.aspx>.
- B. Travel and per diem expenses will be billed monthly in arrears.
- C. Non-reimbursable fees/expenses shall include, but are not limited to:
- i. The increase in any billing resulting from the Contractor charging an hourly rate which exceeds that set forth in this Agreement.
 - ii. Charges that are duplicative, ambiguous, excessive or otherwise inconsistent with the allowable fees and expenses as set forth in Exhibit A and Exhibit B.1 of this Agreement
 - iii. Charges for time spent preparing budgets, billings, or providing necessary information for State audits, billing inquiries, or contract requirements.
 - iv. Charges for work performed which was not authorized by the Commission.

5. Litigation Budget Requests

The Litigation Budget Request includes an estimate of the hours and costs expected to relate to each task identified below. Contractor shall adhere to the Litigation Budget Request, as reviewed and approved by the Commission. Contractor shall submit the information below within seven (7) days of Commission's request.

- A. Case Assessment, Development and Administration
Tasks focus on the case as a whole, the "forest" rather than the "trees". Strategy and general preparation rather than tactics.

EXHIBIT B

B. Discovery

Tasks include all work pertaining to discovery according to court or agency rules.

C. Pre-Trial Pleadings and Motions

Tasks cover all pleadings and all pretrial motions and procedures other than Discovery

D. Trial Preparation and Trial

Tasks commence when the attorney and client determine that trial is sufficiently likely and imminent so that the process of actually preparing for trial begins. Trial continues through the trial and post-trial proceedings.

EXHIBIT B1

BILLING GUIDELINES

To ensure that the Commission receives legal service of the highest quality and, simultaneously, maintains control over legal fees and expenses, the State of California Citizen's Redistricting Commission ("Commission") has prepared these Billing Guidelines ("Guidelines") for your benefit as an attorney engaged to represent the Commission. The Guidelines provide a general framework for your work on our behalf. While they represent the Commission's general policies, there is some degree of flexibility in their application to specific situations. Nevertheless, we ask that you discuss with us any questions before proceeding on a course of action which is not clearly contemplated by these Guidelines. Nothing contained in these Guidelines is intended to interfere with the attorney/client relationship or the proper discharge of your duties.

The development and utilization of these Guidelines does not imply that your billing practices are inconsistent with traditionally accepted billing practices. Rather, these Guidelines shall be viewed as a basis to assure that the Commission's fiscal resources are being spent judiciously, especially in matters involving complex factual and/or legal issues.

I. OVERVIEW

In contracting with outside counsel, the Commission shall endeavor to define the scope of work/project as specifically and narrowly as possible. The work assigned will vary widely depending upon the nature of the matter. At all times, however, a common goal should be to avoid any misunderstanding as to the scope of your activities through early, continual and thorough communication between the Commission and outside counsel.

II. EXPECTATIONS FOR OUTSIDE COUNSEL

The Commission has high expectations of its outside counsel. The following describes those expectations.

A. Staffing of Matters

After you have been asked to handle a particular matter, you and the Commission must identify the attorney(s) at your firm who will have primary responsibility for the matter. You and the Commission shall agree on the partners, associates, and legal assistants who will be assigned to the matter. You must consult with the Commission before you make any staffing changes. You and the Commission's Chief Counsel shall agree on the attorneys and legal assistants to be assigned to matters, and on the amount of time to be dedicated to matters. You must secure the Commission's Chief Counsel's approval prior to initiating work on any matter. Further, you must secure the Chief Counsel's approval for the amount of time to be spent on any matter.

Usually, it will be most efficient for a single attorney or group of attorneys in your firm to handle the matter from beginning to end. Doing so will avoid a learning curve for additional staff. We recognize that staffing changes will be necessary from time to time, but the Commission encourages its outside counsel to seek continuity in staffing. In any event, the Commission will not pay for time spent by newly assigned attorneys or legal assistants to familiarize themselves with the matter.

Outside counsel is expected to help control fees by exercising discretion regarding the necessity of intra-office conferences, participation by more than one attorney in meetings, depositions, hearings, telephone conferences, etc. Particular areas of concern include the following:

- Intra-office conferences must advance the litigated/non-litigated matter and must be of reasonable duration. Outside counsel may be asked to provide justification to the Commission's Chief Counsel and the Commission's Contract Manager where billings for intra-office conferences appear excessive.

EXHIBIT B1

The Commission recognizes that the firm's weekly meetings to discuss the case are designed to improve cost efficiency.

- Outside counsel shall send only one attorney to represent the Commission at meetings, depositions, hearings, or other court appearances, unless it is in the Commission's interest to send more than one attorney. Outside counsel shall endeavor to provide sufficient detail in line-item billings regarding the nature of the meeting/deposition/appearance for the purpose of assisting the Commission in understanding the justification for the number of attorneys attending.
- Repetitive file reviews and/or document reviews (by the same individual and/or by more than one individual) are discouraged. Outside counsel may be asked to provide justification to the Chief Counsel and the Commission's Contract Manager where billings for intra-office conferences appear excessive. Outside counsel shall endeavor to provide sufficient detail in line-item billings to assist the Commission in understanding the justification for billings which might otherwise appear repetitive.
- Duplicative preparation (including, but not necessarily limited to, file/document review) by more than one attorney and/or legal assistant for depositions, hearings, arguments, trial, meetings, etc. is also discouraged.

B. Legal Research/Memoranda

The Commission's decision to retain a particular firm is based in part on the firm's expertise and knowledge. We therefore assume familiarity with the basic substantive law at issue in the matter for which the firm was retained. Legal research concerning matters of common knowledge among reasonably experienced counsel is considered to be routine or elementary and, therefore, is non-reimbursable. You are expected to utilize your form files, data or brief banks where appropriate. The Commission should only be charged for the updating of previously researched materials. It is expected that legal assistants will be utilized in research matters when appropriate (e.g., Internet research, sherardizing, locating and printing cases, etc.).

C. Depositions

Depositions or examinations before trial can, when properly coordinated, provide information vital to a prompt and fair disposition of the case. To assist the Commission in case oversight, outside counsel shall, to the extent possible, submit a list of scheduled depositions to the Commission and, when billing time for preparation and attendance at depositions, shall include detail in its billings identifying the name (and title, if applicable) of the person deposed.

D. Motion Practice

You must consult with the Commission before engaging in any activity related to motion practice. When consulting with the Commission prior to filing a motion you must address:

- The purpose of the motion;
- The motion's chance of success;
- How the motion will advance the case;
- How much time will be expended on the motion; and
- Who will prepare the motion.

EXHIBIT B1

E. Retention of Experts and Independent Consultants

Independent consultants and experts shall not be engaged by outside counsel without prior approval of the Commission. Any time a consultant or expert is recommended, an estimate of the cost of that individual's retention, including costs associated with any written reports, if necessary, should be provided to the Commission accompanied by the curriculum vitae before the expert or consultant will be considered.

F. Secretarial/Clerical/Administrative Functions at Professionals Rates:

The Commission requires that only professional services be the subject of billing. There are numerous functions that are basically secretarial or clerical in nature and that do not necessitate the participation of legal personnel in their completion. Examples of non-reimbursable secretarial/clerical functions are as follows:

1. Communications with court reporters
2. Creating and organizing binders and notebooks
3. Creating and organizing folders
4. Processing vendor bills
5. Collating
6. Organizing for storage
7. Updating lists
8. Copying and binding
9. Filing
10. Scheduling and arrangements
11. Scheduling of meetings
12. Scheduling of appointments
13. Scheduling and arrangements for examinations
14. Preparation of Notice of Taking Deposition
15. Calendaring
16. Conflict checks
17. Organizing and re-organizing files
18. Bates-stamping and date-stamping
19. Indexing file materials (unless it involves indexing case documents wherein professional judgment as to the index categories must be utilized)
20. Tabbing file materials
21. Pick-up and delivery of documents and records
22. Telephone calls and/or correspondence to copy services, and re-filing

EXHIBIT B1

23. Inventorying of documents
24. Pulling/copying documents
25. Ordering reporter or translator
26. Making travel arrangements
27. Preparing Subpoena for employment/other records wherein a record copy service or other standardized form is prepared
28. Mail handling
29. Drafting cover/enclosure letters (absent substantive communications about the case)
30. Billing for telephone call attempts
31. Staff overtime charges

The Commission will not pay for secretarial, clerical or administrative functions performed by attorneys, paralegals, legal assistants or non-professional staff such as secretarial, clerical, computer, library and/or other non-professional personnel.

The Commission acknowledges that the cost of instituting and implementing a document management and coding system for the litigated matter is reimbursable pursuant to outside counsel's contract with the Commission.

Scheduling of meetings and depositions by attorneys and/or legal assistants may, in some instances, be compensable where sufficient justification is provided in the billings (e.g., where such scheduling could not be handled by personnel lacking professional knowledge and judgment related to the case).

G. Proofreading/Review and Revisions of Work Product

The Commission will not reimburse you for time expended by the firm's personnel in proofreading or text editing documents for errors of typing or dictation and for making any corrections as a result.

The Commission will reimburse reasonable charges for substantive revisions to complex documents. However, revisions made as a result of proofreading a document by the drafter or other firm personnel are not chargeable.

The Commission will carefully review time expended on revision or modifications of the work product of a junior attorney by a senior attorney. The Commission's expectation is that work will be fairly and efficiently divided among junior and senior attorneys so that the blended hourly rate agreed to in this case works to the mutual benefit of counsel and the Commission (with neither party obtaining a greater advantage thereby).

Time spent preparing invoices is administrative and not compensable. The Commission also considers discussions/negotiations of billing questions as administrative/overhead; however, the Commission will endeavor to limit such negotiations with counsel to one hour per month.

H. Qualified Professionals

The Commission will only pay professional rates for attorneys, law clerks or qualified paralegals/legal assistants performing proper functions in relation to a particular file. Examples of billable activities that can often be properly performed by paralegals/legal assistants are as follows:

EXHIBIT B1

1. Internet research
2. Prepare Subpoena/Notice re: deposition
3. Organize and re-organize file(s) if it involves case documents such as separating, cataloging responses to Requests for Production of Documents
4. Index file materials if they are case documents requiring professional judgment with respect to categories
5. Prepare Entry of Appearance
6. Prepare Substitution of Attorney
7. Prepare Answers which do not require affirmative defenses or specific denials
8. Prepare Interrogatories (form or standard)
9. Prepare Request(s) to Produce (form or standard)
10. Prepare Stipulations to Extend Time to Answer (form or standard)
11. Prepare Motions to Compel Responses to Discovery (form). Note: If the Commission has a consultation requirement or each motion must be customized as opposed to being a standard form, this may be an attorney function
12. Summarize Answers to Interrogatories (form or standard)
13. Summarize Depositions (line and page summary/digest). Note: We will not pay for line and page summaries/digests unless a dispositive motion or trial is imminent.
14. Summarize records (depending on the nature of the record and the amount of professional knowledge/judgment required)
15. Prepare records indices
16. Prepare records request(s) (form or standard)
17. Prepare records subpoena(s) (form or standard)
18. Prepare Authorization to Secure Records (medical, tax, IRS, employment, union)
19. Prepare witness list
20. Prepare exhibit list
- I. Travel Time

III. BILLING REQUIREMENTS

A. Hourly Rates

Hourly rates should contain all overhead and internal charges associated with your cost of doing business. Legal bills submitted to the Commission should only contain fees for attorneys and legal assistants. Fees for services performed by other personnel shall not be billed unless approved in advance by the Commission.

EXHIBIT B1

B. Fee Statements

Outside counsel are required to submit monthly itemized fee statements, in both electronic and paper format, for review and payment by the Commission. See also Exhibit B, Section 1C.

The Commission requires that you submit fee statements as follows:

One (dual) submission to the Commission, including an Excel (xls, xlsx) version and a hard copy/paper version. For the hard copy version, the Commission requires that you utilize a billing format that includes the following information:

1. The Commission's name and contract number
2. The name of the case or project
3. The date the itemized legal function was performed
4. A description of the single itemized service provided
5. Specific, accurate time in tenths of an hour
6. The initials of the billing attorney or legal assistant
7. The agreed-upon hourly rate for the timekeeper providing the service
8. The total charge for that individual line entry
9. A specific description of each disbursement/ expense incurred during the billing period
10. The total charge for each disbursement/ expense entry
11. The outside counsel's federal employer tax identification number

After this itemization, the bill should indicate a summary section for the billing period including:

The initials of each attorney and/or legal assistant who has performed work on the contract at any time

2. The status (i.e., partner, associate, legal assistant, etc.) of each timekeeper
3. The total number of hours billed by each timekeeper performing services during the billing period
4. The hourly rate charged for each timekeeper performing services during the billing period
5. The total dollar amount of fees charged for each timekeeper during the billing period

The total amount of disbursements/expenses incurred during the billing period. After this summary section for the billing period, the bill should indicate a cumulative summary section including:

1. Initials of each attorney and/or legal assistant who has performed work on the contract at any time
2. The status (i.e., partner, associate, legal assistant, etc.) of each timekeeper
3. The total number of hours billed by each timekeeper performing services during the life of the case
4. The hourly rate charged for each timekeeper performing services during the life of the case
5. The total dollar amount of fees charged for each timekeeper during the life of the case

EXHIBIT B1

6. The total amount charged for each disbursement area during the life of the case

C. Minimum Billing Charge/Billing Increment

The Commission requires that .10 hour (six minutes) be used as the minimum billing charge and billing increment. Minimum charges, flat rates, and/or increments in amounts less than .10 hour will not be accepted.

D. Actual Time Expended

The Commission requires that the time charged be no greater than the actual time expended on a function, i.e., without the time being rounded up.

The Commission will not accept standardized charges for work that is form in nature. We recognize that many documents are form in nature, pre-printed or computer generated and that the time required for their completion is dependent on the accuracy of the secretary and the speed of word processing equipment, rather than on the professional time involved.

The Commission shall not be billed individual charges for documents such as subpoenas duces tecum served on multiple parties when only one notice or subpoena is prepared with minimal modifications to subsequent notices or subpoenas.

E. Blocked Billing

The Commission will reimburse fees and expenses which are reasonable and in compliance with these Guidelines. In an effort to determine the reasonableness of the fees, it is essential that the time charge for each task be specifically identified. Multiple activities collected under one block time charge for the day will not be accepted.

F. Vague Billing

It is essential that each legal activity be identified in the billings. Generic and general activity descriptions are vague and do not allow the Commission to identify the exact nature of the work performed on behalf of the Commission. Vague descriptions will not be accepted. The following are some examples of vague descriptions that, without further clarification, are unacceptable:

Arrangements with	Review correspondence
Conference with	Trial preparation
Discussion with	Work on project
Meeting with	Work on discovery
Attention to	Attend meeting
Attend deposition	Review/draft discovery
Discovery	Review case and issues
Motion work	Telephone call
Review/draft pleadings	Update strategy
Receipt of document	Work on file
Prepare correspondence	Legal research
Research	Correspondence re: status

The above list is not all-inclusive.

When billing for telephone conversations, specifically describe the parties and purpose of the telephone call. All correspondence, pleadings and other documents reviewed must be distinctly identified. The test is

EXHIBIT B1

whether the Commission can determine exactly what professional service was provided and assess the appropriateness of the related time charge.

G. Disbursements/Expenses

The monthly fee statement must include an individually itemized accounting of all disbursements and billable expenses. The Commission will not accept any "miscellaneous" or vaguely described expense items. The firm's charges for the following expense items must be adhered to as specified in its contractual agreement with the Commission:

- Computerized Legal Research
- Fax Charges: \$ 0.25 per page
- Photocopy Charges: \$ 0.20 per page
- Telephone Charges
- Travel Expenses (Note: mileage charges should be separately identified with the number of miles indicated and include the reason for travel) additional expense items are to be billed as noted in Item #4, Travel and Per Diem Expenses, above.
- Messenger/Courier/Delivery/Express/Overnight Mail Services Messenger and expedited mail services should be used judiciously, and will be accepted for reimbursement only if reasonable and not necessitated by the firm's delay or mere convenience. Use of such services pursuant to court order is per se reasonable.
- Database/Data Entry Charges The Commission will not pay professional rates for document input, programming, data entry, maintaining or organizing documents for the database. The Commission will pay a paralegal/legal assistant rate (or other contractually-agreed rate) for activities associated with a database such as determining what documents should be entered, determining how documents are categorized or summarizing documents.
- Additional Non-Reimbursable Disbursements The following costs will not be reimbursed by the Commission:
 1. Office supplies;
 2. Travel-related expenses such as: alcoholic beverages, rental movies, personal grooming services, private limousine transportation as opposed to taxi or shuttle service, valet;
 3. Commuting expenses to or from work for firm personnel; and
 4. Staff overtime or overtime related expenses

IV. AUDITING

In conjunction with and in addition to audit rights identified in the contract, the Commission reserves the right to audit all fees and disbursements submitted by your firm along with the corresponding legal file(s). The Commission or its designee may perform this audit. The Commission's auditor of choice will be any party, person, corporation or business entity designated by the State.

EXHIBIT B1

Acknowledgment of Receipt of the Citizens Redistricting Commission's (Commission) Guidelines:

I hereby acknowledge receipt of the Commission's Billing Guidelines. I have read, understood and agreed on behalf of the firm to comply with the Commission's Guidelines. I represent to you that all attorneys, paralegals, legal assistants, paraprofessionals, employees, agents, servants and workers of the law firm, will use their best efforts to comply with the Commission's Guidelines.

BY: 

on behalf of: Strumwasser & Woocher LLP

DATE: 5/11/21

EXHIBIT C

GENERAL TERMS AND CONDITIONS

The terms and conditions (GTC 04/2017) may be found at:
<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>

EXHIBIT D

CONFLICT AND IMPARTIALITY

The attorneys assigned to represent the Commission shall not, during the course of the representation: (1) make available any work product relating to the representation or (2) receive information about redistricting from or discuss the substance of their work on behalf of the Commission, with either (1) any attorney in the firm who is engaged in lobbying involving redistricting issues or (2) any member of the Contractor's Political Contributions Committee.


Signed on behalf of Strumwasser & Woocher, LLP

5/11/21
DATE

CONFLICT AND IMPARTIALITY STATEMENT (from RFI)

Contractor will disclose any financial, business, professional, lobbying or other relationship that presents a potential conflict as described in California Government Code Section 8252, as well as any litigation matter in which the applicant is adverse to any entity of California state government.

Work relating to Redistricting or other work for current or prior clients during the past 10 years that, even if such work has concluded, could present the appearance of a conflict in connection with the representation of the Commission for Redistricting Activities. For example, if the attorney or law firm either presently, or has in the past represented a political party or an interest group funded by or working on behalf of a political party, such work must be disclosed and the implications of the current or prior representation for this assignment must be described. The disclosures required by this section and by Government Code 8252 are attached to this agreement.


Signed on behalf of Strumwasser & Woocher, LLP

5/11/21
DATE

**GOVERNMENT CODE
SECTION 8252 (2) (A-B)**

8252. Citizens Redistricting Commission Selection Process.

(2) (A) Within the 10 years immediately preceding the date of application, neither the applicant, nor a member of his or her immediate family, may have done any of the following:

- (i) Been appointed to, elected to, or have been a candidate for federal or state office.
- (ii) Served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal or state office.
- (iii) Served as an elected or appointed member of a political party central committee.
- (iv) Been a registered federal, state, or local lobbyist.
- (v) Served as paid congressional, legislative, or Board of Equalization staff.
- (vi) Contributed two thousand dollars (\$2,000) or more to any congressional, state, or local candidate for elective public office in any year, which shall be adjusted every 10 years by the cumulative change in the California Consumer Price Index, or its successor.

(B) Staff and consultants to, persons under a contract with, and any person with an immediate family relationship with the Governor, a Member of the Legislature, a member of Congress, or a member of the State Board of Equalization, are not eligible to serve as commission members. As used in this subdivision, a member of a person's "immediate family" is one with whom the person has a bona fide relationship established through blood or legal relation, including parents, children, siblings, and in-laws.

FREDRIC D. WOOCHEER

Senior Counsel

PROFESSIONAL EXPERIENCE**STRUMWASSER & WOOCHEER LLP**

Senior Counsel, January 2020 – present

Partner, January 1991 – January 2020

Specializing in complex civil litigation on public policy issues. Practice emphasizes constitutional law, election law, environmental protection, and administrative regulation. Counsel to numerous state, local, and special agencies and elected and appointed officials in environmental law, elections, and political reform. Represents California Legislature, Insurance Commissioner and Earthquake Authority, various counties and numerous cities. Counsel to homeowners' associations, environmental organizations, and other public-interest groups. Handles litigation in federal and state trial and appellate courts and administrative agencies, and has handled two election contests in the House of Representatives.

OFFICE OF THE ATTORNEY GENERAL OF CALIFORNIA

Special Counsel to the Attorney General, September 1988 – January 1991

Legal and policy advisor on Attorney General's executive staff. Responsible for handling a variety of special projects and sensitive issues, including high-priority civil litigation, legislative proposals, and policy programs. Principal activities included advising the Attorney General on political reform and ethics issues, supervising all judicial and administrative proceedings regarding implementation of Proposition 103, and assisting on selected environmental and consumer matters. Author, for gubernatorial candidate John K. Van de Kamp, of Proposition 131, the campaign and ethics reform initiative on the June 1990 ballot.

CENTER FOR LAW IN THE PUBLIC INTEREST

Staff Attorney, July 1981 – September 1988

Handled complex civil litigation on broad range of high-impact public interest issues. Specialized in environmental, land use, election law, First Amendment, and civil rights issues. Argued before United States and California Supreme Courts, federal and state courts of appeal, and trial courts. Helped draft City of Los Angeles campaign finance reform charter amendments and city ordinance prohibiting discrimination by private business clubs.

DEPARTMENT OF DEFENSE

Staff Assistant to Secretary of Defense Harold Brown, 1980 – 1981

UNITED STATES SUPREME COURT

Law Clerk to Justice William J. Brennan, Jr., 1979 – 1980

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Law Clerk to Chief Judge David L. Bazelon, 1978 – 1979

Document received by the CA Supreme Court.

ACADEMIC

J. D., Stanford Law School, 1978. President, Stanford Law Review. Order of the Coif.

Ph.D. (Cognitive Psychology), Stanford University, 1977. National Science Foundation Graduate Fellowship.

A.B., Yale University, 1972. Phi Beta Kappa, Magna Cum Laude.

PROFESSIONAL AFFILIATIONS

Adjunct Professor of Law, University of Southern California (Pre-trial Advocacy, 1987–88).

Adjunct Professor of Law, Loyola Law School (Law of Politics, 1992–93)

Lecturer, U.C.L.A. Hazardous Materials Liability Program (1986, 1987)

American Bar Association, ALI-ABA Committee on Continuing Professional Education
(Lecturer, Hazardous Wastes, Superfund, and Toxic Substances)

California State Bar Association Committee on Human Rights (1983–86: Chair, 1984–85)

California State Bar Association Committee on Environment (1986–88)

Los Angeles County Bar Association Committee on Judicial Evaluations (1985–90)

California League of Conservation Voters, Treasurer; Member of Executive Committee
(1991–1996)

Stanford Law School Board of Visitors (1988–90)

California Common Cause, Board of Directors (1992–1994), Advisory Board (1986–90)

REPRESENTATIVE MATTERS HANDLED

Pacific Gas & Electric Co. v. Public Utilities Comm'n of California, 475 U.S. 1 (1986). Counsel for respondent Toward Utility Rate Normalization, consumer advocacy group seeking to have its informational and membership material distributed to utility's ratepayers with their monthly bills; Supreme Court held that PUC order dedicating "extra space" in billing envelopes for that purpose violated utility's First Amendment right not to associate with consumer group's message.

Nollan v. California Coastal Commission, 483 U.S. 825 (1987). Authored amicus brief on behalf of 12 national and state environmental organizations supporting Coastal Commission's permit condition requiring landowner to dedicate easement for public access to beach under public trust doctrine; Supreme Court held that the access condition did not adequately serve the public purposes related to the permit requirement.

Board of Directors of Rotary International v. Rotary Club of Duarte, 481 U.S. 537 (1987). Authored amicus brief for women's rights groups seeking to uphold application of California's Unruh Civil Rights Act to international service organization that refused to permit women as full members; Supreme Court upheld enforcement of state's anti-discrimination law and rejected Rotary International's claim to First Amendment immunity.

CALIFORNIA SUPREME COURT

Howard Jarvis Taxpayers Assn. v. Padilla, 62 Cal. 4th 486 (2016). Successfully defended California Legislature's constitutional authority to place an advisory measure on the statewide ballot to gauge voter support for a constitutional amendment to overturn the U.S. Supreme Court's decision in *Citizens United*.

Californians for an Open Primary v. McPherson, 38 Cal.4th 735 (2006). Represented initiative proponents in successfully challenging Legislature's authority to combine disparate constitutional amendments in a single, competing ballot measure.

Amwest Surety Ins. Co. v. Wilson, 11 Cal.4th 1243 (1995). Represented California Insurance Commissioner in successful challenge to legislative attempt to amend citizen-sponsored insurance reform initiative in a manner that was inconsistent with the purpose of the initiative by exempting surety insurance from rate regulation.

20th Century Insurance Co. v. Garamendi, 8 Cal.4th 216 (1994). Represented California Insurance Commissioner John Garamendi in landmark litigation unanimously upholding the Commissioner's regulatory program for imposing rollbacks on property and casualty insurance rates against constitutional challenges from insurance industry, resulting in over \$4 billion in refunds to consumers and reduced auto, homeowners, and other insurance rates.

Calfarm Insurance Company v. Deukmejian, 48 Cal.3d 805 (1989). Co-counsel for respondent Attorney General John Van de Kamp in insurers' multi-prong challenge to constitutionality of Proposition 103; Supreme Court invalidated and modified a portion of the initiative but upheld the bulk of the measure as severable from the invalid sections.

C.O.S.T. v. Superior Court of Orange County, 45 Cal.3d 491 (1988). Represented and presented oral argument for petitioner citizens' group seeking to have initiative securing public vote on local development fee placed on City of Irvine ballot; Supreme Court held that initiative was beyond the authority of the local electorate because its subject matter was of statewide concern.

Press v. Lucky Stores, Inc., 34 Cal.3d 311 (1983). Counsel for petitioner, proponent of statewide ballot measure seeking award of attorneys' fees for lawsuit brought to obtain access to shopping center for purpose of collecting signatures on initiative petitions; Supreme Court ordered award of attorneys' fees under Code of Civil Procedure section 1021.5, finding that lawsuit was necessary to vindicate fundamental First Amendment rights of signature gatherers.

Kopp v. Fair Political Practices Com., 11 Cal.4th 607, 905 P.2d 1248, 47 Cal.Rptr.2d 198 (1995). Represented Common Cause in extraordinary writ proceeding to save by reformation constitutionality of Proposition 73.

Gerken v. Fair Political Practices Com., 6 Cal.4th 707, 863 P.2d 694, 25 Cal.Rptr.2d 449 (1993). Co-counsel for Common Cause in petition seeking to establish the effectiveness of Proposition 68.

OTHER MAJOR CASES

Steinberg v. Chiang, 223 Cal.App.4th 338 (2014). Represented President pro Tempore of the Senate and Speaker of the Assembly in obtaining declaratory judgment against State Controller that the California Legislature had complied with the Constitution's requirement to pass a balanced budget bill, precluding the withholding of legislators' salaries.

Consumer Watchdog v. Department of Managed Health Care, 225 Cal. App. 4th 862 (2014). Successfully sued the Department of Managed Health Care on behalf of autism patients and advocates to require health plans to provide coverage for applied behavioral analysis (ABA) treatment administered by non-medically licensed, but professionally certified, behavioral therapists.

Noonan v. Bowen, 2014 WL 4235188 (2014). Represented President Barack Obama in obtaining the dismissal of lawsuit seeking to prevent the California Secretary of State from placing his name on the presidential primary election ballot without determining that he was a "natural born citizen" eligible to hold office as President of the United States.

Pette v. International Operating Union of Engineers, 2013 WL 5573043 (C.D. Cal. 2013). Obtained dismissal of International Union's General Counsel from federal RICO lawsuit alleging that International conspired with officers of local union and employers to embezzle funds and divert assets belonging to local union members and ERISA benefit trust funds.

Howard Jarvis Taxpayers Assn. v. Bowen, 212 Cal. App. 4th 1298 (ordered de-published 2013). Represented Legislature in challenge to its enactment of a budget trailer bill by majority vote on an urgency basis that directed the ordering of initiatives on future election ballots.

Keyes v. Bowen, 189 Cal.App.4th 647 (2010). Represented President Barack Obama in obtaining dismissal of lawsuit contending that California Secretary of State has a duty to verify the constitutional qualifications of political parties' presidential nominees before placing their names on the general election ballot.

Preserve Shorecliff Homeowners v. City of San Clemente, 158 Cal.App.4th 1427 (2008). Represented referendum proponents in obtaining judicial ruling that city residency requirement for circulators of municipal referendum petitions is unconstitutional under the First Amendment.

Mendoza v. State of California, 149 Cal.App.4th 1034 (2007). Represented Los Angeles Unified School District in a successful challenge to state legislation, the Romero Act, that would have transferred responsibility for administering a number of the district's schools to the Mayor of Los Angeles, in violation of the state Constitution and the Los Angeles City Charter.

Robson v. Upper San Gabriel Valley Mun. Water Dist., 142 Cal. App. 4th 877 (2006). Prevailed in a case of first-impression determining whether an appointed board member for municipal water district must stand for reelection under Government Code section 1780.

City of Santa Monica v. Stewart, 126 Cal.App.4th 43, 24 Cal.Rptr.3d 72 (2005). Successfully blocked attempt by city council to prevent implementation of voter-approved election-reform ordinance.

McKinney v. Superior Court, 124 Cal.App.4th 951, 21 Cal.Rptr.3d 773 (2004). Represented write-in candidate for Mayor of San Diego, who drew more votes in run-off election than either candidate on ballot.

Bradley v. Perrodin, 106 Cal.App.4th 1153, 131 Cal.Rptr.2d 402 (2003). Successfully represented winner of Compton mayoral election on appeal that overturned trial court's decision to remove him from office on the theory that the runner-up would have won the election had his name been listed first, rather than second, on the ballot.

Westly v. California Public Employees' Retirement System Bd. of Administration, 105 Cal.App.4th 1095, 130 Cal.Rptr.2d 149 (2003). Successfully represented State Controller in action challenging attempt by Board of Administration of CalPERS to evade state fiscal controls.

Jeffrey v. Superior Court, 102 Cal.App.4th 1, 125 Cal.Rptr.2d 175 (2002). Successfully compelled city council to place initiative on the ballot.

Citizens for Jobs and the Economy v. County of Orange, 94 Cal.App.4th 1311, 115 Cal.Rptr.2d 90 (2002). Successfully blocked initiative seeking to impede transformation of El Toro Marine Air Station into commercial airport.

Ryan v. California Interscholastic Federation-San Diego Section, 94 Cal.App.4th 1048, 114 Cal.Rptr.2d 798 (2001). As counsel for amicus Education Legal Alliance of the California School Boards Association, raised and prevailed on dispositive issues in lawsuit challenging

- Songstad v. Superior Court*, 93 Cal.App.4th 1202, 113 Cal.Rptr.2d 729 (2001). Case involved standing to challenge title and summary for county initiative.
- Nicolopoulos v. City of Lawndale*, 91 Cal.App.4th 1221, 111 Cal.Rptr.2d 420 (2001). Case involved exclusivity of quo warranto for city counsel to unseat elected official.
- Woo v. Superior Court*, 83 Cal.App.4th 967, 100 Cal.Rptr.2d 156 (2000). Successful representation of candidate for city council, determining he was not barred by term limits.
- McPherson v. City of Manhattan Beach*, 78 Cal.App.4th 1252, 93 Cal.Rptr.2d 725 (2000). Successfully represented citizens' group challenging city permit allowing construction of building in violation of height ordinance. Case resulted in top of building having to be demolished.
- Schweisinger v. Jones*, 68 Cal.App.4th 1320, 81 Cal.Rptr.2d 183 (1998). Represented former member of Assembly seeking determination that term limits did not apply to her.
- Americans v. State*, 58 Cal.App.4th 724, 59 Cal.Rptr.2d 416 (1997). Challenge to State Legislature's failure to appropriate funds for anti-tobacco advertising pursuant to Proposition 99.
- Dornan v. Sanchez*, House Oversight Committee; *In re Sanchez*, 978 F.Supp. 1315 (C.D. Cal. 1997); *In re Sanchez*, 955 F.Supp. 1210 (C.D. Cal. 1997). Successfully defended Hon. Loretta Sanchez before House Oversight Committee, and in related judicial litigation, in election-contest challenge by former Rep. Robert Dornan.
- Browne v. Russell*, 27 Cal.App.4th 1116, 33 Cal.Rptr.2d 29 (1994). Represented a coalition of public-health organizations, successfully upheld Los Angeles City ordinance prohibiting smoking in restaurants against a challenge by the tobacco and restaurant industries.
- Wilshire Ins. Co. v. Garamendi*, 5 Cal.App.4th 1573, 8 Cal.Rptr.2d 55 (1992). Successful defense of application of Proposition 103 to insurers not ordered by former Insurance Commissioner to roll back rates.
- California Auto. v. Garamendi*, 234 Cal.App.3d 1486, 286 Cal.Rptr. 257 (1991). Successful defense of Insurance Commissioner's rate order for assigned-risk insurance.
- California Auto. v. Garamendi*, 232 Cal.App.3d 904, 283 Cal.Rptr. 562 (1991). Upheld Insurance Commissioner's rulings on procedures for setting assigned-risk rates.
- Hardeman v. Thomas*, 208 Cal.App.3d 153 (1989). Co-counsel in election contest challenging outcome of Inglewood City Council run off election; after five day trial, Superior Court annulled election results and ordered new election to be held, finding that numerous violations of state absentee ballot laws had occurred.
- Jonathan Club v. California Coastal Commission*, 197 Cal.App.3d 884 (1988) (decertified for publication). Represented amici civil rights organizations in trial and appellate courts in support of Coastal Commission's imposition of permit condition requiring Jonathan Club to certify that it does not discriminate in its membership policies on account of race, religion, or sex in order to expand its facility on state-leased beachfront land in Santa Monica.

- Federation of Hillside & Canyon Associations v. City of Los Angeles*, No. C526616 (L.A. Super. 1986).
Co-counsel in challenge to City of Los Angeles' failure to bring zoning ordinances into conformity with city's general plans; injunction against issuance of further building permits for inconsistently zoned parcels led to settlement with court-monitored schedule for city-wide rezoning program.
- American Lung Ass'n of Cal. v. South Coast Air Quality Mgmt. Dist.*, No. C573130 (L.A. Super. 1985).
Represented clean-air coalition in successful challenge to first attempt by company to "bank" pollution reduction "credits" for future sale to other companies needing to decrease emissions; settlement resulted in rescinding of credits.
- Friends of Ballona Wetlands v. California Coastal Commission*, No. C525826 (L.A. Super. 1984).
Represented environmental organizations in administrative and court challenges to L.A. city, county, and Coastal Commission approvals of EIR and land use plans for massive Playa Vista development project; settlement resulted in scaled-down project and preservation/restoration of additional wetlands acreage.
- United States v. Stringfellow*, No. CV 83-2501 JMI (C.D. Cal. 1983). Represented intervening residents in multi-party Superfund toxic waste site clean-up action; case still pending, but trial court found private waste generators, dumpsite owners, and State of California strictly liable for cleanup costs under CERCLA, RCRA, and Clean Water Act.
- Sierra Club v. Board of Supervisors*, No. C319067 (L.A. Super. 1981). Co-counsel in successful challenge to L.A. County approval of Sunnyside development project in Santa Monica Mountains; innovative settlement resulted in project re-design with additional on-site mitigation measures and establishment of monetary off-site mitigation fund for purchase of development rights in other environmentally sensitive canyon areas.
- Coalition For L.A. County Planning in the Public Interest v. Bd. of Supervisors*, 76 Cal.App.3d 241 (1977).
Co-counsel in successful challenge to inadequacy of EIR and open-space element of L.A. County's general plan amendments under state Planning and Zoning law.

MICHAEL J. STRUMWASSER
Senior Partner

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCNER LLP, LOS ANGELES, CALIFORNIA
Senior Partner, 1991 – present

Handles large-scale civil litigation in government law, economic regulation, education law, civil-rights, public finance, and environmental law. Represents and advises a wide range of public officials and agencies, public-interest groups, and private parties. As Special Counsel to California Insurance Commissioner, designed, implemented, and successfully defending the regulatory program for implementation of Proposition 103. Has represented Los Angeles Unified School District on a wide range of constitutional and statutory issues. Serves as counsel to the California Earthquake Authority on regulatory and financial issues, to the California Public Utilities Commission on its adjudicatory practices, and to labor unions on legislative and antitrust matters. He is co-author of the Rutter Guide, CALIFORNIA ADMINISTRATIVE LAW.

OFFICE OF THE ATTORNEY GENERAL OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Special Assistant Attorney General, January 1983 – January 1991

As legal and policy adviser to Attorney General John Van de Kamp, supervised and handled major litigation in antitrust, environment, insurance, energy, public utility regulation. Directed special projects on economic, environmental, natural resource, technical, and regulatory issues. Formulated legislation, represented Attorney General before California Legislature and Congress. Directed Department of Justice training program in trial and appellate advocacy.

Deputy Attorney General, 1973 – 1983

Advised and represented state officials and agencies in litigation involving environmental protection and natural resource management, energy regulation, federal preemption, torts, and condemnation.

CALIFORNIA ENERGY COMMISSION, LOS ANGELES, CALIFORNIA
Special Counsel, 1974

Participated in establishing agency and initiating its regulatory programs.

THE RAND CORPORATION, LOS ANGELES, CALIFORNIA
Consultant, 1965 – 1972

Conducted quantitative research on various military and civilian projects, including analysis of criminal justice system.

Document received by the CA Supreme Court.

REPRESENTATIVE MATTERS HANDLED

EDUCATION LAW

Los Angeles Unified School District. Counsel to the nation's second-largest school district.

Represented the District in a challenge to California's allocation of state school bonds, resulting in LAUSD receiving an additional \$650 million in existing funds and passage of historic \$25.4 billion state bonds that gave overcrowded districts a priority right to the proceeds. Drafted Measure R, a local school bond measure that gave the District an additional \$3.8 billion for school construction and modernization. Successfully defended the District's random-weapons-search policy.

INSURANCE REGULATION

California Department of Insurance Unfair Insurance Practices Prosecution. Lead counsel for California Department of Insurance prosecuting PacifiCare Life & Health Ins. Co. For nearly a million unfair practices arising out of its acquisition by United Healthcare and subsequent errors in processing patient and provider claims. Hearing spanned over three years—the largest hearing in the history of the Office of Administrative Hearings, resulting in a finding by the Commissioner of over 900,000 violations and imposition of a penalty of \$173.6 million, rendered in a precedent decision.

Proposition 103 Implementation Litigation. After writing regulations implementing the insurance-reform initiative, tried test cases in administrative hearing and courts, culminating in unanimous California Supreme Court decision upholding the regulations and the refund orders and leading to over \$1 billion in consumer rebates. Also handled litigation striking down invalid legislative amendments to Proposition 103, establishing federal-abstention bar to insurers attempting to block rate-regulation in federal court, and establishing procedures and scope of rate-regulation. Currently represents California Insurance Commissioner on Proposition 103 and other insurance-regulatory matters.

California Earthquake Authority. Represents state agency created to write residential earthquake insurance, which had become unavailable after Northridge earthquake. Successfully defended agency's rate in lengthy hearings involving extensive actuarial, economic, and geoseismic issues. Advises Authority on wide range of government-law issues, on economic and financial matters, and on actuarial and geoseismic analyses. Represents the Authority in litigation against a national bank for losses in an illegal investment it made with policyholder funds.

State Insurance Regulators. Served as special counsel to Insurance Commissioners and other regulators in Texas, Washington, Missouri, and New Mexico on regulatory and antitrust issues.

Insurance Antitrust Litigation. Supervised California investigation into manipulation of commercial and municipal liability insurance markets, resulting in nineteen states joining in federal-court suit.

ENERGY AND PUBLIC-UTILITY REGULATION

California Public Utilities Commission. Following revelation of illegal ex parte communications between California Public Utilities Commissioners and a regulated utility, Strumwasser &

Woocher has been retained by the CPUC to conduct an independent review of the commission's ex parte and related practices and to recommend reforms. That review is presently underway.

California Energy Crisis. In 2001, when California's electricity-deregulation experiment became an unprecedented disaster, Strumwasser & Woocher represented TURN, the state's leading utility-ratepayer advocacy organization, in wide-ranging litigation to block a multi-billion-dollar bail-out of the utilities at the expense of consumers, litigation that involved many substantive and procedural public-law issues. The firm initially successfully defended decisions of the California Public Utilities Commission obtained by TURN, holding the utilities to the terms of the deregulation legislation. When the PUC entered a secret bail-out deal with one of the utilities, the firm initially succeeded in blocking the deal, obtaining a Ninth Circuit opinion that the PUC had violated state law but certifying the question to the California Supreme Court, which ruled to the contrary.

California Independent System Operator. Retained by corporation that operates the bulk of California's power grid to independently investigate legislative allegations that the corporation's staff had manipulated the power markets during the energy crisis.

PUC Intervenor Funding. Represented TURN in litigation establishing the right of consumer-representative intervenors to obtain funding for participating in judicial review in federal court.

Diablo Canyon Nuclear Power Plant. Supervised Attorney General's intervention in Public Utilities Commission decision on rate-treatment of nuclear project. Negotiated historic settlement, in which utility agreed to take whole power plant out of rate base and instead accept compensation on the basis of electricity produced; expected to amount to a disallowance in excess of \$2 billion.

Department of Water Resources Power Program and Antitrust Litigation. Conducted major antitrust litigation on behalf of the California Department of Water Resources against the state's three private utilities. Negotiated settlements and a series of contracts that liberated DWR from the utilities' control and made it a major power utility in its own right, able to buy and sell electricity to minimize the costs of the State Water Project. Advised the Director of Water Resources on development and implementation of its long-range program for supplying power to the State Water Project on bond requirements, competitive bidding, CEQA compliance, and Burns-Porter Act authority for power plant construction and power contracts.

Southern California Edison-San Diego Gas & Electric Merger. Directed Attorney General's team that successfully challenged utility merger on antitrust, environmental, and ratemaking grounds.

ECONOMIC REGULATION AND ANTITRUST LAW

California v. American Stores. Directed Attorney General's antitrust challenge to \$2.5 billion supermarket merger. Case resulted in U.S. Supreme Court decision establishing private remedy of divestiture under Clayton Act and agreement to divest supermarket chain, leading to the U.S. Supreme Court decision recognizing a private right of action for corporate mergers in violation of the Clayton Act.

Document received by the CA Supreme Court.

State ex rel. Van de Kamp v. Texaco. Lead counsel on Attorney General's antitrust challenge to oil-company merger, resulting in California Supreme Court holding that California antitrust law does not apply to mergers.

Grocery Chain Merger. Advised and represented the United Food and Commercial Workers in challenging the merger of two large grocery-store chains. Secured conditions on the merger protective of the workers' collective bargaining agreement and rights to organize.

Industrial Laundry Antitrust. Counsel to UNITE HERE challenging mergers in the industrial-laundry industry, in which many of the union's members are employed.

CONSTITUTIONAL RIGHTS AND CIVIL RIGHTS

Presidential Eligibility. Represented President Barack Obama, Vice President Joe Biden, and the 57 California Electors to the Electoral College in defeating a case brought by the losing candidate of the American Independent Party challenging the President's eligibility to serve in office under the "natural born citizen" clause of the Constitution.

U.S. Department of Housing and Urban Development. Special counsel to the Assistant Secretary of Housing and Urban Development on homeowners' insurance redlining.

Anti-SLAPP Litigation. In two separate cases, successfully invoked the state law against strategic lawsuits against public participation to dismiss cases that had been brought to intimidate people speaking out on environmental issues. One case resulted in the second appellate opinion ever construing the statute, establishing the breadth of its protection.

Sweatshop Class Action. Represented class of garment workers denied minimum-wage and overtime pay, resulting in \$1.5 million settlement for 350 workers.

Native-American Religious Rights. Counsel for Native Americans challenging state university's desecration of sacred sites, successfully blocking construction of parking lot and strip mall on remains of ancient village.

ENVIRONMENTAL LAW

Proposition 65 Litigation. Represented workers who contracted lead-poisoning at their brass-manufacturing factory. Obtained injunction requiring clean-up and monitoring and substantial monetary award.

Santa Clarita Development Litigation. Represented environmental and homeowner groups in CEQA litigation over developments in the Santa Clarita Valley, winning significant mitigation measures.

Diablo Canyon Health and Safety Review. Lead attorney of team representing Governor of California in the Nuclear Regulatory Commission's health and safety review of the design and construction of the Diablo Canyon Nuclear Plant. Litigation involved seismology, structural and electrical engineering, quality control.

Sears v. State. Successfully defended waste discharge requirements imposed by Regional Water Quality Control Board in jury trial.

Medfly Spraying. Advised Attorney General and supervised litigation over the state's program to eradicate Mediterranean Fruit Flies by aerial application of Malathion. Legal issues involved state statutes regulating pesticides, Proposition 65, and state emergency declarations. Technical issues pertained to epidemiological studies of long-term exposure to Malathion and chemical testing for extremely minute amounts of heavy metals.

Vehicle-Emission Regulation. Defeated quasi-contract and inverse-condemnation claims against Air Resources Board by a manufacturer of emission-control device.

People v. Southern Pacific. Represented Department of Forestry in three-week jury trial in Mendocino Superior Court, securing verdict for state recovering full costs for suppressing fire in Eel River Canyon.

Lake Tahoe. Counsel to the California-Tahoe Regional Planning Agency in state- and federal- court litigation involving vested-rights and interpretation of bistate compact.

Solid Waste Management Board. From 1976 to 1979, served as Attorney General's legal adviser to the State Solid Waste Management Board (now the Integrated Waste Management Board). Advised board on state solid waste management planning statutes, Resource Conservation and Recovery Act, Porter-Cologne Water Quality Control Act, CEQA, and related statutes.

Building Code Action v. Energy Commission. Defended energy-conservation building code against challenge based on CEQA and the Warren-Alquist Act. Conducted one- week trial entailing issues of heat-flow, computer modeling, and architecture.

California Energy Commission. Advised State Energy Resources Conservation and Development Commission on matters of energy conservation and power plant siting. Legal issues involved federal preemption, interpretation of Warren-Alquist Act, and CEQA.

Historic Preservation. Represented State Historic Preservation Officer in challenge to Army Corps of Engineers project.

PRINCIPAL REPORTED CASES

Consumer Watchdog v. Dep't of Managed Health Care, 225 Cal.App. 4th 862 (2014)

Steinberg v. Chiang, 223 Cal. App. 4th 338, 167 Cal. Rptr. 3d 249 (2014)

Los Angeles Unified Sch. Dist. v. Cnty. of Los Angeles, 217 Cal. App. 4th 597, 158 Cal. Rptr. 3d 488 (2013), review denied (Oct. 2, 2013)

California Earthquake Authority v. Metropolitan West Securities, LLC, 285 F.R.D. 585 (2012)

Service Employees Intern. Union, Local 1000 v. Brown, 197 Cal.App.4th 252 (2011)

- Keyes v. Bowen*, 189 Cal.App.4th 647 (2010)
- California Earthquake Authority v. Metropolitan West Securities, LLC*, 712 F.Supp.2d 1124 (2010)
- Arterberry v. County of San Diego*, 182 Cal.App.4th 1528 (2010)
- Utility Reform Network v. Public Utilities Com'n of State of Cal.*, 166 Cal.App.4th 522 (2008)
- Californians For An Open Primary v. McPherson*, 38 Cal.4th 735 (2006)
- Foundation for Taxpayer and Consumer Rights v. Garamendi*, 132 Cal.App.4th 1354 (2005)
- Motevalli v. Los Angeles Unified School Dist.*, 122 Cal.App.4th 97, 18 Cal.Rptr.3d 562, 191 Ed.Law Rep. 838 (2004)
- Southern California Edison Co. v. Public Utilities Com'n of State of California*, 117 Cal.App.4th 1039, 12 Cal.Rptr.3d 441 (2004)
- Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002)
- Southern California Edison Co. v. Lynch*, 353 F.3d 648 (9th Cir. 2003)
- Southern California Edison Co. v. Peevey*, 31 Cal.4th 781, 74 P.3d 795, 3 Cal.Rptr.3d 703, Util. L.Rep. P. 26,855 (2003)
- State Farm Mutual Automobile Ins. Co. v. Quackenbush*, 77 Cal.App.4th 65, 91 Cal.Rptr.2d 381 (1999)
- Fireman's Fund Ins. Co. v. Quackenbush*, 52 Cal.App.4th 599, 60 Cal.Rptr.2d 732 (1997)
- Native American Heritage Comm'n v. Board of Trustees of the California State University*, 51 Cal.App.4th 675, 59 Cal.Rptr.2d 402 (1997)
- 20th Century Ins. Co. v. Garamendi*, 8 Cal.4th 216, 878 P.2d 566, 32 Cal.Rptr.2d 108 (1995)
- Amwest Surety Ins. Co. v. Wilson*, 11 Cal.4th 1243, 906 P.2d 1112, 48 Cal.Rptr.2d 12 (1995)
- Dixon v. Superior Court*, 30 Cal.App.4th 733, 36 Cal.Rptr.2d 687, 23 Media L.Rep. 1663 (1994)
- Fireman's Fund Ins. Co. v. Quackenbush*, 87 F.3d 290 (9th Cir. 1996) *affirming* 790 F.Supp. 938 (N.D. Cal. 1992)
- California v. American Stores*, 495 U.S. 271, 110 S.Ct. 1853, 109 L.Ed.2d 240, 58 U.S.L.W. 4529, 1990-1 Trade Cas. (CCH) ¶69,003 (1990)
- Calfarm Insurance Co. v. Deukmejian*, 48 Cal.3d 805, 771 P.2d 1247, 258 Cal.Rptr. 161 (1989)

- Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant)* 30 Cal.P.U.C.2d 189, 99 P.U.R.4th 141 (1989)
- State ex rel. Van de Kamp v. Texaco*, 46 Cal.3d 1147, 762 P.2d 385, 252 Cal.Rptr. 221, 1988-2 Trade Cas. (CCH) ¶68,288 (1988)
- Asarco, Inc. v. Federal Energy Regulatory Commission*, 777 F.2d 764 (D.C. Cir. 1985)
- Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2)*, ALAB-811, 21 N.R.C. 1622 (1985); ALAB-763, 19 N.R.C. 571 (1984); ALAB-756, 18 N.R.C. 1340 (1983)
- People v. Southern Pacific*, 139 Cal.App.3d 627, 188 Cal.Rptr. 913 (1983)
- Southern California Edison Company*, 20 FERC ¶61,301 (1982)
- Pacific Gas and Electric Co. (Stanislaus Nuclear Project, Unit No. 1)*, 9 N.R.C. 683 (1979)
- Air Quality Products, Inc. v. State of California*, 96 Cal.App.3d 340, 157 Cal.Rptr. 791 (1979)
- Hayes v. State of California*, 11 Cal.3d 469, 521 P.2d 855, 113 Cal.Rptr. 599 (1974)
- Hirsch v. Department of Motor Vehicles*, 42 Cal.App.3d 252, 115 Cal.Rptr. 452 (1974)

ATTORNEY GENERAL OPINIONS

73 Ops.Cal.Atty.Gen. 366 (1990) (competitive effects of utility merger)

60 Ops.Cal.Atty.Gen. 252 (1977) (relationship of solid waste management, other environmental statutes)

ACADEMIC

J.D. 1973, UCLA School of Law

M.S. 1970, Business Statistics, UCLA Graduate School of Management

B.A. 1968, Political Science, UCLA

BAR MEMBERSHIPS

United States Supreme Court

United States Courts of Appeals for the Fifth, Ninth, Eleventh, and District of Columbia Circuits

United States District Courts for Central, Northern, and Eastern Districts of California

California Supreme Court

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ANDREA SHERIDAN ORDIN
Senior Counsel

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA
Senior Counsel, 2018 – present

Special Master and Independent Monitor appointed by the U.S. District Court Judge Dolly Gee to monitor compliance with the Flores Settlement Agreement, a federal consent decree that sets standards for the care and treatment of migrant children. Served as special counsel to the Orange County Civil Grand Jury as it investigated allegations of improper use of jailhouse informants by the Sheriff and District Attorney. Represents public entities and public-interest clients in a range of regulatory, environmental, and anti-trust litigation.

LOS ANGELES CITY ETHICS COMMISSION, LOS ANGELES, CALIFORNIA
Commissioner and Vice President, 2017 – Present

Member of the Commission charged with the shaping and enforcing laws regarding governmental ethics, conflicts of interest and campaign financing in the City.

PEPPERDINE LAW SCHOOL, MALIBU, CALIFORNIA
Adjunct Professor, 2013 – 2016

Teach “Government Lawyering” – a course designed to provide the student with a real world understanding of the practicalities and ethical dilemmas when representing State, Local and Federal governments.

LOS ANGELES BOARD OF SUPERVISORS, LOS ANGELES, CALIFORNIA
County Senior Deputy to Supervisor Hilda Solis, 2014 – 2015

Joined the staff of Supervisor Hilda Solis for four months to assist in transition. Advised the Supervisor and her staff on legal policy and issues of environmental protection and assisted in recruiting and training of new staff members.

LOS ANGELES BOARD OF POLICE COMMISSIONERS, LOS ANGELES, CALIFORNIA
President, 2012 – 2013

At the request of Mayor Antonio Villaraigosa, returned to serve on the Los Angeles Board of Police Commissioners as President. Under the City Charter, the Board of Police Commissioners is the head of the Police Department. The Board sets overall policy while the Chief of Police manages the daily operations of the Department and implements the Board’s policy decisions and goals. Provided leadership in increasing the effectiveness of the Inspector General and completing final negotiations ending federal oversight of the department.

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LOS ANGELES COUNTY, LOS ANGELES, CALIFORNIA
County Counsel, 2010 – 2012

The Office of the County Counsel and its 250 lawyers serves as attorney for, and provides legal advice and representation to the Los Angeles County Board of Supervisors, 40 County departments, and other public officers and agencies. One hundred of the lawyers practice in Dependency Court representing the Department of Children and Family Services, to protect the best interests of the more than 35,000 children in its jurisdiction.

The County Counsel, working closely with the County Counsel Division Chiefs, supervised and often participated personally in the litigation the County handled by more than forty outside law firms.

MORGAN, LEWIS & BOCKIUS, LOS ANGELES, CALIFORNIA
Partner, 1993 – 2005
Senior Counsel, 2005 – 2010

Legal practice focused on complex business, environmental litigation and internal corporate investigations. Appeared regularly in state and federal courts. Co-chaired and obtained a unanimous defense verdict for the firm's client after a 3-week jury trial in which plaintiff had alleged \$300 million in consequential damages.

Managed the Los Angeles and Orange County pro bono programs for the firm and worked regularly with Public Counsel, Legal Aid and Neighborhood Legal Services. Served as a Board Member of Children's Law Center of California.

UCLA LAW SCHOOL, LOS ANGELES, CALIFORNIA
Full-Time Adjunct Professor, 1992 – 1993

Taught required second-year course "Legal Ethics" and third-year seminar, "The Government Lawyer."

OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Chief Assistant Attorney General, 1983 – 1991

Headed the Division of Public Rights. Responsibilities included supervision of the 140 lawyers and other professionals in the Division of Public Rights assigned to the Antitrust, Consumer Protection, Environment, and Civil Rights sections.

Responsible for litigation and legislation in the Public Rights Division and appeared periodically in the trial and appellate courts, for example arguing *Nollan v. Coastal Commission*, in the United States Supreme Court; *California v. Levi Strauss*, in the California Supreme Court, and *California v. American Stores*, in the District Court, and sitting second chair in the case of *California v. ARC America in the United States Supreme Court*.

UNITED STATES DEPARTMENT OF JUSTICE, LOS ANGELES, CALIFORNIA
United States Attorney, 1977 – 1981

The third woman in history to be appointed by the President of the United States to the position. Responsibilities in the Central District of California included the supervision of the 95 Assistant U.S. Attorneys assigned to the Criminal, Civil and Tax Divisions in Los Angeles and oversight of the Department of Justice lawyers trying cases in the District.

The Central District of California includes the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura. Appeared periodically in the Ninth Circuit on civil and criminal appeals. Developed and chaired joint state, local and federal task forces to enforce criminal and civil rights law.

LOS ANGELES COUNTY, LOS ANGELES, CALIFORNIA
Assistant District Attorney, 1975 – 1977

The third ranking position in an office of more than 550 lawyers and approximately 1,500 investigative and support personnel. In addition to general administrative responsibilities, the Assistant District Attorney supervised filings and proceedings brought by the 60 lawyers in the Juvenile Division. Working with District Attorney, John Van de Kamp, sponsored juvenile justice reform legislation in Sacramento. Participated in drafting the first Affirmative Action program for the District Attorney's office, as well as drafting and advocating in Washington, D.C., the first grant proposal for the Hard Core Gang Prosecution Unit.

OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Deputy Attorney General, 1965 – 1972

Assigned to the following Sections: Criminal Appeals, Consumer Protection and Civil Rights. Handled both civil and criminal trial and appellate cases for the Sections, handling more than 60 State court appeals, including four arguments before the California Supreme Court expanding the rights of California consumers. While in the Civil Rights unit, brought cases against housing developments and employment agencies for racial discrimination and co-joined desegregation cases against the School Districts of Bakersfield and San Diego. Drafted the first juvenile court appellate brief after the Supreme Court decision, *In Re Gault* and advised the Attorney General on juvenile justice presentations.

AWARDS

SHATTUCK PRICE LIFETIME AWARD
Los Angeles County Bar Association, 2011

PRECUSOR PARA JUSTICIA AWARD (PIONEER OF JUSTICE AWARD)
Mexican American Bar Foundation, 2002

TRAILBLAZER AWARD
Los Angeles County Bar Association & Women Lawyers of Los Angeles, 2002

ERNESTINE STAHLHUT AWARD
Women Lawyers of Los Angeles, 2000

MARGARET BRENT AWARD FOR WOMEN LAWYERS OF ACHIEVEMENT
American Bar Association, 1991

ACADEMIC

L.L.B., University of California School of Law, Los Angeles, California.

B.A., University of California.

PROFESSIONAL AFFILIATIONS

Member — American Bar Association Standing Committee, Judicial Independence, 2005 – 2007

Member — American Bar Association Justice Anthony Kennedy Commission on Sentencing, 2004

President — Los Angeles County Bar Association, 1991 – 1992

Member — Independent Commission to Study the Los Angeles Police Department (Christopher Commission), 1991

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DALE K. LARSON
Partner

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA
Partner, January 2020 – present
Associate, September 2014 – December 2019

Public interest litigation practice focusing on education, government, and election law. Represented Los Angeles Unified School District on budgeting matters related to the Education Revenue Augmentation Fund, Local Control Funding Formula, and elections matters. Represented candidates, campaigns, community groups, and cities in elections matters. Advised the California Department of Insurance and California Earthquake Authority on regulatory matters. Has extensive experience in both trial and appellate courts and has bench trial experience.

UCLA SCHOOL OF LAW, LOS ANGELES CALIFORNIA
Lecturer in Law, Spring 2016, Fall 2016, Fall 2017, Fall 2018

Taught and designed course materials for Legal Research and Writing for LLMs.

MORRISON & FOERSTER, LOS ANGELES, CALIFORNIA
Associate, April 2013 – September 2014
Associate, November 2009 – October 2011

Complex litigation practice including cases related to speech on private retail property, insurance disputes, copyright, patent, and consumer class actions. Extensive court experience including a bench trial, evidentiary hearings, and oral arguments throughout California.

U.S. DISTRICT COURT, CENTRAL DISTRICT, LOS ANGELES, CALIFORNIA
Law Clerk to the Honorable Consuelo B. Marshall, November 2011 – March 2013

Conducted legal research and drafted bench memoranda and orders for district judge; helped judge prepare for oral arguments and trials.

TRABER & VOORHEES, PASADENA, CALIFORNIA
Law Clerk, May 2007 – November 2007

Performed legal research and wrote memoranda for private, civil rights law firm. Drafted portions of trial briefs, assisted with trial preparation and observed depositions.

PEOPLE FOR THE AMERICAN WAY (PFAW), WASHINGTON, D.C.
Online Project Manager, May 2004 – July 2006

Managed tools and resources for online advocacy and fundraising for non-profit advocacy

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organization.

APPIAN CORPORATION, WASHINGTON, D.C.
Senior Consultant, April 2002 – May 2004

Worked as a consultant, primarily to the United States Army, helped design, write, and maintain software.

VOLUNTARY SERVICE OVERSEAS, TOSAMAGANGA, TANZANIA
Secondary School Mathematics Teacher, August 1999 – December 2001

Taught high-school mathematics, including calculus, probability, and statistics.

EVIDENCE BASES RESEARCH, INC., WASHINGTON, D.C.
Research Assistant

Assisted in the development and implementation of an empirical system designed to monitor and predict political, economic, and social trends in developing countries.

ACADEMIC

J.D., University of California, Los Angeles School of Law, Los Angeles, California.
UCLA Law Review, Senior Editor.

B.A. in Political Science and Mathematics, Duke University, Durham, North Carolina.
Study abroad: University of New South Wales, Sydney, Australia.

PUBLICATIONS

Unconsciously Regarded As Disabled: Implicit Bias and the Regarded As Prong of the Americans with Disabilities Act, 56 UCLA L. REV. 451 (2008).

Antidiscrimination Law in the Workplace: Moving Beyond the Impasse, 9 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 303 (2009).

A Fair and Implicitly Impartial Jury: An Argument for Administering the Implicit Association Test During Voir Dire, 3 DEPAUL J. FOR SOC. JUST. 139 (2010).

SALVADOR E. PÉREZ
Associate

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA
Associate, January 2021 – Present

Represent and advise a broad range of public agencies, officials, citizen groups, private individuals, and corporations in trial and appellate litigation of major public-policy and public-interest matters.

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT, JUDGE MARY H. MURGUIA,
Phoenix, AZ
Law Clerk, September 2019 – September 2020

Assisted Judge Murguia in all aspects of civil and criminal appellate practice by conducting legal research, preparing memoranda, and drafting opinions.

MANATT, PHELPS & PHILLIPS, Los Angeles, CA
Associate, January 2017 – August 2019

Represented individual, corporate, and institutional clients in complex regulatory, litigation, and transactional matters related to infrastructure, commercial, residential, and mixed-use projects.

Drafted memoranda, letter briefs, court pleadings, and agreements focused on land use, environmental, housing, open government, and public contracting laws and regulations.

Maintained an active *pro bono* practice (highlight was suing the federal government for its controversial decision to add a citizenship question to the 2020 Census).

O'MELVENY & MYERS, Los Angeles, CA
Associate, November 2015 – December 2016
Summer Associate, June 2013 – August 2013

Conducted investigations into alleged violations of the False Claims Act and Foreign Corrupt Practices Act, representing individual and corporate defendants.

Researched legal issues and drafted memoranda related to a wide range of matters.

Maintained an active *pro bono* practice (highlights were filing a clemency petition on behalf of a federal inmate and securing asylum status for two unaccompanied minors).

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U.S. DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS, JUDGE DIANA SALDAÑA,
Laredo, TX
Law Clerk, September 2014 – September 2015

Assisted Judge Saldaña in all aspects of civil and criminal trial practice by conducting legal research, preparing memoranda, and drafting opinions.

EXECUTIVE OFFICE OF THE PRESIDENT, WHITE HOUSE COUNSEL'S OFFICE,
Washington, DC
Summer Law Clerk, June 2012 – August 2012

Reviewed legal basis of proposed policies and administrative actions.

Vetted White House staff candidates and proposed White House staff activities for compliance with ethics statutes, regulations, and Executive Orders.

Assisted litigation and oversight attorneys with document review of sensitive communications between Administration officials related to pending cases, FOIA requests, and congressional investigations.

EDUCATION

STANFORD LAW SCHOOL, Juris Doctor, 2014

Journals: Articles Editor, *Stanford Law Review*; Senior Editor, *Stanford Law and Policy Review*

Clinical Experience: Certified Law Student, Criminal Defense Clinic

Leadership/ Activities: Co-Chair, Stanford Latino Law Students Association; Member, American Constitution Society; Research Assistant to Professor Nate Persily, Senior Research Director, Presidential Commission on Election Administration; Volunteer, Naturalization Pro Bono Project; Drafting Fellow, American Legislative and Issue Campaign Exchange

HARVARD KENNEDY SCHOOL OF GOVERNMENT, Master of Public Administration, 2014

STANFORD UNIVERSITY, Bachelor of Arts in History, 2007

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Caroline C. Chiappetti
Associate

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA
Associate, June 2019 – present

Public interest litigation practice focusing on government, education, administrative, and election law. Currently represents local governments, public agencies, and public officials in a variety of matters, including the California Department of Insurance in the appeal of an enforcement action against a health insurer for violations of state insurance laws. Has extensive experience in both trial and appellate courts, including significant motion practice, discovery, and trial experience.

O'MELVENY AND MYERS, LOS ANGELES, CALIFORNIA
Litigation Associate, October 2017 – May 2019
Summer Litigation Associate, May 2016 – July 2016

Complex commercial litigation practice in state court, federal court, and JAMS, working closely with clients and in-house counsel. Wrote, prepared, and filed briefs and motions, including complaints, dispositive motions, and discovery motions. Extensive discovery practice including drafting offensive and defensive discovery, managing document collection and review teams, depositions, and working with expert witnesses. Maintained active pro bono practice, including federal court bench trial with the ACLU Reproductive Freedom Project in the Western District of Kentucky.

HARVARD LAW SCHOOL INTERNATIONAL HUMAN RIGHTS CLINIC, CAMBRIDGE, MASSACHUSETTS
Clinical Student, February 2016 – May 2016

Developed strategy with anti-torture advocates to advocate for policy changes in the Ethics Code of the American Psychological Association (APA). Drafted talking points and Q&As for APA meetings.

ACLU OF SOUTHERN CALIFORNIA, LOS ANGELES, CALIFORNIA
Legal Intern, LBGT, Gender and Reproductive Justice Project, June 2015 – August 2015

Researched and drafted legal memoranda in matters regarding sex discrimination and federal prison standards. Drafted public records requests. Conducted intake interviews. Compiled employment data.

CENTER FOR REPRODUCTIVE RIGHTS, NEW YORK, NEW YORK
Legal Assistant, U.S. Legal Program, July 2013 – July 2014

Supported litigation team with focus on challenging state-level restrictions on abortion and contraception. Prepared documents for court filings, depositions, and court appearances. Managed case files, correspondence, and document productions. Conducted factual research.

COOLEY LLP, NEW YORK, NEW YORK
Litigation Paralegal, February 2012 – July 2013

ACADEMIC

J.D., *cum laude*, Harvard Law School, Cambridge, Massachusetts. *Harvard Journal of Law and Gender*, Executive Online Content Editor and Senior Board Member. Harvard Law Students for Reproductive Justice, President. Harvard Law Documentary Society, Director, “Access Denied,” (<https://vimeo.com/127356877>)

Berkeley School of Law, 3L Harvard-Berkeley Exchange Program. Research Assistant to Jill Adams. Member of Center on Reproductive Rights and Justice (Berkeley Law) and If/When/How: Lawyering for Reproductive Justice.

B.A., *magna cum laude*, Williams College.

PUBLICATIONS

Winning The Battle But Losing The War: The Birth and Death of Intersecting Notions of Race and Sex Discrimination in White v. Crook, 52 Harv. C.R.-C.L. L. Rev 2 (Spring 2017).

JULIA G. MICHEL
Associate

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA
Associate, September 2019 – Present

Assist attorneys in representing public entities and public-interest clients in a range of regulatory, environmental, election law, and constitutional litigation by drafting pleadings, motions, and ballot measures.

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, POCA TELLO, IDAHO
Law Clerk to the Honorable N. Randy Smith, August 2018 – September 2019

Researched law and reviewed facts to prepare bench memoranda for three-judge panels of the Ninth Circuit. Drafted dispositions on scores of cases.

TERRELL MARSHALL LAW GROUP PLLC, SEATTLE, WASHINGTON
Law Clerk, June 2017 – November 2017

Drafted briefs on class certification, unsealing court records, and preliminary injunctions for consumer protection and employment class actions. Participated in conferences with potential clients and co-counsel.

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON, SEATTLE, WASHINGTON
Judicial Intern to the Honorable Ricardo S. Martinez, March 2017 – June 2017

Wrote memoranda and drafted orders on motions to dismiss, to amend a complaint, and for summary judgment. Observed trials and joined post-verdict discussions between the Court and jury.

COLUMBIA LEGAL SERVICES, SEATTLE, WASHINGTON
Legal Intern, January 2017 – March 2017

Wrote memoranda on the proposed Washington Voting Rights Act and drafted language providing a private cause of action for vote dilution claims. Wrote memorandum proposing a legal theory for challenging inequitable distribution of municipal resources under federal civil rights laws.

LAW OFFICES OF HARRY WILLIAMS, SEATTLE, WASHINGTON
Research Assistant, August 2016 – September 2016

Drafted opening brief for the direct appeal of a criminal defendant in federal court. Edited civil rights complaints.

VERMONT PUBLIC INTEREST RESEARCH GROUP, MONTPELIER, VERMONT
Energy & Democracy Advocate, December 2011 – September 2015

Served as organization's youngest State House advocate. Drafted bill language, lobbied lawmakers, testified in committees, and negotiated the passage of three government reform and energy laws.

ACADEMICS

J.D., *Order of the Coif*, University of Washington, Seattle, Washington. Associate Editor-in-Chief, *Washington Journal of Environmental Law & Policy*, Jeffrey G. Miller National Environmental Law Moot Court Team.

B.A., honors, University of Vermont, Burlington, Vermont. Recipient of Austin Prize for International Peace and Security. Honors Thesis: *Forging a New Shield: Evaluating Proposals for National Security Reform.*

PUBLICATIONS

Through the Looking Glass: How Review of Natural Gas Exports Hides Environmental Effects in Plain Sight (2018) 8 Wash. J. Envtl. L. & Pol'y 298.

EXHIBIT 7

Proposal to the Citizens Redistricting Commission Litigation Counsel

Response to Request for Information for Legal Services

January 29, 2021

STRUMWASSER  WOOCHEER LLP

PROFESSOR JUSTIN LEVITT

Document received by the CA Supreme Court.

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Strumwasser & Woocher LLP and Professor Justin Levitt are pleased to present this team proposal to the California Citizens Redistricting Commission (the Commission) to serve as Litigation Counsel in defense of the Commission's redistricting activities and maps. This proposal combines the resources of a well-respected law firm with the knowledge of an expert academic who also brings to bears years of experience in the field and courtroom.

1. Personnel Proposed for Engagement

Our team will be led by acclaimed election law litigator Fredric Woocher, Senior Counsel at Strumwasser & Woocher LLP (S&W), who will spend approximately 35% of our team's time. Mr. Woocher will be joined by S&W Partner Michael Strumwasser, S&W Senior Counsel Andrea Sheridan Ordin, and LMU Loyola Law School Professor Justin Levitt, a renowned national expert on redistricting, who together will spend approximately 20% of our team's time. These four attorneys will be assisted by S&W Partner Dale Larson and S&W Associate Salvador E. Pérez, who will spend the remaining approximately 45% of our team's time. A full resume or curriculum vitae for the attorneys proposed to be included in this representation is enclosed as Attachment A. A short biographical paragraph for each of the attorneys is below.

Fredric D. Woocher

In Mr. Woocher's 40 years of practice, he has successfully argued before both the United States and California Supreme Courts, many appellate and trial courts, and has been counsel of record in more than 40 published appellate decisions. Widely known as an expert in local and state government law, constitutional law, election law, municipal and land use litigation, and government regulation, Mr. Woocher has been named one of California's "100 Most Influential Lawyers," and described by the *Los Angeles Daily Journal* as the "go to guy" for election law disputes. Before co-founding Strumwasser & Woocher, Mr. Woocher served as law clerk to Chief Judge David L. Bazelon of the U.S. Court of Appeals for the D.C. Circuit and to U.S. Supreme Court Justice William J. Brennan, Jr. After spending another year in Washington as Special Assistant to Secretary of Defense Harold Brown, Mr. Woocher moved to Los Angeles and worked for seven years as a staff attorney with the non-profit Center for Law in the Public Interest, litigating a broad range of public interest issues involving election law, land use law, environmental law, hazardous substances regulation, First Amendment protections, and civil rights cases. Mr. Woocher also served as Special Counsel to California Attorney General John Van de Kamp, representing the State of California in high-impact public interest litigation. Mr. Woocher advises clients on the limits of government and initiative powers, including his successful representation of the California Legislature in 2016. Mr. Woocher successfully defended Santa Barbara County's 2001 redistricting from challenges in both state and federal courts. He is a graduate of Yale University and received both a Ph.D. and a J.D. from Stanford University, where he was President of the *Stanford Law Review*.

Michael J. Strumwasser

Mr. Strumwasser handles large-scale judicial and administrative litigation in government law, economic regulation, education law, election law, civil-rights, public finance, and environmental law. He is a nationally-recognized authority on administrative law and is co-author of the Rutter Guide, *California Administrative Law* (with Michael Asimow, Herbert Bolz, and Laurine Tuleja). Mr. Strumwasser has represented and advised many public officials and

agencies, and has also represented consumer, environmental, and labor organizations challenging governmental actions. He has successfully represented consumers and regulators in state and federal courts and agencies and before Congress and the California Legislature, including over 50 cases resulting in published appellate decisions. He was lead counsel for the California Insurance Commissioner, developing regulations to implement Proposition 103 and successfully defending the program against numerous industry challenges, and has prosecuted unfair insurance practices on behalf of the California Department of Insurance.

Mr. Strumwasser co-founded Strumwasser & Woocher after seventeen years with the California Department of Justice, the last eight years as Special Assistant Attorney General, where he handled some of the state's most important antitrust, consumer-protection, and environmental cases, including California's challenges to major supermarket and oil-company mergers, defended consumer interests in utility-rate litigation, and represented the Governor of California in Nuclear Regulatory Commission health-and-safety reviews. Mr. Strumwasser has written and lectured widely on administrative law and economic regulation. He holds A.B., M.S., and J.D. degrees from UCLA.

Andrea Sheridan Ordin

Ms. Ordin is a legal trailblazer, having served as the first female United States Attorney for the Central District of California and only the third woman in American history ever appointed a U.S. Attorney. Ms. Ordin has extensive appellate experience in the California and federal appellate courts, personally arguing more than 40 criminal and civil cases, including seven in the California Supreme Court and one in the United States Supreme Court. Before joining Strumwasser & Woocher, Ms. Ordin was Chief Assistant Attorney General, heading the Public Rights Division of the California Department of Justice for eight years under the leadership of John Van de Kamp; under her guidance the Office won landmark decisions in civil rights, environmental, land-use and antitrust law on behalf of the state and a broad range of state agencies, to which she was a counsel and advisor. Ms. Ordin served as Los Angeles County Counsel from 2010 to 2012. Ms. Ordin was also partner at Morgan, Lewis & Bockius, where she handled major litigation, including the aftermath of the 1994 Orange County bankruptcy, and conducted a number of independent investigations for corporate clients. Today, Ms. Ordin serves as Special Master and Independent Monitor appointed by U.S. District Court Judge Dolly Gee to monitor compliance with the Flores Settlement Agreement, a federal consent decree that sets standards for the care and treatment of migrant children in federal custody.

As County Counsel, Ms. Ordin advised the Board and Department Heads of the County as they initiated and developed policies and procedures. In 2010-2011, under Ms. Ordin's supervision, County Counsel formed a team of lawyers from County Counsel's Government Services Division, aided by outside counsel, to provide research and ongoing advice to the Board and the County Executive Officer on a redistricting plan compliant with state law and the federal Voting Rights Act. The County previously had been found to have violated the Voting Rights Act through intentionally diluting the effect of the Hispanic vote, and was required to obtain United States Department of Justice preclearance of its future redistricting plans. The 2010-2011 redistricting plan was the first since the lifting of the preclearance requirement. After months of study, outreach, and controversy, the Committee submitted a divided report to the Board of Supervisors, recommending two alternate plans to the Board. The Board, by a divided vote,

chose the plan which made minimal changes in existing boundaries, and, as adopted, the 2010-2011 redistricting plan was not challenged by any citizen or the federal government.

Professor Justin Levitt

Professor Justin Levitt is a nationally recognized expert on constitutional law and the law of democracy at LMU Loyola Law School, Los Angeles. He served from 2015-17 as a Deputy Assistant Attorney General at the U.S. Department of Justice, helping to lead the Civil Rights Division's work on redistricting, voting rights, and employment discrimination, and supported activity on more than 120 cases (including 20 in the U.S. Supreme Court). Mr. Levitt is the author or co-author of more than 30 monographs, book chapters, and academic articles, including pieces in the flagship law reviews at Harvard, Columbia, and Georgetown, and the flagship online journals at Yale and NYU; he has served as a visiting faculty member at the Yale Law School, the USC Gould School of Law, and Caltech. He maintains the All About Redistricting website, and he has been invited to testify as an expert before committees of the U.S. Senate and House, the U.S. Civil Rights Commission, multiple state legislative bodies, and federal and state courts, including on matters specific to state and federal redistricting law. Before entering academia, Mr. Levitt worked at several nonpartisan nonprofits and served several presidential campaigns, including as the National Voter Protection Counsel, helping to ensure that tens of millions of eligible citizens could vote and have those votes counted. He has advised, represented, and sued officials of both major political parties and neither, and those whose partisan preference he does not know. Mr. Levitt served as a law clerk to the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. He graduated magna cum laude with law, public administration, and bachelor's degrees from Harvard University.

Dale K. Larson

Mr. Larson's practice focuses on government, election, and education law. He has represented several school districts, statewide agencies, and cities. Before joining the Firm, Mr. Larson was an associate at Morrison & Foerster and served as a Law Clerk for the Honorable Consuelo B. Marshall of the U.S. District Court for the Central District of California. Mr. Larson received his J.D. from the UCLA School of Law, where he was an Emil J. Stache Public Interest Law Scholar, a graduate of the Epstein Program in Public Interest Law and Policy, a senior editor on the *UCLA Law Review*, and published three articles in legal journals and law reviews on public interest issues. Before that, Mr. Larson received a B.A. from Duke University in Political Science and Mathematics. Mr. Larson has taught *Legal Research, Writing, and Analysis for LLM Students* at UCLA School of Law for four years.

Salvador E. Pérez

Mr. Pérez joined Strumwasser & Woocher after clerkships on the U.S. Court of Appeals for the Ninth Circuit and the U.S. District Court for the Southern District of Texas as well as several years of practice at Manatt, Phelps & Phillips LLP, where he focused on government and land use matters. During his time at Manatt, he was part of a litigation team which successfully challenged the inclusion of a citizenship question on the 2020 census. For this work, he and his colleagues were recognized as Legal Lions by Law360 and awarded the Robert F. Mullen Pro Bono Award by the Lawyers' Committee for Civil Rights. Mr. Pérez is a graduate of Stanford University, the Harvard Kennedy School of Government, and Stanford Law School.

2. About Strumwasser & Woocher LLP

Strumwasser & Woocher is well known in California for its work in the public sector and its successful trial and appellate litigation of major public-policy and public-interest matters. Since its founding in 1991, the firm has litigated landmark cases regarding local and state government law, constitutional law, election law, education law, land use issues, economic regulation, taxation, environmental protection, civil rights, consumer protection, and workers' rights. For thirty years, Strumwasser & Woocher has earned a wide array of victories in path-making litigation — including more than 50 published appellate decisions — and has advised clients on many of the most compelling issues of the day.

S&W has a long history of advising governmental entities on a variety of legal issues, and is experienced at providing neutral legal advice in what are often politically charged circumstances. The firm has served as counsel for more than 30 years to the Department of Insurance, including advising both Democratic and Republican Commissioners on high profile matters. The firm has also served as counsel to the California Legislature, several Southern California school districts including Los Angeles and San Diego Unified School Districts, the California Earthquake Authority, and for select city purposes in El Monte, San Gabriel, Pasadena, and La Mesa. In addition, the firm presently serves as the Campaign Finance Compliance Officer for Ventura County. The firm has been hired to serve as independent advisors to the California Public Utilities Commission in investigating the role of ex parte communications in the agency's practice, and has advised the Orange County Grand Jury in its investigation of the use of confidential informants by the District Attorney. The firm, including Mr. Woocher, Ms. Ordin, and Mr. Larson, regularly advises public entities and board members on compliance with the Brown Act, ex parte communication rules, and other procedural aspects of governmental decision-making.

Election and political law has been central to S&W's practice since its beginning. Highly regarded throughout the state, the firm has represented cities, LAUSD, the Legislature, and many organizations or committees on election matters. The firm, led by Mr. Woocher represented Santa Barbara County in litigation challenging the County's 2001 redistricting plan, successfully defending the plan against challenges in both state and federal courts. In addition, in her role as Los Angeles County Counsel, Ms. Ordin oversaw the team of lawyers advising the Board of Supervisors on Los Angeles County's 2010-2011 successful redistricting.

3. Experience

a. California Supreme Court Experience

Strumwasser & Woocher is proud to have had its attorneys serve as counsel in a number of matters before the California Supreme Court. By nature of the firm's practice, our cases before the California Supreme Court largely concern important policy and Constitutional issues. The firm has represented the California Legislature, the California Department of Insurance, and other public and private advocacy groups involved in high profile cases before the Court, including the scope of the Legislature's authority to place questions before the voters, the fallout of the California energy crisis, and the regulatory authority of the Department of Insurance under Proposition 103.

The ten most recent cases in which Strumwasser & Woocher or its attorneys have represented a party in the California Supreme Court are:

Howard Jarvis Taxpayers Association v. Padilla, 62 Cal.4th 486, 363 P.3d 628 (2016), Case No. S220289. Represented the Legislature of the State of California (Real Party in Interest). On a 6-1 vote, the Supreme Court ruled that the Legislature had the authority under the state Constitution to submit a purely advisory ballot measure to the voters asking whether a federal constitutional amendment should be proposed and ratified to overturn the U.S. Supreme Court's decision in *Citizens United v. Federal Election Commission*.

Californians for an Open Primary v. McPherson, 38 Cal.4th 735, 134 P.3d 299 (2006), Case No. S126780. Represented Californians for an Open Primary (Petitioners). The Supreme Court unanimously agreed with Petitioners' argument that the separate-vote provision of the state Constitution prohibits the Legislature from combining two disparate proposed constitutional amendments in a single measure — in this case, by combining a proposed amendment relating to primary elections with an amendment relating to state bonds repayment.

Southern California Edison Co. v. Peevey, 31 Cal.4th 781, 74 P.3d 795 (2003), Case No. S110662. Represented TURN (Intervenor and Appellant). Intervenor/Appellant challenged a secret settlement the PUC entered into with SCE, setting aside the rate cap to which the utilities had agreed as part of California's ill-fated energy deregulation legislation.

Amwest Surety Ins. Co. v. Wilson, 11 Cal.4th 1243, 906 P.2d 1112 (1995), Case No. S037405. Represented Governor Wilson and Insurance Commissioner Quackenbush (Defendants/Appellants). Secured ruling striking down legislation impermissibly amending Proposition 103 by exempting surety insurance from its rate controls.

20th Century Ins. Co. v. Garamendi, 8 Cal.4th 216, 878 P.2d 566 (1994), Case No. S032502. Represented Insurance Commissioner Garamendi (Defendant/Appellant). On direct appeal from coordinated superior court proceeding, successfully defended the Commissioner's regulations implementing Proposition 103 and its rate rollback requirement.

Gerken v. Fair Political Practices Commission, 6 Cal.4th 707, 863 P.2d 694 (1993), Case No. S025815. Represented Walter B. Gerken (Petitioner). In a 4-3 decision, the Supreme Court ruled that when two statewide campaign finance reform initiatives were presented to the voters as competing measures and both passed, the measure receiving the most affirmative votes prevailed in its entirety and superseded even non-conflicting provisions of the other measure.

Calfarm Ins. Co. v. Deukmejian, 48 Cal.3d 805, 771 P.2d 1247 (1989), Case No. S007838.¹ Represented the State (original proceeding Respondent) in defending Proposition 103 from Takings Clause, Due Process, and administrative law challenges by the insurance industry.

Committee of Seven Thousand v. Superior Court, 45 Cal.3d 491, 754 P.2d 708 (1988), Case No. L.A. 32181. Represented Committee of Seven Thousand (Petitioner). The Supreme Court ruled that on a matter of statewide concern, the Legislature could delegate the authority to act

¹ Although this matter was argued by Attorney General John Van de Kamp, Fredric Woocher drafted the briefing and prepared the Attorney General for the argument.

exclusively to the local legislative body, thereby precluding the local electorate's exercise of the initiative and referendum power with respect to that matter.

State of California ex rel. Van de Kamp v. Texaco, Inc., 46 Cal.3d 1147, 762 P.2d 385 (1988) Case No. S.F. 24987. Represented the Attorney General (Plaintiff/Appellant) in antitrust challenge to an oil company merger.

Hayes v. State of California, 11 Cal.3d 469, 521 P.2d 855 (1974), Case No. L.A. 30253. Represented State of California. Represented the state (Defendant/Appellant) in upholding tort immunity for injuries sustained by persons killed on state beach by assailant.

b. Federal Court Experience

As with the California Supreme Court, the firm and its attorneys have litigated a number of important constitutional and public policy cases in the federal courts. The firm has been counsel in a large number of cases, and lists here the 10 most recent cases with both published decisions and unpublished decisions on public policy issues:

Fugazi v. Padilla, Case No. 2:20-CV-00970-KJM-AC (E.D. Cal. 2020). Represented San Joaquin County Supervisor Kathy Miller. District Court rejected multiple federal constitutional challenges to primary election recount confirming candidate Miller's nomination for state Assembly general election.

Rummel v. Pan, Case No. 2:18-cv-02067-TLN-DB (E.D. Cal. 2019). Represented California State Senator Richard Pan (Defendant). Obtained dismissal of federal civil rights action alleging that Senator Pan violated Plaintiff's First Amendment rights by blocking her from his personal Twitter account for posting misinformation on safety and efficacy of vaccinations.

Velie v. Hill, Case No. 17-55233 (9th Cir. 2018). Represented County of San Luis Obispo (Defendant). Ninth Circuit unanimously affirmed District Court's dismissal of federal civil rights action against County based on alleged infringement of blogger's First Amendment rights.

Doe Publius v. Boyer-Vine, 237 F.Supp.3d 997 (E.D. Cal. 2017), also 321 F.R.D. 358 (E.D. Cal. 2017); Case No. 1:16-cv-1152-LJO-SKO. Represented Diane Boyer-Vine, Legislative Counsel of California (Defendant). Represented Legislative Counsel in First Amendment and Commerce Clause challenge to state statute that prohibits anyone from posting the home address or telephone number of certain government officials on the internet if the official makes a written demand that his or her personal information not be displayed.

California Earthquake Auth. v. Metro. W. Sec., LLC, Case No. 2:10-cv-00291-MCE-CMK. Published decisions at 285 F.R.D. 585 (E.D. Cal. 2012) & 712 F. Supp. 2d 1124 (E.D. Cal. 2010). Represented California Earthquake Authority in action to recover proceeds lost by its financial manager in subprime-backed mortgages.

Johnson v. Commission on Presidential Debates, Case No. SA CV 12-1600 FMO (C.D. Cal. 2014). Represented Democratic National Committee (Defendant). Obtained dismissal of Libertarian Party's challenge to its candidates' exclusion from presidential and vice-presidential general election debates.

In re County of Monterey Initiative Matter, Case Nos. C 06-01730 JW; C 06-02369 JW (N.D. Cal. 2007.) Represented LandWatch Monterey County and other plaintiffs. Obtained District Court ruling that proposed initiative did not violate the federal Voting Rights Act because petitions were printed and circulated only in English.

Padilla v. Lever, 463 F.3d 1046 (9th Cir. 2006, en banc), Case No. 03-56259. Represented Vivian Martinez (Defendant/Appellee). Obtained Ninth Circuit's en banc affirmance of District Court ruling rejecting challenge to recall election results on ground that the petitions triggering the election violated the Voting Rights Act because they were circulated only in English.

Coalition for Community Interests v. Board of Supervisors of the County of Santa Barbara, Case No. CV 01-10775 (C.D. Cal. 2003). Represented Santa Barbara County. Obtained dismissal of Due Process, Equal Protection, and federal and state Voting Rights Act challenges to County's decennial redistricting plan.

Pac. Gas & Elec. Co. v. Lynch, Case No. C-01-3023. Published decision at 216 F. Supp. 2d 1016 (N.D. Cal. 2002). Represented TURN (Intervenor). Whether utilities had Supremacy-Clause right to pass energy costs to consumers notwithstanding state statute capping rates.

In addition to the work of Strumwasser & Woocher LLP, Professor Levitt has served as counsel for parties and amici in numerous federal voting rights matters across the country. (While at the U.S. Department of Justice, Professor Levitt worked on cases at trial, on appeal, and at the Supreme Court with the career attorneys conducting the arguments in those courts.) His ten most recent significant federal court cases concerning voting rights are:

Cooper v. Harris, 137 S. Ct. 1455 (2017), Case No. 15-680. Counsel (as part of DOJ team) for the United States as amicus. The case concerned the Voting Rights Act and constitutional rules pertaining to race in drawing North Carolina's state legislative districts.

Bethune-Hill v. Va. State Bd. of Elections, 137 S. Ct. 788 (2017), Case No. 15-680. Counsel (as part of DOJ team) for the United States as amicus. The case concerned the Voting Rights Act and constitutional rules pertaining to race in drawing Virginia's state legislative districts.

United States v. Louisiana, Case No. 3:11-cv-00470 (M.D. La.), 16-30908 (5th Cir.). Counsel (as part of DOJ team) for the United States. The case concerned compliance with agency registration provisions of the National Voter Registration Act.

Wittman v. Personhuballah, 136 S. Ct. 1732 (2016), Case No. 14-1504. Counsel (as part of DOJ team) for the United States as amicus. The case concerned the Voting Rights Act and constitutional rules pertaining to race in drawing Virginia's congressional districts.

Harris v. Ariz. Ind. Redistricting Comm'n, 136 S. Ct. 1301 (2016), Case No. 14-232. Counsel (as part of DOJ team) for the United States as amicus. The case concerned the Voting Rights Act and constitutional equal population rules in drawing Arizona's state legislative districts.

Evenwel v. Abbott, 136 S. Ct. 1120 (2016), Case No. 14-940. Counsel (as part of DOJ team) for the United States as amicus. The case concerned a challenge to Texas's use of total population to draw state legislative district lines, including implications based on the Voting Rights Act.

United States v. North Carolina, 182 F. Supp. 3d 320 (M.D.N.C. 2016), Case No. 1:13-cv-00861; 831 F.3d 204 (4th Cir. 2016), Case No. 16-1529; 137 S. Ct. 1399 (2017) (cert. denied), Case No. 16-833. Counsel (as part of DOJ team) for the United States. The case (consolidated with others) concerned a challenge to an omnibus election statute under the Voting Rights Act.

United States v. Texas, Case No. 2:13-cv-00263 (S.D. Tex.); 830 F.3d 216 (5th Cir. 2016) (en banc), Case No. 14-41127; 137 S.Ct. 612 (2017) (cert. denied), Case No. 16-393. Counsel (as part of DOJ team) for the United States. The case (consolidated with others) concerned a challenge to a specific Texas identification requirement, under the Voting Rights Act.

Florida State Conference of the NAACP v. Browning, 569 F. Supp. 2d 1237 (N.D. Fla. 2008), Case No. 4:07-cv-00402; 522 F.3d 1153 (11th Cir. 2008), Case No. 07-15932. Represented the Florida state chapter of the NAACP and other civil rights organizations. The case concerned a protocol for matching voter registration records leading to disenfranchisement, with a number of federal claims (including Section 2 of the Voting Rights Act).

Washington Ass'n of Churches v. Reed, 492 F. Supp. 2d 1264 (W.D. Wash. 2006), Case No. 2:06-cv-00726. Represented the Washington Association of Churches and other nonprofits. The case concerned a protocol for matching voter registration records leading to disenfranchisement, with a number of federal claims (including Section 2 of the Voting Rights Act).

c. Representative Legal Work on Behalf of Public Agencies, State Boards, Or Commissions in the Past 10 years

Both Strumwasser & Woocher and Professor Levitt have represented or advised a broad range of public entities in California on a variety of legal topics and issues. The firm and Professor Levitt are both well-versed in the legal requirements and constraints inherent in representing public entities, including compliance with the Brown Act and other disclosure rules. Representative legal work for public agencies is as follows:

Strumwasser & Woocher has a long history of advising governmental entities on a variety of legal issues, and is experienced at providing neutral legal advice in what are often politically charged circumstances. The firm regularly advises public entities and board members on compliance with the Brown Act, ex parte communication rules, and other procedural aspects of governmental decision-making. Mr. Woocher, Ms. Ordin, and Mr. Larson all perform aspects of this work advising these state and local government bodies.

Department of Insurance. The firm has served as counsel for more than 30 years to the Department of Insurance, including advising both Democratic and Republican Commissioners on high profile matters. These include initial design, implementation, and defense of innovative rate-setting regulations to implement Proposition 103 (still in effect 30 years later); prosecution of the largest unfair practices case in Department history, resulting in \$178 million penalty; and first conservation ever of insurance company for attempting to evade California regulation by attempting to merge with an out-of-state affiliate without the Commissioner's approval.

California Earthquake Authority. The firm has served as counsel to the California Earthquake Authority in both advisory and litigation capacities since the CEA's inception in

1994. The firm regularly advises the Authority on topics such rate-regulation, use of geoseismic modeling in setting rates, advice and representation on complex financial issues, and counsel on administrative law, intergovernmental issues, personal privacy, and other compliance matters.

Los Angeles Unified School District. Strumwasser & Woocher has represented the state's largest school district for many years. The firm has trained Board members and their staff on compliance with open meeting laws, advised the District on various bond and tax measures for placement on the ballot, and represented the District in high profile litigation, including an effort by former Los Angeles Mayor Villaraigosa to assert control over certain District schools.

Special Master and Independent Monitor, United States District Court for the Central District of California. Ms. Ordin was selected in 2018 by U.S. District Court Judge Dolly Gee to serve as the Court's Special Master and Independent Monitor overseeing the implementation of the *Flores* consent decree that governs the government's treatment of juveniles apprehended by Border Patrol.

Other Representative Engagements. In addition to the above, Strumwasser & Woocher's attorneys regularly advise public entities, like the Cities of Beverly Hills, Pasadena, La Mesa, El Monte, San Gabriel, and Inglewood, regarding a variety of public law and election related topics, including the creation and structuring of commissions and processing initiatives, referenda, and election contests. The firm has also advised the Orange County Grand Jury in an investigation into the use of jailhouse informants, prepared an independent analysis of the role of ex parte communications in California Public Utilities Commission proceedings, and conducted an independent investigation for the California System Operator (CalISO) into charges that its employees had encouraged manipulation of energy supplies during the crisis. In addition, the firm presently serves as the Campaign Finance Compliance Officer for Ventura County.

Professor Levitt also advises public agencies, most particularly concerning voting rights and redistricting. Professor Levitt has served as a consulting expert to the California Attorney General on several matters related to elections and redistricting and has addressed the California State Auditor and the California Citizens' Redistricting Commission on redistricting issues, both in the 2010 cycle and the 2020 cycle. He has also been asked to testify on elections and redistricting issues by several federal and state legislative and administrative bodies, has worked with and (in amicus briefing) represented several county elections officials within California and beyond, and has frequently spoken with and before legislators and administrative officials on elections and redistricting issues, including at the request of entities and associations like the U.S. Election Assistance Commission, the National Conference of State Legislatures, and the National Association of State Election Directors. Section d. below provides more details regarding some of these engagements; others are listed on Professor Levitt's *c.v.*

d. Experience with Section 2 and Section 5 of the Voting Rights Act

Strumwasser & Woocher and Professor Levitt propose to work together on this Litigation proposal to leverage the strengths each brings to bear. Strumwasser & Woocher offers a law firm with a cadre of attorneys who have represented public agencies in litigation involving some of the highest profile matters facing the agency. The lists set forth in sections a-c above demonstrate the breadth of the firm's public agency representations. Professor Levitt brings a depth of expertise in redistricting and voting rights law that is perhaps unmatched in this state. Together, these

complementary strengths make this team an exceptional choice to defend the Commission's work in the Supreme Court or federal court.

Professor Levitt is a nationally recognized expert in the law of voting rights and redistricting. He has served as counsel to parties or amici in voting rights litigation and as an expert witness in such cases. He regularly testifies before legislative bodies, and advises and speaks on issues relating to redistricting and voting rights. He has also authored numerous articles and publications on these topics. Professor Levitt authors and maintains All About Redistricting (redistricting.lls.edu), a website explaining the considerations that drive redistricting, the entities and institutions involved, and the rules, progress and litigation in each state, for congressional and state legislative districts. Please see Professor Levitt's *c.v.* for a full listing of such presentations, testimony, and publications.

Nine of Professor Levitt's ten most recent federal court cases listed in section b. above pertained directly to Section 2 and Section 5 of the Voting Rights Act, including five cases in the U.S. Supreme Court concerning the interaction of the Voting Rights Act and other constitutional considerations in the redistricting process.

Additional representative relevant litigation matters include:

Brnovich v. Democratic Nat'l Comm., Case Nos. 19-1257, 19-1258 (S. Ct.). Counsel for amicus Voting Rights Scholars. The case concerns the application of Section 2 of the Voting Rights Act to rules about ballot collection and ballots cast in an incorrect precinct; the amicus brief pertained to the proper standards for constitutional application of Section 2.

Dep't. of Commerce v. New York, 139 S. Ct. 2551 (2019), Case No. 18-966. Counsel for amici John Dunne *et al.* The case concerned the decision to add a question on citizenship to the decennial census; the amicus brief pertained to the use of citizenship data in enforcing the Voting Rights Act, primarily in the context of redistricting, from former Department of Justice officials.

Rucho v. Common Cause, 139 S. Ct. 2484 (2019), Case Nos. 18-422, 18-726. Counsel for amici NAACP LDF *et al.* The case concerned a challenge to alleged partisan gerrymanders; the amicus brief urged the recognition of a federal claim for partisan gerrymandering, and explained how such a claim would be consistent with implementation of the Voting Rights Act.

Sanchez v. Cegavske, 214 F. Supp. 3d 961 (D. Nev. 2016), Case No. 3:16-cv-00523. Counsel (as part of DOJ team) for the United States as amicus. The case concerned a challenge to the location of voter registration sites and polling places. The United States' statement of interest pertained to the proper application of Section 2 of the Voting Rights Act.

Recent testimony on the Voting Rights Act (and its application to redistricting) includes:

- U.S. House: *Congressional Authority to Protect Voting Rights After Shelby County v. Holder: Hearing Before the H. Comm. on the Judiciary, Subcomm. on Constitution, Civil Rights & Civil Liberties*, 116th Cong. (Sept. 24, 2019).
- U.S. House: *Progress Report on the 2020 Census: H. Comm. on Oversight & Government Reform*, 115th Cong. (May 9, 2018).

- U.S. Comm’n on Civil Rights: *An Assessment of Minority Voting Rights Access in the US: Hearing Before the U.S. Comm’n on Civil Rights* (Feb. 2, 2018).
- Wash. Senate: *Hearing on Voting Rights Issues Before the S. State Gov’t, Tribal Relations & Elections Comm.* (Wash. Jan. 10, 2018).
- U.S. Comm’n on Civil Rights (Alaska): *Alaska Native Voting Rights: Hearing Before the Alaska Advisory Comm. to the U.S. Comm’n on Civil Rights* (Sept. 22, 2017).
- U.S. Senate: *From Selma to Shelby County: Hearing Before the S. Comm. on Judiciary*, 113th Cong. (July 17, 2013).
- U.S. Comm’n on Civil Rights: *Redistricting and the 2010 Census: Enforcing Section 5 of the VRA: Hearing Before the U.S. Comm’n on Civil Rights* (Feb. 3, 2012).
- Los Angeles County, Cal.: *Report on the Legal Standards Pertaining to the Los Angeles County Redistricting Process: Hearing Before the L.A. Cnty. Bd. of Supervisors* (L.A. Cnty. Aug. 9, 2011).

In addition to the above, Professor Levitt has also offered testimony to federal, state, and local legislative and administrative bodies (including entities in several states) about the redistricting process beyond the application of the Voting Rights Act.

Strumwasser & Woocher is also well-versed in the law of redistricting and the Voting Rights Act. Indeed, election and political law has been central to the S&W’s practice since its beginning. Fredric Woocher is one of the charter members of the California Political Attorneys Association, and the firm has provided advice to candidates, public officials, and political committees in all aspects of election law.

Santa Barbara County Redistricting. Led by Mr. Woocher, the firm represented Santa Barbara County in litigation challenging the County’s 2001 redistricting plan, successfully defending the plan against constitutional and Voting Rights Act challenges in both state and federal courts. (In addition, Mr. Woocher has litigated some of the Ninth Circuit’s leading precedents on the application of the Voting Rights Act to initiatives, referenda, and recall elections.)

Los Angeles County Redistricting. In her role as Los Angeles County Counsel, Ms. Ordin oversaw the team of lawyers advising the Board of Supervisors on Los Angeles County’s 2010-2011 successful redistricting. Ms. Ordin was involved in selecting outside counsel and generally overseeing the full redistricting process, including leading the Board of Supervisors through voting on different redistricting options.

e. Experience with Electronic Discovery

As a small firm, Strumwasser & Woocher punches well above its weight in large-scale, discovery-intensive litigation. The firm has developed a cost-effective approach to addressing matters with large volumes of discovery. By utilizing carefully screened contract attorneys who, under the supervision of Strumwasser & Woocher attorneys, perform initial screening for

responsiveness and privilege, the firm is able to produce and process large numbers of documents while leaving its higher-billing associates and partners to spend their time on productive strategic and document drafting tasks. The firm has handled numerous cases against large institutional parties, in which the production of digital data and the examination of IT and other technical experts has been required. In addition, the firm has extensive experience in administrative litigation, like the kind at issue here, and is very familiar with the type administrative record likely to be at issue in challenges to the Commission's decisions. The firm is well-equipped to handle any sort of discovery issues that are presented in these challenges.

4. Conflicts of Interest

Strumwasser & Woocher and Professor Levitt have extensively reviewed the statements regarding conflicts of interest in the Request for Qualifications. The team sets forth its disclosures herein. For the attorneys at Strumwasser & Woocher, the firm notes that, should the Commission conclude that any of the below disclosures renders any one of the attorneys unacceptable to work on this litigation, that attorney may be firewalled from the matter, like the attorneys in the firm who will not work on this engagement, should the team be selected.

a. Compliance with Government Code section 8252

Strumwasser & Woocher: Strumwasser & Woocher does not routinely engage in lobbying work and has not done so in the last ten years. The firm does not have a political action committee. Political contributions made by the firm are attributed to the firm's partners and are disclosed below.

Strumwasser & Woocher does not believe that any of its work relating to redistricting, or work for current or prior clients during the past 10 years, could present the appearance of a conflict in connection with the representation of the Commission. The firm does wish to disclose that the firm regularly serves as treasurer and legal counsel to various federal, state, and local political committees and candidates for office. The attorney who primarily performs such work is not included in the proposed team for this representation. Mr. Woocher is often listed as an assistant treasurer on such committees, but this role is entirely pro forma. The committees and candidates that the firm has advised and for which it has served as treasurer are generally nonpartisan, but several that have been supported by the California Democratic Party, such as Yes on Proposition 21, Yes on Proposition 10, Overturn Citizens United, and Yes on FAIR.

Fredric D. Woocher: Mr. Woocher and his wife collectively contributed more than \$2,000 to Congressional candidate Katie Hill in 2018. (Gov. Code, § 8252, subd. (a)(2)(A)(vi).)

Michael J. Strumwasser: In 2012 and 2016, Mr. Strumwasser contributed more than \$2,000 to Congressional candidate John Garamendi. (Gov. Code, § 8252, subd. (a)(2)(A)(vi).)

Andrea Sheridan Ordin: As set forth above, Ms. Ordin served as County Counsel to the County of Los Angeles and oversaw the redistricting efforts of Los Angeles County in that capacity. This work concluded within the past 10 years. Ms. Ordin has no disclosures under Government Code section 8252 or the remainder of section 4a.

Dale K. Larson: No disclosures.

Salvador Pérez: Mr. Pérez was a registered lobbyist in the City of Los Angeles from 2017-2019, while employed by a prior law firm, Manatt Phelps & Philips.

Professor Levitt: Professor Levitt has not done lobbying work in the last ten years, and has never been registered to lobby in the State of California. Professor Levitt has no disclosures under Government Code section 8252, subdivision (a) for himself or members of his immediate family. Professor Levitt has made small-dollar political contributions to individual candidates but never more than \$2,000 per year to any single candidate.

As to the remainder of section 4a, Professor Levitt has worked for clients during the last 10 years with an interest in redistricting, but he does not believe that this work presents the appearance of a conflict. For example, he has represented the United States in redistricting litigation; it is conceivable that the United States would review the Commission's work. And he has represented nonpartisan groups like the NAACP LDF, LatinoJustice PRLDEF, and Asian Americans Advancing Justice, which may be interested in the Commission's work. He has also given presentations to other groups that might well be interested in the Commission's work. Significant engagements are disclosed above or on Professor Levitt's *c.v.* Critically, each engagement has involved the attempt to ensure that governmental entities fulfill their obligations under the Voting Rights Act, so Professor Levitt does not perceive any appearance of a conflict in undertaking a similar duty to the California Citizens Redistricting Commission.

b. Other Conflicts

Strumwasser & Woocher and Professor Levitt will fully comply with the rules set forth in the California Rules of Professional Conduct for this representation, and pledge rigorous nonpartisanship in its work for the Commission. The disclosures for the firm, its attorneys, and Professor Levitt are as set forth below:

Strumwasser & Woocher: The firm is adverse to the State of California in one pending matter, *Physicians for Social Responsibility et al. v. Department of Toxic Substances Control* (Case No. C088821). The case concerns environmental and administrative law and is entirely unrelated to any redistricting or Voting Rights Act issues.

Strumwasser & Woocher is not aware of any work that it has performed on behalf of any potential adverse party or witness pertaining to redistricting or challenges to redistricting. The attorneys included in this proposal disclose the following professional or volunteer activities for candidates or officeholders within the past 10 years:

Fredric D. Woocher: Mr. Woocher has provided professional services to candidates for elected office within the last 10 years on discrete election-related issues, including to California Congressmembers Katie Porter, Tony Cardenas, Lou Correa, and Nanette Barragan, as well as a number of state and local candidates. If necessary, Mr. Woocher will refrain from providing professional services to these or any other candidates for federal or state office during the pendency of this representation. In addition, as indicated above, Mr. Woocher has represented the California Legislature, through the Legislative Counsel's office, and the California State Senate on select matters within the past 10 years, none of which relate to redistricting and none of which should pose any conflict or appearance of conflict with this representation.

Michael J. Strumwasser: Nothing to disclose.

Andrea Sheridan Ordin: Andrea Sheridan Ordin: Ms. Ordin served as paid staff for Los Angeles County Supervisor Hilda Solis for four months in 2014-2015, in order to participate in the transition team for the newly elected Supervisor. Ms. Ordin will not engage in any paid staff positions to elected officials during the pendency of this representation.

Dale K. Larson: Mr. Larson actively volunteered for the campaigns for City Council of Culver City for Alex Fisch (2018) and Darrell Menthe (2020). Mr. Larson will not volunteer for any candidate in the purview of the Commission during the pendency of this representation.

Salvador Pérez: Nothing to disclose.

Professor Levitt: Professor Levitt is not presently adverse to the State of California in any pending litigation. He has disclosed all legal work relevant to redistricting or the Voting Rights Act on behalf of any potential adverse party or witness on his *c.v.* or in this RFI (to the extent that such parties can be predicted). He does not believe that he has performed any work for a potential adverse party or witness that would impair his ability to serve the Commission under the California Rules of Professional Conduct.

In addition to the work above and on his *c.v.*, with respect to “active volunteering for, consulting for, or service as a paid staff for any candidate for public office or any public office holder for the past 10 years,” Professor Levitt offered occasional volunteer voter protection advice to the Obama for America campaign in 2012. The redistricting testimony to Los Angeles County mentioned in the Section 3 representations, above, was also the product of a limited consulting contract with the First Supervisorial District in Los Angeles County to analyze the legal standards governing Los Angeles County redistricting, including whether plans submitted to the county complied with the Voting Rights Act.

Beyond those two engagements, Professor Levitt regularly responds to specific one-off requests for advice on voting and redistricting from candidates and public officials (both legislators and administrators), from officials affiliated with both major parties and neither, and from officials whose partisan affiliation he does not know. He does not consider such officials legal clients; though he does not charge for responding to those individualized inquiries, he would not consider that work “active volunteering” in the sense of sustained and regular engagement with any individual candidate or official.

Section VI: Fee Arrangements

Our team proposes to use the following rates for our services:

	Hourly Rate
Senior Partners (Michael Strumwasser)	\$575.00
Senior Counsel and Professor Levitt (Fredric Woocher, Andrea Sheridan Ordin)	\$575.00
Junior Partners (Dale Larson)	\$525.00
Associates (Salvador E. Pérez)	\$375.00
Analysts	\$210.00
Paralegals	\$175.00
Law Clerks	\$125.00

These rates do not include actual out-of-pocket expenses.

Section VII: References (contact information provided on request)

For Strumwasser & Woocher:

- Diane Boyer-Vine, recently retired Legislative Counsel for the State of California
- David Holmquist, former General Counsel, Los Angeles Unified School District
- Daniel P. Marshall, III, former General Counsel, California Earthquake Authority
- Michael Levy, Deputy General Counsel - Litigation, California Department of Insurance

For Professor Levitt:

- Anthony O'Brien, Deputy Attorney General, California Department of Justice, Government Law Section
- Vanita Gupta, former Acting Assistant Attorney General, Civil Rights Division, U.S. Department of Justice; former President and CEO, Leadership Conference on Civil and Human Rights
- Janai Nelson, Associate Director-Counsel, NAACP Legal Defense and Educational Fund, Inc.

We appreciate the opportunity to provide this proposal to the Commission and are available to answer any questions or provide clarification as needed.

ATTACHMENT A

Document received by the CA Supreme Court.

FREDRIC D. WOOCHEER

Senior Counsel

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP

Senior Counsel, January 2020 – present

Partner, January 1991 – January 2020

Specializing in complex civil litigation on public policy issues. Practice emphasizes constitutional law, election law, environmental protection, and administrative regulation. Counsel to numerous state, local, and special agencies and elected and appointed officials in environmental law, elections, and political reform. Represents California Legislature, Insurance Commissioner and Earthquake Authority, various counties and numerous cities. Counsel to homeowners' associations, environmental organizations, and other public-interest groups. Handles litigation in federal and state trial and appellate courts and administrative agencies, and has handled two election contests in the House of Representatives.

OFFICE OF THE ATTORNEY GENERAL OF CALIFORNIA

Special Counsel to the Attorney General, September 1988 – January 1991

Legal and policy advisor on Attorney General's executive staff. Responsible for handling a variety of special projects and sensitive issues, including high-priority civil litigation, legislative proposals, and policy programs. Principal activities included advising the Attorney General on political reform and ethics issues, supervising all judicial and administrative proceedings regarding implementation of Proposition 103, and assisting on selected environmental and consumer matters. Author, for gubernatorial candidate John K. Van de Kamp, of Proposition 131, the campaign and ethics reform initiative on the June 1990 ballot.

CENTER FOR LAW IN THE PUBLIC INTEREST

Staff Attorney, July 1981 – September 1988

Handled complex civil litigation on broad range of high-impact public interest issues. Specialized in environmental, land use, election law, First Amendment, and civil rights issues. Argued before United States and California Supreme Courts, federal and state courts of appeal, and trial courts. Helped draft City of Los Angeles campaign finance reform charter amendments and city ordinance prohibiting discrimination by private business clubs.

DEPARTMENT OF DEFENSE

Staff Assistant to Secretary of Defense Harold Brown, 1980 – 1981

UNITED STATES SUPREME COURT

Law Clerk to Justice William J. Brennan, Jr., 1979 – 1980

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Law Clerk to Chief Judge David L. Bazelon, 1978 – 1979

Document received by the CA Supreme Court.

ACADEMIC

J. D., Stanford Law School, 1978. President, Stanford Law Review. Order of the Coif.

Ph.D. (Cognitive Psychology), Stanford University, 1977. National Science Foundation Graduate Fellowship.

A.B., Yale University, 1972. Phi Beta Kappa, Magna Cum Laude.

PROFESSIONAL AFFILIATIONS

Adjunct Professor of Law, University of Southern California (Pre-trial Advocacy, 1987–88).

Adjunct Professor of Law, Loyola Law School (Law of Politics, 1992–93)

Lecturer, U.C.L.A. Hazardous Materials Liability Program (1986, 1987)

American Bar Association, ALI-ABA Committee on Continuing Professional Education (Lecturer, Hazardous Wastes, Superfund, and Toxic Substances)

California State Bar Association Committee on Human Rights (1983–86: Chair, 1984–85)

California State Bar Association Committee on Environment (1986–88)

Los Angeles County Bar Association Committee on Judicial Evaluations (1985–90)

California League of Conservation Voters, Treasurer; Member of Executive Committee (1991–1996)

Stanford Law School Board of Visitors (1988–90)

California Common Cause, Board of Directors (1992–1994), Advisory Board (1986–90)

REPRESENTATIVE MATTERS HANDLED

UNITED STATES SUPREME COURT

Stringfellow v. Concerned Neighbors in Action, 480 U.S. 370 (1987). Counsel for respondent citizens' group, which intervened in Superfund litigation involving cleanup of hazardous waste dumpsite in their community. Supreme Court held that district court order denying intervention of right but granting permissive intervention with conditions is not appealable on interlocutory basis.

Federal Communications Commission v. League of Women Voters, 468 U.S. 364 (1984). Represented and presented oral argument on behalf of respondents public radio station and public interest organization in landmark First Amendment decision establishing right of noncommercial broadcasters to editorialize.

Pacific Gas & Electric Co. v. Public Utilities Comm'n of California, 475 U.S. 1 (1986). Counsel for respondent Toward Utility Rate Normalization, consumer advocacy group seeking to have its informational and membership material distributed to utility's ratepayers with their monthly bills; Supreme Court held that PUC order dedicating "extra space" in billing envelopes for that purpose violated utility's First Amendment right not to associate with consumer group's message.

Nollan v. California Coastal Commission, 483 U.S. 825 (1987). Authored amicus brief on behalf of 12 national and state environmental organizations supporting Coastal Commission's permit condition requiring landowner to dedicate easement for public access to beach under public trust doctrine; Supreme Court held that the access condition did not adequately serve the public purposes related to the permit requirement.

Board of Directors of Rotary International v. Rotary Club of Duarte, 481 U.S. 537 (1987). Authored amicus brief for women's rights groups seeking to uphold application of California's Unruh Civil Rights Act to international service organization that refused to permit women as full members; Supreme Court upheld enforcement of state's anti-discrimination law and rejected Rotary International's claim to First Amendment immunity.

CALIFORNIA SUPREME COURT

Howard Jarvis Taxpayers Assn. v. Padilla, 62 Cal. 4th 486 (2016). Successfully defended California Legislature's constitutional authority to place an advisory measure on the statewide ballot to gauge voter support for a constitutional amendment to overturn the U.S. Supreme Court's decision in *Citizens United*.

Californians for an Open Primary v. McPherson, 38 Cal.4th 735 (2006). Represented initiative proponents in successfully challenging Legislature's authority to combine disparate constitutional amendments in a single, competing ballot measure.

Amwest Surety Ins. Co. v. Wilson, 11 Cal.4th 1243 (1995). Represented California Insurance Commissioner in successful challenge to legislative attempt to amend citizen-sponsored insurance reform initiative in a manner that was inconsistent with the purpose of the initiative by exempting surety insurance from rate regulation.

20th Century Insurance Co. v. Garamendi, 8 Cal.4th 216 (1994). Represented California Insurance Commissioner John Garamendi in landmark litigation unanimously upholding the Commissioner's regulatory program for imposing rollbacks on property and casualty insurance rates against constitutional challenges from insurance industry, resulting in over \$4 billion in refunds to consumers and reduced auto, homeowners, and other insurance rates.

Calfarm Insurance Company v. Deukmejian, 48 Cal.3d 805 (1989). Co-counsel for respondent Attorney General John Van de Kamp in insurers' multi-prong challenge to constitutionality of Proposition 103; Supreme Court invalidated and modified a portion of the initiative but upheld the bulk of the measure as severable from the invalid sections.

C.O.S.T. v. Superior Court of Orange County, 45 Cal.3d 491 (1988). Represented and presented oral argument for petitioner citizens' group seeking to have initiative securing public vote on local development fee placed on City of Irvine ballot; Supreme Court held that initiative was beyond the authority of the local electorate because its subject matter was of statewide concern.

Press v. Lucky Stores, Inc., 34 Cal.3d 311 (1983). Counsel for petitioner, proponent of statewide ballot measure seeking award of attorneys' fees for lawsuit brought to obtain access to shopping center for purpose of collecting signatures on initiative petitions; Supreme Court ordered award of attorneys' fees under Code of Civil Procedure section 1021.5, finding that lawsuit was necessary to vindicate fundamental First Amendment rights of signature gatherers.

Kopp v. Fair Political Practices Com., 11 Cal.4th 607, 905 P.2d 1248, 47 Cal.Rptr.2d 198 (1995). Represented Common Cause in extraordinary writ proceeding to save by reformation constitutionality of Proposition 73.

Gerken v. Fair Political Practices Com., 6 Cal.4th 707, 863 P.2d 694, 25 Cal.Rptr.2d 449 (1993). Co-counsel for Common Cause in petition seeking to establish the effectiveness of Proposition 68.

OTHER MAJOR CASES

Steinberg v. Chiang, 223 Cal.App.4th 338 (2014). Represented President pro Tempore of the Senate and Speaker of the Assembly in obtaining declaratory judgment against State Controller that the California Legislature had complied with the Constitution's requirement to pass a balanced budget bill, precluding the withholding of legislators' salaries.

Consumer Watchdog v. Department of Managed Health Care, 225 Cal. App. 4th 862 (2014). Successfully sued the Department of Managed Health Care on behalf of autism patients and advocates to require health plans to provide coverage for applied behavioral analysis (ABA) treatment administered by non-medically licensed, but professionally certified, behavioral therapists.

Noonan v. Bowen, 2014 WL 4235188 (2014). Represented President Barack Obama in obtaining the dismissal of lawsuit seeking to prevent the California Secretary of State from placing his name on the presidential primary election ballot without determining that he was a "natural born citizen" eligible to hold office as President of the United States.

Pette v. International Operating Union of Engineers, 2013 WL 5573043 (C.D. Cal. 2013). Obtained dismissal of International Union's General Counsel from federal RICO lawsuit alleging that International conspired with officers of local union and employers to embezzle funds and divert assets belonging to local union members and ERISA benefit trust funds.

Howard Jarvis Taxpayers Assn. v. Bowen, 212 Cal. App. 4th 1298 (ordered de-published 2013). Represented Legislature in challenge to its enactment of a budget trailer bill by majority vote on an urgency basis that directed the ordering of initiatives on future election ballots.

Keyes v. Bowen, 189 Cal.App.4th 647 (2010). Represented President Barack Obama in obtaining dismissal of lawsuit contending that California Secretary of State has a duty to verify the constitutional qualifications of political parties' presidential nominees before placing their names on the general election ballot.

Preserve Shorecliff Homeowners v. City of San Clemente, 158 Cal.App.4th 1427 (2008). Represented referendum proponents in obtaining judicial ruling that city residency requirement for circulators of municipal referendum petitions is unconstitutional under the First Amendment.

Mendoza v. State of California, 149 Cal.App.4th 1034 (2007). Represented Los Angeles Unified School District in a successful challenge to state legislation, the Romero Act, that would have transferred responsibility for administering a number of the district's schools to the Mayor of Los Angeles, in violation of the state Constitution and the Los Angeles City Charter.

Robson v. Upper San Gabriel Valley Mun. Water Dist., 142 Cal. App. 4th 877 (2006). Prevailed in a case of first-impression determining whether an appointed board member for municipal water district must stand for reelection under Government Code section 1780.

City of Santa Monica v. Stewart, 126 Cal.App.4th 43, 24 Cal.Rptr.3d 72 (2005). Successfully blocked attempt by city council to prevent implementation of voter-approved election-reform ordinance.

McKinney v. Superior Court, 124 Cal.App.4th 951, 21 Cal.Rptr.3d 773 (2004). Represented write-in candidate for Mayor of San Diego, who drew more votes in run-off election than either candidate on ballot.

Bradley v. Perrodin, 106 Cal.App.4th 1153, 131 Cal.Rptr.2d 402 (2003). Successfully represented winner of Compton mayoral election on appeal that overturned trial court's decision to remove him from office on the theory that the runner-up would have won the election had his name been listed first, rather than second, on the ballot.

Westly v. California Public Employees' Retirement System Bd. of Administration, 105 Cal.App.4th 1095, 130 Cal.Rptr.2d 149 (2003). Successfully represented State Controller in action challenging attempt by Board of Administration of CalPERS to evade state fiscal controls.

Jeffrey v. Superior Court, 102 Cal.App.4th 1, 125 Cal.Rptr.2d 175 (2002). Successfully compelled city council to place initiative on the ballot.

Citizens for Jobs and the Economy v. County of Orange, 94 Cal.App.4th 1311, 115 Cal.Rptr.2d 90 (2002). Successfully blocked initiative seeking to impede transformation of El Toro Marine Air Station into commercial airport.

Ryan v. California Interscholastic Federation-San Diego Section, 94 Cal.App.4th 1048, 114 Cal.Rptr.2d 798 (2001). As counsel for amicus Education Legal Alliance of the California School Boards Association, raised and prevailed on dispositive issues in lawsuit challenging high-school eligibility determination for interscholastic athletics.

Songstad v. Superior Court, 93 Cal.App.4th 1202, 113 Cal.Rptr.2d 729 (2001). Case involved standing to challenge title and summary for county initiative.

Nicolopoulos v. City of Lawndale, 91 Cal.App.4th 1221, 111 Cal.Rptr.2d 420 (2001). Case involved exclusivity of quo warranto for city counsel to unseat elected official.

Woo v. Superior Court, 83 Cal.App.4th 967, 100 Cal.Rptr.2d 156 (2000). Successful representation of candidate for city council, determining he was not barred by term limits.

McPherson v. City of Manhattan Beach, 78 Cal.App.4th 1252, 93 Cal.Rptr.2d 725 (2000). Successfully represented citizens' group challenging city permit allowing construction of building in violation of height ordinance. Case resulted in top of building having to be demolished.

Schweisinger v. Jones, 68 Cal.App.4th 1320, 81 Cal.Rptr.2d 183 (1998). Represented former member of Assembly seeking determination that term limits did not apply to her.

Americans v. State, 58 Cal.App.4th 724, 59 Cal.Rptr.2d 416 (1997). Challenge to State Legislature's failure to appropriate funds for anti-tobacco advertising pursuant to Proposition 99.

Dornan v. Sanchez, House Oversight Committee; *In re Sanchez*, 978 F.Supp. 1315 (C.D. Cal. 1997); *In re Sanchez*, 955 F.Supp. 1210 (C.D. Cal. 1997). Successfully defended Hon. Loretta Sanchez before House Oversight Committee, and in related judicial litigation, in election-contest challenge by former Rep. Robert Dornan.

Browne v. Russell, 27 Cal.App.4th 1116, 33 Cal.Rptr.2d 29 (1994). Represented a coalition of public-health organizations, successfully upheld Los Angeles City ordinance prohibiting smoking in restaurants against a challenge by the tobacco and restaurant industries.

Wilshire Ins. Co. v. Garamendi, 5 Cal.App.4th 1573, 8 Cal.Rptr.2d 55 (1992). Successful defense of application of Proposition 103 to insurers not ordered by former Insurance Commissioner to roll back rates.

California Auto. v. Garamendi, 234 Cal.App.3d 1486, 286 Cal.Rptr. 257 (1991). Successful defense of Insurance Commissioner's rate order for assigned-risk insurance.

California Auto. v. Garamendi, 232 Cal.App.3d 904, 283 Cal.Rptr. 562 (1991). Upheld Insurance Commissioner's rulings on procedures for setting assigned-risk rates.

Hardeman v. Thomas, 208 Cal.App.3d 153 (1989). Co-counsel in election contest challenging outcome of Inglewood City Council run-off election; after five-day trial, Superior Court annulled election results and ordered new election to be held, finding that numerous violations of state absentee ballot laws had occurred.

Jonathan Club v. California Coastal Commission, 197 Cal.App.3d 884 (1988) (decertified for publication). Represented amici civil rights organizations in trial and appellate courts in support of Coastal Commission's imposition of permit condition requiring Jonathan Club to certify that it does not discriminate in its membership policies on account of race, religion, or sex in order to expand its facility on state-leased beachfront land in Santa Monica.

Federation of Hillside & Canyon Associations v. City of Los Angeles, No. C526616 (L.A. Super. 1986). Co-counsel in challenge to City of Los Angeles' failure to bring zoning ordinances into conformity with city's general plans; injunction against issuance of further building permits for inconsistently zoned parcels led to settlement with court-monitored schedule for city-wide rezoning program.

American Lung Ass'n of Cal. v. South Coast Air Quality Mgmt. Dist., No. C573130 (L.A. Super. 1985). Represented clean-air coalition in successful challenge to first attempt by company to "bank" pollution reduction "credits" for future sale to other companies needing to decrease emissions; settlement resulted in rescinding of credits.

Friends of Ballona Wetlands v. California Coastal Commission, No. C525826 (L.A. Super. 1984). Represented environmental organizations in administrative and court challenges to L.A. city, county, and Coastal Commission approvals of EIR and land use plans for massive Playa Vista development project; settlement resulted in scaled-down project and preservation/restoration of additional wetlands acreage.

United States v. Stringfellow, No. CV 83-2501 JMI (C.D. Cal. 1983). Represented intervening residents in multi-party Superfund toxic waste site clean-up action; case still pending, but trial court found private waste generators, dumpsite owners, and State of California strictly liable for cleanup costs under CERCLA, RCRA, and Clean Water Act.

Sierra Club v. Board of Supervisors, No. C319067 (L.A. Super. 1981). Co-counsel in successful challenge to L.A. County approval of Sunnyglen development project in Santa Monica Mountains; innovative settlement resulted in project re-design with additional on-site mitigation measures and establishment of monetary off-site mitigation fund for purchase of development rights in other environmentally sensitive canyon areas.

Coalition For L.A. County Planning in the Public Interest v. Bd. of Supervisors, 76 Cal.App.3d 241 (1977). Co-counsel in successful challenge to inadequacy of EIR and open-space element of L.A. County's general plan amendments under state Planning and Zoning law.

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TEACHING

Loyola Law School, Los Angeles, CA

Associate Dean for Research (2017–2020).

Professor of Law (2014–present), *Gerald T. McLaughlin Fellow* (2018–present).

Associate Professor of Law (2010–2014).

Courses: Constitutional Law, Law of the Political Process, Criminal Procedure

Founder, [Practitioner Appellate Moot Program](#)

Faculty Advisor, [Loyola Law Review](#), 2014–15; [American Constitution Society](#)

[Dean's Search Committee](#), Hiring Committee, [Faculty Workshops](#) (co-chair)

Curriculum, Academic Standards/Grading, Web Redesign, Instructional Tech. Committees

Excellence in Teaching Award, 2013–14, 2019–20

USC Gould School of Law, Los Angeles, CA

Visiting Professor of Law (spring 2015).

Course: Constitutional Law

California Institute of Technology (Caltech), Pasadena, CA

Visiting Associate Professor of Law (spring 2014).

Courses: Introduction to Law and Law and Economics

Yale Law School, New Haven, CT

Visiting Associate Professor of Law (spring 2013).

Courses: Law of Democracy, Motives of Public Actors

New York University School of Law, New York, NY

Assistant Adjunct Professor of Clinical Law (2006–07).

Course: Public Policy Advocacy Clinic

EDUCATION

Harvard Law School / Harvard Kennedy School

J.D./M.P.A., *magna cum laude* (June 2002).

HARVARD LAW REVIEW, Articles Editor, vols. 114 and 115

Hewlett Law & Negotiation Fellowship; Jessup Int'l Law Competition, Regional Best Oralist

Teaching Fellow, Harvard College: The American Presidency, Globalization

Fulbright Scholarship, Universität zu Köln, Germany (1997–98).

Research on organizational and employee loyalty.

Harvard College

B.A. (Special Concentration), *magna cum laude* (June 1995).

John Harvard Scholar, Harvard National Scholar

OTHER PROFESSIONAL EXPERIENCE

Facebook, Menlo Park, CA (2020).

Voting Rights Consultant.

Offered expertise on information and organic content related to electoral process.

U.S. Department of Justice, Washington, DC (2015–17).

Deputy Assistant Attorney General, Civil Rights Division.

Reviewed strategic decisions, select case filings, and administrative concerns in supporting and managing hundreds of employees, including civil rights policy staff and sections enforcing federal statutes concerning voting rights and protections against employment discrimination (including protections for LGBT individuals).

Brennan Center for Justice at NYU School of Law, New York, NY (2005–08, 2009–10).

Counsel, Democracy Program.

Provided legislative and administrative counsel and pursued litigation to promote equitable access to an effective vote.

Obama Campaign for Change/Democratic National Committee, Washington, DC (2008).

National Voter Protection Counsel.

Co-managed presidential campaign's national voter protection program, directed substantive approach to election administration concerns, edited pleadings and helped direct strategy in election-related litigation, and oversaw recruitment and deployment of volunteer attorneys.

America Coming Together, Washington, DC (2004–05).

In-House Counsel.

Delivered legal support for national voter mobilization operation, focusing on election administration, campaign finance compliance, and employment law.

Clark for President, Inc., Little Rock, AR (2003–04).

Director of Strategic Targeting.

Conducted intensive analysis of voter files and directed targeting for voter contact programs; drafted and edited policy and political materials.

U.S. Court of Appeals for the Ninth Circuit, Los Angeles, CA (2002–03).

Law Clerk to the Honorable Stephen Reinhardt.

Altshuler, Berzon, Nussbaum, Rubin & Demain, San Francisco, CA (summer 2001).

Summer Associate.

Drafted labor, environmental, and habeas case filings.

Department of State, Office of War Crimes Issues, Washington, DC (summer 2000).

Legal Intern.

Supported ICC negotiations and ICTY prosecutions.

McKinsey & Company, Chicago, IL (1995–97).

Business Analyst.

Developed quantitative and qualitative assessments of corporate performance and opportunities, and strategies for driving measurable improvement.

PRIMARY ARTICLES

[*Failed Elections and the Legislative Selection of Electors*](#), __ N.Y.U. L. REV. __ (forthcoming 2021).

[*Citizenship and the Census*](#), 119 COLUM. L. REV. 1355 (2019).

[*Intent is Enough: Invidious Partisanship in Redistricting*](#), 59 WM. & MARY L. REV. 1993 (2018).

[*Quick and Dirty: The New Misreading of the Voting Rights Act*](#), 43 FL. ST. U. L. REV. 573 (2016).

[*Electoral Integrity: The Confidence Game*](#), 89 N.Y.U. L. REV. ONLINE 70 (2014).

[*The Partisanship Spectrum*](#), 55 WM. & MARY L. REV. 1787 (2014).

[*Section 5 As Simulacrum*](#), 123 YALE L. J. ONLINE 151 (2013).

[*Democracy on the High Wire: Citizen Commission Implementation of the Voting Rights Act*](#), 46 U.C. DAVIS L. REV. 1041 (2013).

[*Resolving Election Error: The Dynamic Assessment of Materiality*](#), 54 WM. & MARY L. REV. 83 (2012) (also [edited for inclusion in LEGAL WORKSHOP](#), OCT. 30, 2012).

[*Election Deform: The Pursuit of Unwarranted Electoral Regulation*](#), 11 ELECTION L.J. 97 (2012).

[*Confronting the Impact of Citizens United*](#), 29 YALE L. & POL'Y REV. 217 (2010).

[*Long Lines at the Courthouse: Pre-Election Litigation of Election Day Burdens*](#), 9 ELECTION L.J. 19 (2010) (peer-reviewed).

[*Taking the "Re" Out of Redistricting: State Constitutional Provisions on Redistricting Timing*](#), 95 GEO. L.J. 1247 (2007) (co-authored with Michael P. McDonald).

ESSAYS AND SHORTER SCHOLARSHIP

[*Nonsense: Pretext and the Decennial Enumeration*](#), 3 ACS SUP. CT. REV. 59 (2019).

[*Race, Redistricting, and the Manufactured Conundrum*](#), 50 LOYOLA L.A. L. REV. 555 (2017).

[*The Role of State Attorneys General in Federal and State Redistricting in 2020*](#) (2017) (co-authored with James E. Tierney).

[*Voter Identification in the Courts*](#), in [THE BOOK OF THE STATES](#) (Council of State Gov'ts 2015).

[*"Fixing That": Lines at the Polling Place*](#), 28 J. L. POL. 465 (2013).

[*You're Gonna Need a Thicker Veil*](#), 65 FLA. L. REV. F. (2013).

[*The New Wave of Election Regulation: Burden without Benefit*](#), 6 ADVANCE 39 (2012).

ESSAYS AND SHORTER SCHOLARSHIP (continued)

[*Fault and the Murkowski Voter: A Reply to Flanders*](#), 28 ALASKA L. REV. 41 (2011).

[*Weighing the Potential of Citizen Redistricting*](#), 44 LOYOLA L.A. L. REV. 513 (2011).

Guarantee Clause, in ENCYCLOPEDIA OF THE U.S. CONSTITUTION (David Schultz ed., 2009).

[*Seeing Double Voting: An Extension of the Birthday Problem*](#), 7 ELECTION L.J. 111 (2008)
(co-authored with Michael P. McDonald) (peer-reviewed).

Developments in the Law—International Criminal Law (pt. 2): [*The Promises of International Prosecution*](#), 114 HARV. L. REV. 1957 (2001).

MONOGRAPHS AND BOOK CHAPTERS

Quick and Dirty: The New Misreading of the Voting Rights Act, in [AMERICA VOTES! A GUIDE TO MODERN ELECTION LAW AND VOTING RIGHTS](#) (Benjamin E. Griffith ed., 3d ed. 2016).

[*LULAC v. Perry: The Frumious Gerry-Mander, Rampant*](#), in ELECTION LAW STORIES
(Foundation Press, 2016).

Novel (and Not-so-Novel) Alternatives to Legislative Redistricting, in [AMERICA VOTES! A GUIDE TO MODERN ELECTION LAW AND VOTING RIGHTS](#) (Benjamin E. Griffith ed., 2d ed. 2012).

Redistricting and the West: The Legal Context, in [REDISTRICTING AND REAPPORTIONMENT IN THE WEST](#) (Gary F. Moncrief ed., 2011).

[A CITIZEN’S GUIDE TO REDISTRICTING](#) (2d ed., Brennan Center for Justice 2010).

[*How Data is \[sic\] Used by Advocates*](#), in [DATA FOR DEMOCRACY](#) (Paul Gronke & Michael Caudell-Feagan eds., 2008).

[A CITIZEN’S GUIDE TO REDISTRICTING](#) (1st ed., Brennan Center for Justice 2008).

[THE TRUTH ABOUT VOTER FRAUD](#) (Brennan Center for Justice 2007).

Introduction, in [MAKING EVERY VOTE COUNT: FEDERAL ELECTION LEGISLATION IN THE STATES](#)
(Andrew Rachlin ed., 2006).

[MAKING THE LIST: DATABASE MATCHING AND VERIFICATION PROCESSES FOR VOTER REGISTRATION](#)
(Brennan Center for Justice 2006) (co-authored with Wendy R. Weiser and Ana Muñoz).

MULTIMEDIA RESEARCH

[*All About Redistricting*](#), a comprehensive website tracking the status of decennial redistricting, explaining the process state-by-state, and following redistricting litigation start to finish.

TESTIMONY AND REGULATORY COMMENT

U.S. Senate: *From Selma to Shelby County: Hearing Before the S. Comm. on Judiciary*, 113th Cong. (July 17, 2013) ([video](#), [statement](#)).

U.S. Senate: *New State Voting Laws: Barriers to the Ballot?: Hearing Before the S. Comm. on Judiciary, Subcomm. on Constitution, Civil Rights & Human Rights*, 112th Cong. (Sept. 8, 2011) ([video](#), [statement](#)).

U.S. Senate: *In Person Voter Fraud: Myth and Trigger for Disenfranchisement?: Hearing Before the S. Comm. on Rules & Admin.*, 110th Cong. (Mar. 12, 2008) ([transcript](#), [statement](#)).

U.S. Senate: *Protecting Voters at Home and at the Polls: Hearing Before the S. Comm. on Rules & Admin.*, 110th Cong. (Feb. 27, 2008) ([statement](#)).

U.S. House: *Congressional Authority to Protect Voting Rights After Shelby County v. Holder: Hearing Before the H. Comm. on the Judiciary, Subcomm. on Constitution, Civil Rights & Civil Liberties*, 116th Cong. (Sept. 24, 2019) ([video](#), [statement](#)).

U.S. House: *Progress Report on the 2020 Census: H. Comm. on Oversight & Government Reform*, 115th Cong. (May 9, 2018) ([video](#), [statement](#)).

U.S. Comm’n on Civil Rights: *An Assessment of Minority Voting Rights Access in the US: An Update* (July 8, 2020) ([statement](#)).

U.S. Comm’n on Civil Rights: *An Assessment of Minority Voting Rights Access in the US: Hearing Before the U.S. Comm’n on Civil Rights* (Feb. 2, 2018) ([video](#), [statement](#), [supp.](#)).

U.S. Comm’n on Civil Rights: *Redistricting and the 2010 Census: Enforcing Section 5 of the VRA: Hearing Before the U.S. Comm’n on Civil Rights* (Feb. 3, 2012) ([statement](#)).

U.S. Comm’n on Civil Rights (Alaska): *Alaska Native Voting Rights: Hearing Before the Alaska Advisory Comm. to the U.S. Comm’n on Civil Rights* (Sept. 22, 2017) ([statement](#)).

U.S. Comm’n on Civil Rights (Indiana): *Voting Rights in Indiana: Hearing Before the Indiana Advisory Comm. to the U.S. Comm’n on Civil Rights* (Apr. 30, 2018) ([statement](#)).

U.S. Dep’t of Commerce: [Comment](#) on Proposed Information Collection, 2020 Census, Aug. 7, 2018, response to 83 Fed. Reg. 26,643 (June 8, 2018).

U.S. Census Bureau: [Comment](#) on Census Residence Rule and Residence Situations: People in Correctional Facilities, July 20, 2015, response to 80 Fed. Reg. 28,950 (May 20, 2015).

Fed. Court: *DNC v. RNC*, No. 81-3876 (D.N.J. May 6, 2009) ([opinion](#)).

State Court: *Jauregui v. Palmdale*, No. BC483039 (Cal. Super. Ct., L.A. Cnty. May 2013).

State Court: *Pico Neighborhood Ass’n v. Santa Monica*, No. BC616804 (Cal. Super. Ct., L.A. Cnty. Aug. 2018).

TESTIMONY (continued)

Alaska House: *Hearing on H.J.R. 26 Before the H. State Affairs Comm.*, 30th Leg. (Alaska Feb. 20, 2018) ([video](#))

Ill. Senate: *Proposals for Changing the Current Redistricting Process in Illinois: Hearing Before the S. Redistricting Comm.*, 96th Leg. (Ill. Oct. 13, 2009) ([statement](#)).

Ind. Joint Comm: *Hearing Before the Interim Study Comm. on Redistricting*, 117th Gen. Assem. (Ind. Oct. 7, 2011); *Hearing Before the Census Data Advisory Committee*, 116th Leg. (Ind. Sept. 29, 2009) ([statement](#)).

Mich. House: *Hearing on H.B. 5914 Before the H. Judiciary Comm.*, 95th Leg. (Mich. Apr. 13, 2010) (with Myrna Pérez) ([statement](#)).

Nev. Joint Comm.: *National Overview of Reapportionment and Redistricting: J. Meeting Assemb. Comm. Legis. Operations & Elections & S. Comm. Legis. Operations & Elections*, 76th Reg. Sess. (Nev. Mar. 10, 2011) ([presentation](#)).

N.Y. Assembly: *Redistricting: Hearing on A.624, A.2056, and A.6287-a Before Assemb. Standing Comm. on Gov't Operations* (N.Y. Oct. 17, 2006) (with Kahlil Williams) ([statement](#))

Ore. Joint Comm.: *Communities of Interest: An Overview of the Law: Hearing Before the S. Comm. on Redistricting & the H. Comm. on Redistricting* (Ore. Feb. 25, 2011) ([audio](#)); *What is Redistricting? A Citizen's Guide to Redistricting: Hearing Before the S. Comm. on Redistricting & the H. Comm. on Redistricting* (Ore. Feb. 4, 2011) ([audio](#)).

Tex. House: *Hearing on S.B. 14 Before the H. Select Comm. on Voter Identification and Voter Fraud*, 82d Leg. (Tex. Mar. 1, 2011) ([video](#) @ 4:47:00); *Hearing on S.B. 362 Before the H. Comm. on Elections*, 81st Leg. (Tex. Apr. 6, 2009) ([video](#) @ 2:29:00, [statement](#)); *Hearing Before the H. Comm. on Elections*, 80th Leg. (Tex. Jan. 25, 2008) ([video](#) @ 3:26:40).

Wash. Senate: *Hearing on Voting Rights Issues Before the S. State Gov't, Tribal Relations & Elections Comm.* (Wash. Jan. 10, 2018) ([statement](#)).

Wash. Joint Comm.: *Hearing on Issues Involving Potential Litigation Over State Voting Rights Acts Before the S. Gov'tal Ops. Comm. & the L. & Justice Comm.* (Wash. May 7, 2015).

Wis. Joint Comm.: *Hearing on A.B. 895 and 892, and S.B. 640 and 645, Before the Ass. Comm. on Elections & Campaign Reform & the S. Comm. on Labor, Elections & Urban Affairs* (Wis. Mar. 31, 2010) ([statement](#)).

L.A. County: [Report on the Legal Standards Pertaining to the Los Angeles County Redistricting Process](#); *Hearing Before the L.A. Cty. Bd. of Supervisors* (L.A. Cty. Aug. 9, 2011) ([video](#)).

City of Dallas: [Hearing Before the Dallas Charter Review Comm'n re Redistricting](#) (Dallas, Mar. 25, 2014) ([video](#)).

SELECTED PRESENTATIONS

Presenter, *Rules and Constraints of the Redistricting Process*, Los Angeles City Council Redistricting Comm'n (Jan. 2021).

Presenter, [*Voting Rights Act Litigation*](#), California Citizens' Redistricting Comm'n (Nov. 2020).

Panelist, [*What Happens When America Votes? Second in a Series: Legal Remedies for Election Litigation*](#), National Center for State Courts (Oct. 2020).

Panelist, [*Access to the Vote: The Ballot and the Mailbox*](#), ABA Civil Rights and Social Justice Section (Sept. 2020).

Panelist, *Redistricting 101*, Michigan Independent Citizens' Redistricting Commission (Sept. 2020).

Speaker, *Redistricting 101: Legal Concepts That Apply to the Work of California's Citizens Redistricting Commission*, California Citizens' Redistricting Commission (Sept. 2020).

Speaker, *Election Law Update*, Conf. of the Nat'l Ass'n of Appellate Court Attorneys (July 2020).

Roundtable Participant, *What If the 2020 Presidential Election is Disputed?*, Ohio State Moritz School of Law, Columbus, OH (May 2020).

Panelist, *Redistricting and Related Legal Uses*, [*Workshop on 2020 Census Data Products: Data Needs and Privacy Considerations*](#), Committee on National Statistics, National Academy of Sciences, Washington, DC (Dec. 2019).

Panelist, *Impeaching the President: The Ins and Outs of Ukraine, Obstruction of Justice, Emoluments, and More*, UCLA School of Law, Los Angeles, CA (Nov. 2019).

Speaker, *Uses of 2020 Census Redistricting Data, Formal Privacy Methods for the 2020 Census*, JASON Conference, La Jolla, CA (June 2019).

Speaker, *Citizenship and the Census*, Harvard Law School, Cambridge, MA (Apr. 2019).

Panelist, [*Dollars and Sense: Campaign Finance Reform for the 21st Century*](#), Notre Dame Law School, South Bend, IN (Feb. 2019).

Moderator, *Fighting Gerrymandering with the First Amendment*, [*Reason, Reform & Redistricting Conference*](#), Duke University, Durham, NC (Jan. 2019).

Speaker, [*The Need for Redistricting Reform*](#), U. Arizona Conference on Redistricting, Tucson, AZ (Oct. 2018).

Panelist, [*How Gerrymandering is Reshaping Politics*](#), SxSW, Austin, TX (Mar. 2018).

Panelist, *Foreign Interference in U.S. Elections from an Election and Constitutional Law Perspective*, McGeorge Global Center Annual Symposium, McGeorge School of Law, University of the Pacific, Sacramento, CA (Mar. 2018).

SELECTED PRESENTATIONS (continued)

- Moderator, *At Our Whit(ford)'s End With Gerrymandering?*, Unrig the System Summit, New Orleans, LA (Feb. 2018).
- Speaker, *A Republic, If You Can Keep It*, [In Defense of Voting Rights](#), Colloquium on the Constitution and the Imagining of America, Amherst College, Amherst, MA (Nov. 2017).
- Panelist, *Race and Redistricting 2021*, [Redistricting Reform Conference at Harvard](#), Harvard Kennedy School / Harvard Law School, Cambridge, MA (Nov. 2017).
- Panelist, Voting Rights Institute, [ACS 2017 National Convention](#), Washington, DC (June 2017).
- Keynote Speaker, [Legislatures, Courts and Voting Rights: Developments since the 2013 Shelby County v. Holder Decision](#), U. Pittsburgh School of Law, Pittsburgh, PA (Apr. 2017).
- Keynote Speaker, [The Future of National Election and Political Reform Efforts](#), The Future of Democracy, Election Law@Boalt, Berkeley Law School, Berkeley, CA (Apr. 2017).
- Participant, *Political Parties and Republican Government*, Liberty Fund Colloquium, Cato Institute, Washington, DC (Apr. 2017).
- Panelist, *The Supreme Court and 2020 Round*, William & Mary Law Review 2020 Redistricting Symposium, William & Mary Law School, Williamsburg, VA (Feb. 2017).
- Presenter, *Vote As If Your Life Depends on It*, [NDRN 2016 P&A/CAP Annual Conference](#), Baltimore, MD (June 2016).
- Opening Remarks, [Summit on Language Access in Elections](#), Election Assistance Commission, College Park, MD (June 2016).
- Panelist, *Government Plenary*, [ABA Section of Labor and Employment Law, National Conference on Equal Employment Opportunity Law](#), Austin, TX (Mar. 2016).
- Opening Remarks, [Securing the Election in the 21st Century](#), Election Verification Network Conference, Washington, DC (Mar. 2016).
- Panelist, *Protecting Voters and Best Practices for State, County, and Local Officials*, Roundtable, Joint Center for Political and Economic Studies, GW Law, Washington, DC (Dec. 2015).
- Panelist, Closing Plenary, [Looking Forward to an Expanded Electorate](#), [Future of California Elections 2015 Conference](#), Sacramento, CA (Feb. 2015).
- Panelist, [The Voting Rights Act at 50: The Past, Present, and Future of the Right to Vote](#), LSU Law Center, Baton Rouge, LA (Jan. 2015).
- Panelist, [Got ID? Recent Trends in Voter Identification Requirements](#), 2014 U.S. Election Program, International Foundation for Electoral Systems, Washington, DC (Nov. 2014).

SELECTED PRESENTATIONS (continued)

Presenter, *U.S. Redistricting, in Texas and Beyond*, Workshop Derecho Electoral Comparado, Tribunal Electoral del Poder Judicial de la Federación, Mexico City, Mexico (Sept. 2014).

Panelist, [*The End of Political Gerrymandering?*](#), National Constitution Center, Philadelphia, PA (May 2014).

Presenter, *Democracy Held Captive: Felon Voting Rights and Prison-Based Gerrymandering*, 44th Annual Cal State Fullerton Philosophy Symposium, [*Rethinking Mass Incarceration: Gender, Race, and the Prison Industrial Complex*](#), Cal. State University, Fullerton, CA (Apr. 2014).

Presenter. *The Partisanship Spectrum*, [*The Jurisprudence of Voting Rights*](#), Midwest Political Science Association, Chicago, IL (Apr. 2014).

Panelist, [*Voting Rights Post-Shelby: A Perspective One Year Out*](#), American Constitution Society, Georgetown University Law Center, Washington, DC (Apr. 2014).

Presenter, *The Partisanship Spectrum*, [*Elections, Law & Democracy*](#), Southern California Law and Social Science Forum, Whittier Law School, Costa Mesa, CA (Mar. 2014).

Presenter, [*40 Years after Watergate and 4 Years after Citizens United*](#), American Constitution Society, Southwestern Law School, Los Angeles, CA (Mar. 2014).

Panelist, [*Voting Rights: Challenges and Opportunities for Cause Lawyers in the 21st Century*](#), 2014 La Verne Law Review Symposium, *Brown v. Board of Education at 60: Cause Lawyering for a New Generation*, University of La Verne College of Law, La Verne, CA (Feb. 2014).

Panelist, [*Has the United States Supreme Court Killed California's Initiative Process or Helped Check Its Abuses?*](#), Federalist Society 2014 Annual Western Chapters Conference, Ronald Reagan Presidential Library, Simi Valley, CA (Jan. 2014).

Participant, *Redistricting 2020: Preparing for Action*, Pew Charitable Trusts, Washington, DC (Dec. 2013).

Panelist, [*What's at Stake for Immigrant Communities and Other Communities of Color in the New Battle Over Voting Rights*](#), 2013 Advancing Justice Conference, Los Angeles, CA (Nov. 2013).

Panelist, *Shelby County v. Holder: Election Law's Impact on the Asian Pacific American Community*, U.C. Irvine School of Law, Irvine, CA (Nov. 2013).

Speaker, *Exploring the Post-Shelby Voting Rights Act Framework*, American Constitution Society, UCLA, Los Angeles, CA (Oct. 2013).

Speaker, [*The Future of Voting Rights after Shelby County v. Holder*](#), Public Policy Lecture Series, Reed College, Portland, OR (Oct. 2013).

Presenter, *The Partisanship Spectrum*, Junior Faculty Workshop, University of Toronto School of Law, Toronto, Canada (Oct. 2013).

SELECTED PRESENTATIONS (continued)

Speaker, [*Voting Rights After Shelby County v. Holder: What Now?*](#), American Constitution Society, University of La Verne College of Law, La Verne, CA (Oct. 2013).

Presenter, *The Partisanship Spectrum*, Fall 2013 Southern California Junior Faculty Workshop, Southwestern Law School, Los Angeles, CA (Sept. 2013).

Panelist, [*Long Voting Lines - Causes and Cures and Precinct Management*](#), National Ass'n of State Election Directors Summer Meeting, Anchorage, AK (July 2013).

Panelist, [*How to Fix That: Modernizing Our Elections*](#), Netroots Nation 2013, San Jose, CA (June 2013).

Panelist, *Campaign Finance After Citizens United*, Federalist Society, Yale Law School, New Haven, CT (Apr. 2013).

Panelist, *Politics, Disease Prevention, and the Polling Place: Lessons from Vote & Vax*, Clinton Global Initiative U., Washington University in St. Louis, St. Louis, MO (Apr. 2013).

Symposium Participant, [*The Voting Wars: Election Day and Beyond*](#), University of Virginia School of Law, Charlottesville, VA (Mar. 2013).

Speaker, *Gerrymandering, Voter Suppression, and the Voting Rights Act*, Rogers School of Law, Tucson, AZ (Mar. 2013).

Panelist, *The Future of the Voting Rights Act*, Yale Law School, New Haven, CT (Mar. 2013).

Panelist, *Voting Rights at Large and at Small: Perspectives on Local Election Administration and How People Really Vote*, RebLaw 2013, Yale Law School, New Haven, CT (Feb. 2013).

Speaker, [*The California Voting Rights Act*](#), City of Anaheim, Citizens Advisory Committee on Elections and Community Involvement, Anaheim, CA (Dec. 2012) ([video](#)).

Panelist, [*Law and Democracy: A Symposium on the Law Governing Our Democratic Process*](#), George Washington University School of Law, Washington, DC (Nov. 2012).

Panelist, [*American Ideal: The Right to Vote*](#), Beverly Hills Bar Ass'n, Los Angeles, CA (Oct. 2012).

Panelist, [*To Vote or Not to Vote: Turnout Challenges for 2012*](#), Pat Brown Institute of Public Affairs, Los Angeles, CA (Sept. 2012).

Speaker, *The Initiative Process and Constitutional Change*, U. Minnesota School of Law, Minneapolis, MN (Sept. 2012).

Panelist, [*Are We Ready to Run Our Elections?*](#), Bipartisan Policy Center / Humphrey School of Public Policy, Washington, DC (Sept. 2012).

SELECTED PRESENTATIONS (continued)

Panelist, [*Foxes, Henhouses, and Commissions: Assessing the Nonpartisan Model in Election Administration, Redistricting, and Campaign Finance*](#), U.C. Irvine School of Law, Irvine, CA (Sept. 2012).

Moderator, [*From Austin to Albany: Redistricting in Texas and New York in 2010*](#) and [*Redistricting 2012 Legal Panel*](#), 2012 NCSL Legislative Summit, Chicago, IL (Aug. 2012).

Moderator, [*What's at Stake: Examining Voting Rights in the 21st Century*](#), 2012 ACS National Convention: Democracy at Stake, Washington, DC (June 2012).

Panelist, [*Redistricting Litigation*](#), Federalist Society Civil Rights Practice Group Podcast (Apr. 2012).

Speaker, *Voting ID Laws: Integrity at the Ballot Box?*, American Constitution Society, UCLA Law School, Los Angeles, CA (Apr. 2012).

Presenter, *Municipal Redistricting and Minority Representation: Democracy Outside the Box*, The Politics of Race and Place Workshop, U.C. San Diego (Feb. 2012).

Panelist, *Blocking the Vote: Voter Suppression Tactics and Responses on the Eve of the 2012 Elections*, NAACP LDF Civil Rights Training Institute, Airlie Conference Center, Warrenton, VA (Oct. 2011).

Panelist, [*A Brave New World? California's Redistricting Experiment*](#), Institute of Governmental Studies, U.C. Berkeley, Berkeley, CA (Sept. 2011).

Panelist, *Redistricting Roundtable: Law and Politics in the New Decade*, 2011 American Political Science Association Annual Meeting, Seattle, WA (Sept. 2011).

Speaker, *Emerging/Unresolved Issues in Case Law*, [*Reapportionment and Redistricting in Idaho and the West*](#), Boise State University, Boise, ID (Apr. 2011).

Discussant, [*Eligibility to Vote: Bush v. Gore, 10 Years Later*](#), University of California-Irvine, Laguna Beach, CA (Apr. 2011).

Speaker, [*Redistricting 101: What You Need to Know to Get Involved*](#), Arizona State University, Phoenix, AZ (Apr. 2011).

Discussant, [*Citizen Competence in Direct Democracy*](#), 2011 Midwest Political Science Association Annual Meeting, Chicago, IL (Mar. 2011).

Panelist, [*Citizens United: One Year Later*](#), American Constitution Society, UCLA Law School (Mar. 2011).

Panelist, *Partisan Gerrymandering: The Legal Limitations and Lack Thereof*, NCSL National Redistricting Seminar, National Harbor, MD (Jan. 2011).

SELECTED PRESENTATIONS (continued)

Kickoff Speaker, [*Redistricting Basics and Terminology*](#), NCSL National Redistricting Seminar, National Harbor, MD (Jan. 2011).

Speaker, [*Redistricting 101: Legal Concepts That Apply to the Work of California's Citizens Redistricting Commission*](#), California State Auditor, Sacramento, CA (Dec. 2010).

Panelist, *Redistricting Decisions of the Last Decade*, NCSL National Redistricting Seminar, Providence, RI (Sept. 2010).

Panelist, *Symposium 2010 - Helping America Vote: The Past, Present, and Future of Election Administration*, NYU Journal of Legislation and Public Policy, NYU School of Law, New York, NY (Mar. 2010).

Speaker, [*Redistricting 101: Legal Concepts That Apply to the Work of California's Citizens Redistricting Commission*](#), California State Auditor, Applicant Review Panel, Sacramento, CA (Feb. 2010).

Speaker, [*Redistricting: Embracing Lines in the Public Interest*](#), Women in Government, 16th Annual State Directors' Conference, Dana Point, CA (Jan. 2010).

Speaker, [*Hot Voting Rights Topics for Municipalities: Pre-litigation Use of Alternative Voting Systems and Redistricting Consequences of Incarceration*](#), International Municipal Lawyers Association, Columbia, SC (Dec. 2009).

Speaker, [*Redistricting 101—An Overview and a Timeline for Success*](#), National Conference of State Legislatures, Chicago, IL (Oct. 2009).

Speaker, [*Census 2010: Be Counted, Be Heard*](#), National Latino/a Law Students' Conference, Chicago, IL (Sept. 2009).

Panelist, *Repairing our Democracy: Voter Registration Modernization and other Solutions*, Netroots Nation, Pittsburgh, PA (Aug. 2009).

Speaker, [*Redistricting and the Census*](#), National Civic Summit, Minneapolis, MN (July 2009).

Speaker, *Political Participation: Problems and Promise*, American Constitution Society, UCLA School of Law, Los Angeles, CA (Feb. 2008).

Panelist, *Can Legislation Bring Democracy to America's Capital?*, American Constitution Society, Columbia Law School, New York, NY (Feb. 2007).

Discussant, *Making Every Vote Count: Federal Election Legislation in the States*, Policy Research Institute for the Region, Princeton University, Princeton, NJ (Apr. 2006).

Speaker, *Youth Voter Mobilization and Civic Engagement*, American Democracy Institute, Philadelphia, PA (Feb. 2006).

SELECTED MEDIA APPEARANCES

[*Uncivil War: U.S. Elections Under Siege*](#), Bertelsmann Foundation (2020).

[*Slay the Dragon*](#), Participant Media (2019).

[*Gerrymandering: A New Documentary Film*](#), Green Film Company (2010).

[*Lessons Learned from the 2000 Election*](#), CBS News (Nov. 2020).

[*California Allows GOP Ballot Boxes with Safeguards*](#), America's News HQ, Fox News (Oct. 2020).

[*Voters will decide this election, not the courts, says former Justice Dept. official*](#), MSNBC (Oct. 2020).

[*Citizenship Question: Political Power Shift?*](#), Smerconish, CNN (Jan. 2018).

[*Supreme Court civil rights decisions*](#), Tavis Smiley, PBS (June 2013).

[*Election 2020: Lawyers vs. more lawyers*](#), Post Reports, WASH, POST (Oct. 2020).

[*Challenges To State Voting Rules Could End Up Before The Supreme Court*](#), Morning Edition, NPR (Oct. 2020).

[*Supreme Court Rules Partisan Gerrymandering Is Beyond The Reach Of Federal Courts*](#), All Things Considered, NPR, June 27, 2019.

[*Pennsylvania Gerrymandering*](#), BBC Radio 5 (Feb. 2018).

[*The Gerrymandering Project: California*](#), FIVETHIRTYEIGHT POLITICS (Jan. 2018).

[*The Political Lines That Divide Us*](#), Innovation Hub, WGBH (Oct. 2017).

[*The Political Thicket*](#), More Perfect, RADIOLAB/WNYC (Sept. 2017).

[*Gerrymandering: America's Most Dangerous Maps?*](#), 1A, NPR (Apr. 2017).

Cited as election law expert by hundreds of publications, TV and radio stations, and news services, including ABC, CBS, CNN, Fox News, MSNBC, NBC, NPR and its local affiliates, the Associated Press, Reuters, Bloomberg, New York Times, Wall St. Journal, Washington Post, New Yorker, USA Today, Huffington Post, The Hill, The Nation, The Atlantic, Politico, Vox, Salon, Slate, Time, Los Angeles Times, Sacramento Bee, Miami Herald, Kansas City Star, Houston Chronicle, Chicago Tribune, Palm Beach Post, Milwaukee Journal-Sentinel, Minneapolis Star-Tribune, and Atlanta Journal-Constitution.

Also cited as election expert by Samantha Bee, Stephen Colbert, Seth Meyers, and John Oliver.

SELECTED OPINION

[*Clarity of the Record Should Bring Clarity of Purpose*](#), SCOTUSBLOG, Feb. 11, 2019.

[*Reliving the 2000 Election — and Learning the Wrong Lessons*](#), HARV. L. REV. BLOG, Nov. 20, 2018.

[*For Progressives, There's a Bright Side to Brett Kavanaugh's Supreme Court Nomination*](#), USA TODAY, July 10, 2018.

[*The Fight to End Partisan Gerrymandering is Far From Over*](#), WASH. POST, June 19, 2018.

[*How Trump's Citizenship Question May Hurt the G.O.P.*](#), N.Y. TIMES, Apr. 3, 2018.

[*Intent is Enough*](#), SCOTUSBLOG, Aug. 9, 2017.

[*All Your Voter Data Are Belong to Us*](#), TAKE CARE BLOG, July 2, 2017.

[*The Voting Rights Act Turns 50. And Also 40.*](#), CAL. FORWARD, Aug. 6, 2015 (w/ Dean Logan).

[*A Comprehensive Investigation of Voter Impersonation Finds 31 Credible Incidents Out of One Billion Ballots Cast*](#), WASH. POST WONKBLOG, Aug. 6, 2014.

[*Why McCutcheon is Bad News for Millionaires*](#), POLITICO, Apr. 2, 2014.

[*A Broken Election System Becomes a Teenager*](#), PACIFIC STANDARD, Dec. 12, 2013.

[*Voter ID Update: the Diversity in the Details*](#), CONSTITUTION DAILY, Oct. 30, 2013.

[*Aggregate Limits and the Fight Over Frame*](#), SCOTUSBLOG, Aug. 16, 2013.

[*Shadowboxing and Unintended Consequences*](#), SCOTUSBLOG, June 25, 2013.

[*The Danger of Voter Fraud Vigilantes*](#), N.Y. TIMES, Oct. 29, 2012.

[*Supreme Court Messes With Texas, Voting Rights*](#), MILLER-MCCUNE, Jan. 9, 2012.

[*The Real Victims of Election ID Laws*](#), POLITICO, June 14, 2011.

[*Karl Rove Is Right About Importance of Local Elections*](#), ROLL CALL, Mar. 23, 2010.

[*The Voting Rights Act, Through the Looking Glass*](#), ACSBLOG, June 9, 2009.

[*The Hanging Chad of 2008*](#), HUFFINGTON POST, July 3, 2008.

[*The Myth of Voter Fraud*](#), WASH. POST, Mar. 29, 2007 (with Michael Waldman).

[*Raising the Dead Voter Hoax*](#), TOMPAINE.COM, Oct. 31, 2006.

Occasional contributions to [Summary Judgments](#), the [Election Law Blog](#), and the [Brennan Center for Justice blog](#).

SELECTED PROFESSIONAL SERVICE

Series Editor, Elgar Studies in Law and Politics

Board of Directors, Fair Elections Center

Advisory Board, Access Democracy / All Voting is Local

Advisory Committee, Los Angeles County Voting Systems Assessment Project

Board of Advisors, VoteRiders

Counsel, Voting Rights Scholars, [Amicus Brief](#), *Brnovich v. DNC*, Case No. 19-1257 (U.S. Jan. 20, 2021).

Counsel, John R. Dunne et al., [Amicus Brief](#), *Dep't of Commerce v. New York*, Case No. 18-966 (U.S. Apr. 1, 2019).

Counsel, NAACP LDF et al., [Amicus Brief](#), *Rucho v. Common Cause / Lamone v. Benisek*, Case Nos. 18-422, 18-726 (U.S. Mar. 8, 2019).

Counsel, Scholars and Historians of Congressional Redistricting, [Amicus Brief](#), *Ariz. State Legis. v. Ariz. Ind. Redistricting Comm'n*, Case No. 13-1314 (U.S. Jan. 23, 2015).

Counsel, Current and Former Election Officials, Amicus Brief, *Arcia v. Detzner*, Case No. 12-15738-EE (11th Cir. 2012).

Peer Reviewer, Election Law Journal; Politics and Governance Journal

BAR ADMISSIONS

California State Bar

New Jersey State Bar

New York State Bar

Washington, DC Bar (*Inactive*)

U.S. District Court for the Central District of California

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Eleventh Circuit

Supreme Court of the United States

MICHAEL J. STRUMWASSER

Senior Partner

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHELL LLP, LOS ANGELES, CALIFORNIA

Senior Partner, 1991 – present

Handles large-scale civil litigation in government law, economic regulation, education law, civil-rights, public finance, and environmental law. Represents and advises a wide range of public officials and agencies, public-interest groups, and private parties. As Special Counsel to California Insurance Commissioner, designed, implemented, and successfully defending the regulatory program for implementation of Proposition 103. Has represented Los Angeles Unified School District on a wide range of constitutional and statutory issues. Serves as counsel to the California Earthquake Authority on regulatory and financial issues, to the California Public Utilities Commission on its adjudicatory practices, and to labor unions on legislative and antitrust matters. He is co-author of the Rutter Guide, CALIFORNIA ADMINISTRATIVE LAW.

OFFICE OF THE ATTORNEY GENERAL OF CALIFORNIA, LOS ANGELES, CALIFORNIA

Special Assistant Attorney General, January 1983 – January 1991

As legal and policy adviser to Attorney General John Van de Kamp, supervised and handled major litigation in antitrust, environment, insurance, energy, public utility regulation. Directed special projects on economic, environmental, natural resource, technical, and regulatory issues. Formulated legislation, represented Attorney General before California Legislature and Congress. Directed Department of Justice training program in trial and appellate advocacy.

Deputy Attorney General, 1973 – 1983

Advised and represented state officials and agencies in litigation involving environmental protection and natural resource management, energy regulation, federal preemption, torts, and condemnation.

CALIFORNIA ENERGY COMMISSION, LOS ANGELES, CALIFORNIA

Special Counsel, 1974

Participated in establishing agency and initiating its regulatory programs.

THE RAND CORPORATION, LOS ANGELES, CALIFORNIA

Consultant, 1965 – 1972

Conducted quantitative research on various military and civilian projects, including analysis of criminal justice system.

Document received by the CA Supreme Court.

REPRESENTATIVE MATTERS HANDLED

EDUCATION LAW

Los Angeles Unified School District. Counsel to the nation's second-largest school district. Represented the District in a challenge to California's allocation of state school bonds, resulting in LAUSD receiving an additional \$650 million in existing funds and passage of historic \$25.4 billion state bonds that gave overcrowded districts a priority right to the proceeds. Drafted Measure R, a local school bond measure that gave the District an additional \$3.8 billion for school construction and modernization. Successfully defended the District's random-weapons-search policy.

INSURANCE REGULATION

California Department of Insurance Unfair Insurance Practices Prosecution. Lead counsel for California Department of Insurance prosecuting PacifiCare Life & Health Ins. Co. For nearly a million unfair practices arising out of its acquisition by United Healthcare and subsequent errors in processing patient and provider claims. Hearing spanned over three years—the largest hearing in the history of the Office of Administrative Hearings, resulting in a finding by the Commissioner of over 900,000 violations and imposition of a penalty of \$173.6 million, rendered in a precedent decision.

Proposition 103 Implementation Litigation. After writing regulations implementing the insurance-reform initiative, tried test cases in administrative hearing and courts, culminating in unanimous California Supreme Court decision upholding the regulations and the refund orders and leading to over \$1 billion in consumer rebates. Also handled litigation striking down invalid legislative amendments to Proposition 103, establishing federal-abstention bar to insurers attempting to block rate-regulation in federal court, and establishing procedures and scope of rate-regulation. Currently represents California Insurance Commissioner on Proposition 103 and other insurance-regulatory matters.

California Earthquake Authority. Represents state agency created to write residential earthquake insurance, which had become unavailable after Northridge earthquake. Successfully defended agency's rate in lengthy hearings involving extensive actuarial, economic, and geoseismic issues. Advises Authority on wide range of government-law issues, on economic and financial matters, and on actuarial and geoseismic analyses. Represents the Authority in litigation against a national bank for losses in an illegal investment it made with policyholder funds.

State Insurance Regulators. Served as special counsel to Insurance Commissioners and other regulators in Texas, Washington, Missouri, and New Mexico on regulatory and antitrust issues.

Insurance Antitrust Litigation. Supervised California investigation into manipulation of commercial and municipal liability insurance markets, resulting in nineteen states joining in federal-court suit.

ENERGY AND PUBLIC-UTILITY REGULATION

California Public Utilities Commission. Following revelation of illegal ex parte communications between California Public Utilities Commissioners and a regulated utility, Strumwasser &

Woocher has been retained by the CPUC to conduct an independent review of the commission's ex parte and related practices and to recommend reforms. That review is presently underway.

California Energy Crisis. In 2001, when California's electricity-deregulation experiment became an unprecedented disaster, Strumwasser & Woocher represented TURN, the state's leading utility-ratepayer advocacy organization, in wide-ranging litigation to block a multi-billion-dollar bail-out of the utilities at the expense of consumers, litigation that involved many substantive and procedural public-law issues. The firm initially successfully defended decisions of the California Public Utilities Commission obtained by TURN, holding the utilities to the terms of the deregulation legislation. When the PUC entered a secret bail-out deal with one of the utilities, the firm initially succeeded in blocking the deal, obtaining a Ninth Circuit opinion that the PUC had violated state law but certifying the question to the California Supreme Court, which ruled to the contrary.

California Independent System Operator. Retained by corporation that operates the bulk of California's power grid to independently investigate legislative allegations that the corporation's staff had manipulated the power markets during the energy crisis.

PUC Intervenor Funding. Represented TURN in litigation establishing the right of consumer-representative intervenors to obtain funding for participating in judicial review in federal court.

Diablo Canyon Nuclear Power Plant. Supervised Attorney General's intervention in Public Utilities Commission decision on rate-treatment of nuclear project. Negotiated historic settlement, in which utility agreed to take whole power plant out of rate base and instead accept compensation on the basis of electricity produced; expected to amount to a disallowance in excess of \$2 billion.

Department of Water Resources Power Program and Antitrust Litigation. Conducted major antitrust litigation on behalf of the California Department of Water Resources against the state's three private utilities. Negotiated settlements and a series of contracts that liberated DWR from the utilities' control and made it a major power utility in its own right, able to buy and sell electricity to minimize the costs of the State Water Project. Advised the Director of Water Resources on development and implementation of its long-range program for supplying power to the State Water Project on bond requirements, competitive bidding, CEQA compliance, and Burns-Porter Act authority for power plant construction and power contracts.

Southern California Edison-San Diego Gas & Electric Merger. Directed Attorney General's team that successfully challenged utility merger on antitrust, environmental, and ratemaking grounds.

ECONOMIC REGULATION AND ANTITRUST LAW

California v. American Stores. Directed Attorney General's antitrust challenge to \$2.5 billion supermarket merger. Case resulted in U.S. Supreme Court decision establishing private remedy of divestiture under Clayton Act and agreement to divest supermarket chain, leading to the U.S. Supreme Court decision recognizing a private right of action for corporate mergers in violation of the Clayton Act.

State ex rel. Van de Kamp v. Texaco. Lead counsel on Attorney General's antitrust challenge to oil-company merger, resulting in California Supreme Court holding that California antitrust law does not apply to mergers.

Grocery Chain Merger. Advised and represented the United Food and Commercial Workers in challenging the merger of two large grocery-store chains. Secured conditions on the merger protective of the workers' collective bargaining agreement and rights to organize.

Industrial Laundry Antitrust. Counsel to UNITE HERE challenging mergers in the industrial-laundry industry, in which many of the union's members are employed.

CONSTITUTIONAL RIGHTS AND CIVIL RIGHTS

Presidential Eligibility. Represented President Barack Obama, Vice President Joe Biden, and the 57 California Electors to the Electoral College in defeating a case brought by the losing candidate of the American Independent Party challenging the President's eligibility to serve in office under the "natural born citizen" clause of the Constitution.

U.S. Department of Housing and Urban Development. Special counsel to the Assistant Secretary of Housing and Urban Development on homeowners' insurance redlining.

Anti-SLAPP Litigation. In two separate cases, successfully invoked the state law against strategic lawsuits against public participation to dismiss cases that had been brought to intimidate people speaking out on environmental issues. One case resulted in the second appellate opinion ever construing the statute, establishing the breadth of its protection.

Sweatshop Class Action. Represented class of garment workers denied minimum-wage and overtime pay, resulting in \$1.5 million settlement for 350 workers.

Native-American Religious Rights. Counsel for Native Americans challenging state university's desecration of sacred sites, successfully blocking construction of parking lot and strip mall on remains of ancient village.

ENVIRONMENTAL LAW

Proposition 65 Litigation. Represented workers who contracted lead-poisoning at their brass-manufacturing factory. Obtained injunction requiring clean-up and monitoring and substantial monetary award.

Santa Clarita Development Litigation. Represented environmental and homeowner groups in CEQA litigation over developments in the Santa Clarita Valley, winning significant mitigation measures.

Diablo Canyon Health and Safety Review. Lead attorney of team representing Governor of California in the Nuclear Regulatory Commission's health and safety review of the design and construction of the Diablo Canyon Nuclear Plant. Litigation involved seismology, structural and electrical engineering, quality control.

Sears v. State. Successfully defended waste discharge requirements imposed by Regional Water Quality Control Board in jury trial.

Medfly Spraying. Advised Attorney General and supervised litigation over the state's program to eradicate Mediterranean Fruit Flies by aerial application of Malathion. Legal issues involved state statutes regulating pesticides, Proposition 65, and state emergency declarations. Technical issues pertained to epidemiological studies of long-term exposure to Malathion and chemical testing for extremely minute amounts of heavy metals.

Vehicle-Emission Regulation. Defeated quasi-contract and inverse-condemnation claims against Air Resources Board by a manufacturer of emission-control device.

People v. Southern Pacific. Represented Department of Forestry in three-week jury trial in Mendocino Superior Court, securing verdict for state recovering full costs for suppressing fire in Eel River Canyon.

Lake Tahoe. Counsel to the California-Tahoe Regional Planning Agency in state- and federal- court litigation involving vested-rights and interpretation of bistate compact.

Solid Waste Management Board. From 1976 to 1979, served as Attorney General's legal adviser to the State Solid Waste Management Board (now the Integrated Waste Management Board). Advised board on state solid waste management planning statutes, Resource Conservation and Recovery Act, Porter-Cologne Water Quality Control Act, CEQA, and related statutes.

Building Code Action v. Energy Commission. Defended energy-conservation building code against challenge based on CEQA and the Warren-Alquist Act. Conducted one- week trial entailing issues of heat-flow, computer modeling, and architecture.

California Energy Commission. Advised State Energy Resources Conservation and Development Commission on matters of energy conservation and power plant siting. Legal issues involved federal preemption, interpretation of Warren-Alquist Act, and CEQA.

Historic Preservation. Represented State Historic Preservation Officer in challenge to Army Corps of Engineers project.

PRINCIPAL REPORTED CASES

Consumer Watchdog v. Dep't of Managed Health Care, 225 Cal.App. 4th 862 (2014)

Steinberg v. Chiang, 223 Cal. App. 4th 338, 167 Cal. Rptr. 3d 249 (2014)

Los Angeles Unified Sch. Dist. v. Cnty. of Los Angeles, 217 Cal. App. 4th 597, 158 Cal. Rptr. 3d 488 (2013), review denied (Oct. 2, 2013)

California Earthquake Authority v. Metropolitan West Securities, LLC, 285 F.R.D. 585 (2012)

Service Employees Intern. Union, Local 1000 v. Brown, 197 Cal.App.4th 252 (2011)

Keyes v. Bowen, 189 Cal.App.4th 647 (2010)

California Earthquake Authority v. Metropolitan West Securities, LLC, 712 F.Supp.2d 1124 (2010)

Arterberry v. County of San Diego, 182 Cal.App.4th 1528 (2010)

Utility Reform Network v. Public Utilities Com'n of State of Cal., 166 Cal.App.4th 522 (2008)

Californians For An Open Primary v. McPherson, 38 Cal.4th 735 (2006)

Foundation for Taxpayer and Consumer Rights v. Garamendi, 132 Cal.App.4th 1354 (2005)

Motevalli v. Los Angeles Unified School Dist., 122 Cal.App.4th 97, 18 Cal.Rptr.3d 562, 191 Ed.Law Rep. 838 (2004)

Southern California Edison Co. v. Public Utilities Com'n of State of California, 117 Cal.App.4th 1039, 12 Cal.Rptr.3d 441 (2004)

Southern California Edison Co. v. Lynch, 307 F.3d 794 (9th Cir. 2002)

Southern California Edison Co. v. Lynch, 353 F.3d 648 (9th Cir. 2003)

Southern California Edison Co. v. Peevey, 31 Cal.4th 781, 74 P.3d 795, 3 Cal.Rptr.3d 703, Util. L.Rep. P. 26,855 (2003)

State Farm Mutual Automobile Ins. Co. v. Quackenbush, 77 Cal.App.4th 65, 91 Cal.Rptr.2d 381 (1999)

Fireman's Fund Ins. Co. v. Quackenbush, 52 Cal.App.4th 599, 60 Cal.Rptr.2d 732 (1997)

Native American Heritage Comm'n v. Board of Trustees of the California State University, 51 Cal.App.4th 675, 59 Cal.Rptr.2d 402 (1997)

20th Century Ins. Co. v. Garamendi, 8 Cal.4th 216, 878 P.2d 566, 32 Cal.Rptr.2d 108 (1995)

Amwest Surety Ins. Co. v. Wilson, 11 Cal.4th 1243, 906 P.2d 1112, 48 Cal.Rptr.2d 12 (1995)

Dixon v. Superior Court, 30 Cal.App.4th 733, 36 Cal.Rptr.2d 687, 23 Media L.Rep. 1663 (1994)

Fireman's Fund Ins. Co. v. Quackenbush, 87 F.3d 290 (9th Cir. 1996) *affirming* 790 F.Supp. 938 (N.D. Cal. 1992)

California v. American Stores, 495 U.S. 271, 110 S.Ct. 1853, 109 L.Ed.2d 240, 58 U.S.L.W. 4529, 1990-1 Trade Cas. (CCH) ¶69,003 (1990)

Calfarm Insurance Co. v. Deukmejian, 48 Cal.3d 805, 771 P.2d 1247, 258 Cal.Rptr. 161 (1989)

Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant) 30 Cal.P.U.C.2d 189, 99 P.U.R.4th 141 (1989)

State ex rel. Van de Kamp v. Texaco, 46 Cal.3d 1147, 762 P.2d 385, 252 Cal.Rptr. 221, 1988-2 Trade Cas. (CCH) ¶68,288 (1988)

Asarco, Inc. v. Federal Energy Regulatory Commission, 777 F.2d 764 (D.C. Cir. 1985)

Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2), ALAB-811, 21 N.R.C. 1622 (1985); ALAB-763, 19 N.R.C. 571 (1984); ALAB-756, 18 N.R.C. 1340 (1983)

People v. Southern Pacific, 139 Cal.App.3d 627, 188 Cal.Rptr. 913 (1983)

Southern California Edison Company, 20 FERC ¶61,301 (1982)

Pacific Gas and Electric Co. (Stanislaus Nuclear Project, Unit No. 1), 9 N.R.C. 683 (1979)

Air Quality Products, Inc. v. State of California, 96 Cal.App.3d 340, 157 Cal.Rptr. 791 (1979)

Hayes v. State of California, 11 Cal.3d 469, 521 P.2d 855, 113 Cal.Rptr. 599 (1974)

Hirsch v. Department of Motor Vehicles, 42 Cal.App.3d 252, 115 Cal.Rptr. 452 (1974)

ATTORNEY GENERAL OPINIONS

73 Ops.Cal.Atty.Gen. 366 (1990) (competitive effects of utility merger)

60 Ops.Cal.Atty.Gen. 252 (1977) (relationship of solid waste management, other environmental statutes)

ACADEMIC

J.D. 1973, UCLA School of Law

M.S. 1970, Business Statistics, UCLA Graduate School of Management

B.A. 1968, Political Science, UCLA

BAR MEMBERSHIPS

United States Supreme Court

United States Courts of Appeals for the Fifth, Ninth, Eleventh, and District of Columbia Circuits

United States District Courts for Central, Northern, and Eastern Districts of California

California Supreme Court

Document received by the CA Supreme Court.

ANDREA SHERIDAN ORDIN

Senior Counsel

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA

Senior Counsel, 2018 – present

Special Master and Independent Monitor appointed by the U.S. District Court Judge Dolly Gee to monitor compliance with the Flores Settlement Agreement, a federal consent decree that sets standards for the care and treatment of migrant children. Served as special counsel to the Orange County Civil Grand Jury as it investigated allegations of improper use of jailhouse informants by the Sheriff and District Attorney. Represents public entities and public-interest clients in a range of regulatory, environmental, and anti-trust litigation.

LOS ANGELES CITY ETHICS COMMISSION, LOS ANGELES, CALIFORNIA

Commissioner and Vice President, 2017 – Present

Member of the Commission charged with the shaping and enforcing laws regarding governmental ethics, conflicts of interest and campaign financing in the City.

PEPPERDINE LAW SCHOOL, MALIBU, CALIFORNIA

Adjunct Professor, 2013 – 2016

Teach “Government Lawyering” – a course designed to provide the student with a real world understanding of the practicalities and ethical dilemmas when representing State, Local and Federal governments.

LOS ANGELES BOARD OF SUPERVISORS, LOS ANGELES, CALIFORNIA

County Senior Deputy to Supervisor Hilda Solis, 2014 – 2015

Joined the staff of Supervisor Hilda Solis for four months to assist in transition. Advised the Supervisor and her staff on legal policy and issues of environmental protection and assisted in recruiting and training of new staff members.

LOS ANGELES BOARD OF POLICE COMMISSIONERS, LOS ANGELES, CALIFORNIA

President, 2012 – 2013

At the request of Mayor Antonio Villaraigosa, returned to serve on the Los Angeles Board of Police Commissioners as President. Under the City Charter, the Board of Police Commissioners is the head of the Police Department. The Board sets overall policy while the Chief of Police manages the daily operations of the Department and implements the Board’s policy decisions and goals. Provided leadership in increasing the effectiveness of the Inspector General and completing final negotiations ending federal oversight of the department.

Document received by the CA Supreme Court.

LOS ANGELES COUNTY, LOS ANGELES, CALIFORNIA
County Counsel, 2010 – 2012

The Office of the County Counsel and its 250 lawyers serves as attorney for, and provides legal advice and representation to the Los Angeles County Board of Supervisors, 40 County departments, and other public officers and agencies. One hundred of the lawyers practice in Dependency Court representing the Department of Children and Family Services, to protect the best interests of the more than 35,000 children in its jurisdiction.

The County Counsel, working closely with the County Counsel Division Chiefs, supervised and often participated personally in the litigation the County handled by more than forty outside law firms.

MORGAN, LEWIS & BOCKIUS, LOS ANGELES, CALIFORNIA
Partner, 1993 – 2005
Senior Counsel, 2005 – 2010

Legal practice focused on complex business, environmental litigation and internal corporate investigations. Appeared regularly in state and federal courts. Co-chaired and obtained a unanimous defense verdict for the firm's client after a 3-week jury trial in which plaintiff had alleged \$300 million in consequential damages.

Managed the Los Angeles and Orange County pro bono programs for the firm and worked regularly with Public Counsel, Legal Aid and Neighborhood Legal Services. Served as a Board Member of Children's Law Center of California.

UCLA LAW SCHOOL, LOS ANGELES, CALIFORNIA
Full-Time Adjunct Professor, 1992 – 1993

Taught required second-year course "Legal Ethics" and third-year seminar, "The Government Lawyer."

OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Chief Assistant Attorney General, 1983 – 1991

Headed the Division of Public Rights. Responsibilities included supervision of the 140 lawyers and other professionals in the Division of Public Rights assigned to the Antitrust, Consumer Protection, Environment, and Civil Rights sections.

Responsible for litigation and legislation in the Public Rights Division and appeared periodically in the trial and appellate courts, for example arguing *Nollan v. Coastal Commission*, in the United States Supreme Court; *California v. Levi Strauss*, in the California Supreme Court, and *California v. American Stores*, in the District Court, and sitting second chair in the case of *California v. ARC America in the United States Supreme Court*.

Document received by the CA Supreme Court.

UNITED STATES DEPARTMENT OF JUSTICE, LOS ANGELES, CALIFORNIA
United States Attorney, 1977 – 1981

The third woman in history to be appointed by the President of the United States to the position. Responsibilities in the Central District of California included the supervision of the 95 Assistant U.S. Attorneys assigned to the Criminal, Civil and Tax Divisions in Los Angeles and oversight of the Department of Justice lawyers trying cases in the District.

The Central District of California includes the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura. Appeared periodically in the Ninth Circuit on civil and criminal appeals. Developed and chaired joint state, local and federal task forces to enforce criminal and civil rights law.

LOS ANGELES COUNTY, LOS ANGELES, CALIFORNIA
Assistant District Attorney, 1975 – 1977

The third ranking position in an office of more than 550 lawyers and approximately 1,500 investigative and support personnel. In addition to general administrative responsibilities, the Assistant District Attorney supervised filings and proceedings brought by the 60 lawyers in the Juvenile Division. Working with District Attorney, John Van de Kamp, sponsored juvenile justice reform legislation in Sacramento. Participated in drafting the first Affirmative Action program for the District Attorney's office, as well as drafting and advocating in Washington, D.C., the first grant proposal for the Hard Core Gang Prosecution Unit.

OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Deputy Attorney General, 1965 – 1972

Assigned to the following Sections: Criminal Appeals, Consumer Protection and Civil Rights. Handled both civil and criminal trial and appellate cases for the Sections, handling more than 60 State court appeals, including four arguments before the California Supreme Court expanding the rights of California consumers. While in the Civil Rights unit, brought cases against housing developments and employment agencies for racial discrimination and co-tried desegregation cases against the School Districts of Bakersfield and San Diego. Drafted the first juvenile court appellate brief after the Supreme Court decision, *In Re Gault* and advised the Attorney General on juvenile justice presentations.

AWARDS

SHATTUCK PRICE LIFETIME AWARD
Los Angeles County Bar Association, 2011

PRECUSOR PARA JUSTICIA AWARD (PIONEER OF JUSTICE AWARD)
Mexican American Bar Foundation, 2002

TRAILBLAZER AWARD
Los Angeles County Bar Association & Women Lawyers of Los Angeles, 2002

ERNESTINE STAHLHUT AWARD
Women Lawyers of Los Angeles, 2000

MARGARET BRENT AWARD FOR WOMEN LAWYERS OF ACHIEVEMENT
American Bar Association, 1991

ACADEMIC

L.L.B., University of California School of Law, Los Angeles, California.

B.A., University of California.

PROFESSIONAL AFFILIATIONS

Member — American Bar Association Standing Committee, Judicial Independence, 2005 – 2007

Member — American Bar Association Justice Anthony Kennedy Commission on Sentencing, 2004

President — Los Angeles County Bar Association, 1991 – 1992

Member — Independent Commission to Study the Los Angeles Police Department (Christopher Commission), 1991

Document received by the CA Supreme Court.

DALE K. LARSON

Partner

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHE LLP, LOS ANGELES, CALIFORNIA

Partner, January 2020 – present

Associate, September 2014 – December 2019

Public interest litigation practice focusing on education, government, and election law. Represented Los Angeles Unified School District on budgeting matters related to the Education Revenue Augmentation Fund, Local Control Funding Formula, and elections matters. Represented candidates, campaigns, community groups, and cities in elections matters. Advised the California Department of Insurance and California Earthquake Authority on regulatory matters. Has extensive experience in both trial and appellate courts and has bench trial experience.

UCLA SCHOOL OF LAW, LOS ANGELES CALIFORNIA

Lecturer in Law, Spring 2016, Fall 2016, Fall 2017, Fall 2018

Taught and designed course materials for Legal Research and Writing for LL.Ms.

MORRISON & FOERSTER, LOS ANGELES, CALIFORNIA

Associate, April 2013 – September 2014

Associate, November 2009 – October 2011

Complex litigation practice including cases related to speech on private retail property, insurance disputes, copyright, patent, and consumer class actions. Extensive court experience including a bench trial, evidentiary hearings, and oral arguments throughout California.

U.S. DISTRICT COURT, CENTRAL DISTRICT, LOS ANGELES, CALIFORNIA

Law Clerk to the Honorable Consuelo B. Marshall, November 2011 – March 2013

Conducted legal research and drafted bench memoranda and orders for district judge; helped judge prepare for oral arguments and trials.

TRABER & VOORHEES, PASADENA, CALIFORNIA

Law Clerk, May 2007 – November 2007

Performed legal research and wrote memoranda for private, civil rights law firm. Drafted portions of trial briefs, assisted with trial preparation and observed depositions.

PEOPLE FOR THE AMERICAN WAY (PFAW), WASHINGTON, D.C.

Online Project Manager, May 2004 – July 2006

Managed tools and resources for online advocacy and fundraising for non-profit advocacy

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organization.

APPIAN CORPORATION, WASHINGTON, D.C.
Senior Consultant, April 2002 – May 2004

Worked as a consultant, primarily to the United States Army, helped design, write, and maintain software.

VOLUNTARY SERVICE OVERSEAS, TOSAMAGANGA, TANZANIA
Secondary School Mathematics Teacher, August 1999 – December 2001

Taught high-school mathematics, including calculus, probability, and statistics.

EVIDENCE BASES RESEARCH, INC., WASHINGTON, D.C.
Research Assistant

Assisted in the development and implementation of an empirical system designed to monitor and predict political, economic, and social trends in developing countries.

ACADEMIC

J.D., University of California, Los Angeles School of Law, Los Angeles, California.
UCLA Law Review, Senior Editor.

B.A. in Political Science and Mathematics, Duke University, Durham, North Carolina.
Study abroad: University of New South Wales, Sydney, Australia.

PUBLICATIONS

Unconsciously Regarded As Disabled: Implicit Bias and the Regarded As Prong of the Americans with Disabilities Act, 56 UCLA L. REV. 451 (2008).

Antidiscrimination Law in the Workplace: Moving Beyond the Impasse, 9 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 303 (2009).

A Fair and Implicitly Impartial Jury: An Argument for Administering the Implicit Association Test During Voir Dire, 3 DEPAUL J. FOR SOC. JUST. 139 (2010).

SALVADOR E. PÉREZ

Associate

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHE LLP, LOS ANGELES, CALIFORNIA

Associate, January 2021 – Present

Represent and advise a broad range of public agencies, officials, citizen groups, private individuals, and corporations in trial and appellate litigation of major public-policy and public-interest matters.

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT, JUDGE MARY H. MURGUIA,
Phoenix, AZ

Law Clerk, September 2019 – September 2020

Assisted Judge Murguia in all aspects of civil and criminal appellate practice by conducting legal research, preparing memoranda, and drafting opinions.

MANATT, PHELPS & PHILLIPS, Los Angeles, CA

Associate, January 2017 – August 2019

Represented individual, corporate, and institutional clients in complex regulatory, litigation, and transactional matters related to infrastructure, commercial, residential, and mixed-use projects.

Drafted memoranda, letter briefs, court pleadings, and agreements focused on land use, environmental, housing, open government, and public contracting laws and regulations.

Maintained an active *pro bono* practice (highlight was suing the federal government for its controversial decision to add a citizenship question to the 2020 Census).

O'MELVENY & MYERS, Los Angeles, CA

Associate, November 2015 – December 2016

Summer Associate, June 2013 – August 2013

Conducted investigations into alleged violations of the False Claims Act and Foreign Corrupt Practices Act, representing individual and corporate defendants.

Researched legal issues and drafted memoranda related to a wide range of matters.

Maintained an active *pro bono* practice (highlights were filing a clemency petition on behalf of a federal inmate and securing asylum status for two unaccompanied minors).

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U.S. DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS, JUDGE DIANA SALDAÑA,
Laredo, TX
Law Clerk, September 2014 – September 2015

Assisted Judge Saldaña in all aspects of civil and criminal trial practice by conducting legal research, preparing memoranda, and drafting opinions.

EXECUTIVE OFFICE OF THE PRESIDENT, WHITE HOUSE COUNSEL'S OFFICE,
Washington, DC
Summer Law Clerk, June 2012 – August 2012

Reviewed legal basis of proposed policies and administrative actions.

Vetted White House staff candidates and proposed White House staff activities for compliance with ethics statutes, regulations, and Executive Orders.

Assisted litigation and oversight attorneys with document review of sensitive communications between Administration officials related to pending cases, FOIA requests, and congressional investigations.

EDUCATION

STANFORD LAW SCHOOL, Juris Doctor, 2014

Journals: Articles Editor, *Stanford Law Review*; Senior Editor, *Stanford Law and Policy Review*

Clinical Experience: Certified Law Student, Criminal Defense Clinic

Leadership/ Activities: Co-Chair, Stanford Latino Law Students Association; Member, American Constitution Society; Research Assistant to Professor Nate Persily, Senior Research Director, Presidential Commission on Election Administration; Volunteer, Naturalization Pro Bono Project; Drafting Fellow, American Legislative and Issue Campaign Exchange

HARVARD KENNEDY SCHOOL OF GOVERNMENT, Master of Public Administration, 2014

STANFORD UNIVERSITY, Bachelor of Arts in History, 2007