

**Proposal to the  
Citizens Redistricting  
Commission  
Litigation Counsel**

**Response to Request for  
Information for Legal  
Services**

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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.<sup>1</sup> 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

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<sup>1</sup> 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.ills.edu](http://redistricting.ills.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*, 115<sup>th</sup> 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:

	<b>Hourly Rate</b>
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

# FREDRIC D. WOOCHEER

Senior Counsel

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## 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

## **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.

**JUSTIN LEVITT**  
919 Albany St., Los Angeles, CA 90015  
[justin.levitt@lls.edu](mailto:justin.levitt@lls.edu) (213) 736-7417  
<http://ssrn.com/author=698321>

## TEACHING

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### **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

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### **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**

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**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**

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[\*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)

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[\*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**

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*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**

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[\*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

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- 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*, 115<sup>th</sup> 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)

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**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**

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- 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)

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- 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 21<sup>st</sup> 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)

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- 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)

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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*, ReLaw 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)

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- 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 21<sup>st</sup> 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)

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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, 16<sup>th</sup> 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**

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[\*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**

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- [\*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**

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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**

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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

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## PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER 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.

## 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)

*Ammwest 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

# ANDREA SHERIDAN ORDIN

Senior Counsel

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## 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.

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-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

## DALE K. LARSON

Partner

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### 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 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

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

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### PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHELL 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).



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