



## Arthur J. Friedman

Partner

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### PRACTICE AREAS

- Land Use and Natural Resources
- Environmental
- Litigation

### INDUSTRIES

- Climate Change and Clean Technology
- Construction and Infrastructure

### OVERVIEW

Arthur J. Friedman is a partner in the Real Estate, Land Use, Natural Resources and Environmental practice group in the firm's San Francisco office.

#### Areas of Practice

Mr. Friedman's practice encompasses land use and commercial litigation. Mr. Friedman was recently recognized as a *Northern California Super Lawyer* (2011) for Environmental, Business Litigation. *Super Lawyers* lists the top 5 percent of attorneys in a state or region who have attained a high level of recognition and professional achievement.

#### Land Use Litigation

Mr. Friedman has extensive experience litigating disputes under California's Environmental Quality Act ("CEQA"). His CEQA practice involves representation of public agencies, project applicants and petitioners. He was lead counsel for the City of Sacramento in its successful defense of the high profile Sacramento Railyards Specific Plan Project, one of the largest urban development projects in the state, which was challenged in three separate CEQA lawsuits. This victory was listed as one of the "2009 Top Defense Verdicts" by the San Francisco Daily Journal. This is the second time Mr. Friedman has made this list in just the past three years.

Mr. Friedman's project applicant clients include national retailers Wal-Mart Stores, Inc. and Lowe's HIW, national developers Regency Centers Corporation, Syufy Enterprises L.P. and Thomas Enterprises, Inc. and national homebuilders such as Brookfield Homes. In recent years, Mr. Friedman has successfully defended a variety of commercial, residential and mixed-use projects challenged under CEQA in more than a dozen communities throughout Northern California.

Mr. Friedman also has successfully litigated numerous matters involving easement disputes, and has defended several property owners in response to eminent domain actions. For example, Mr. Friedman defended Wal-Mart Stores in setting aside the City of Hercules' unlawful taking of Wal-Mart's property.

Mr. Friedman also is a frequent speaker at professional conferences in California and throughout the nation on various environmental topics ranging from CEQA to global climate change.

#### Commercial Litigation

Mr. Friedman's commercial litigation practice encompasses contract disputes, unfair business practice claims, insurance coverage, real estate and construction defect disputes.

Mr. Friedman was co-lead counsel in obtaining a defense verdict for a large food manufacturer, in a \$1.3 million breach of contract claim, following a three-week jury trial in the San Jose Federal District Court. The matter was listed as one of the "2006 Top Defense Verdicts" by the *San Francisco Daily Journal* (See *San Francisco Daily Journal*, February 8, 2007, page 8). Also in 2006, he was lead counsel in obtaining a \$717,000 verdict for a large real estate investor in a non-disclosure and construction defect case following a three-week jury trial in the Sacramento County Superior Court. Currently, Mr. Friedman represents several developers and other businesses in both bringing and defending a variety of real estate and other complex commercial litigation matters.

## EDUCATION

- J.D., University of Texas, Austin, 1992, *With Honors*
- B.A., Yale University, 1989, *cum laude*

## ADMISSIONS

- U.S. District Courts for the Northern, Eastern, and Central Districts of California
- Ninth Circuit Court of Appeals

## EXPERIENCE

- Mr. Friedman was an associate at Hancock, Rothert & Bunshoft, LLP in San Francisco from 1992 to 1998 during which time the bulk of his practice consisted of representing Lloyds of London and other London-based insurers in complex environmental insurance coverage disputes. In 1998 Mr. Friedman joined Tatro, Coffino, Zeavin, Bloomgarden LLP in San Francisco, where his practice spanned a variety of commercial matters. Prior to joining Sheppard Mullin, Mr. Friedman was a partner at Steefel, Levitt & Weiss, where his practice focused on land use and commercial litigation

## HONORS

- Northern California Super Lawyers, 2011
- Legal 500, 2010

## ARTICLES

- Top Verdicts of 2009 - Clearing the Way for Urban In-Fill, *Daily Journal*, February 3, 2010
- Analyzing Climate Change Under CEQA in a Climate of Uncertainty, *Real Property Law*, Vol. 30, September 1, 2007
- The Use and Misuse of Motions to Stay the Project in CEQA Litigation, May 29, 2007

## Published Decisions

- *Stockton Citizens for Sensible Planning v. City of Stockton* (2010) 48 Cal. 4th 481
- *County of Sacramento v. Superior Court* (2009) 180 Cal. App. 4th 943
- *Gilroy Citizens for Responsible Planning vs. City of Gilroy* (2006) 140 Cal. App. 4th 911
- *Preservation Action Council v. City of San Jose* (2006) 141 Cal. App. 4th 1336
- *Bodega Bay Concerned Citizens vs. County of Sonoma* (2005) 125 Cal. App. 4th 1061
- *Anderson First Coalition v. City of Anderson* (2005) 130 Cal. App. 4th 1173
- *Schnall v. Hertz Corporation* (2000) 78 Cal. App. 4th 1144

- *Aerojet-General Corporation v. Transport Indemnity Company* (1997) 17 Cal. 4th 38

**Publications**

- "Analyzing Climate Change Under CEQA In A Climate Of Uncertainty." *Real Property Law* Vol. 30 (September 2007).
- "The Use and Misuse of Motions to Stay the Project In CEQA Litigation," *California Real Estate Journal* (May 29, 2007).
- "Attention Developers: Your Tentative Map May Be in Jeopardy - Or May Have Expired," *California Real Property Journal* (Spring 2004)

**SPEECHES**

- "CEQA: Part II," Select Conference on Industry Litigation, Napa, CA (May 21, 2011)
- "Taking and Defending Expert Depositions," Practising Law Institute's Taking and Defending Depositions, San Francisco, CA (June 9, 2010)
- "Deposition Strategy," Practising Law Institute's Taking and Defending Depositions, San Francisco, CA (June 18, 2009)
- "Policy Initiatives in California", Climate Change and Land Use Conference, Tarrytown, NY (May 5, 2008)
- "AB 32," presented to American AgCredit, Santa Rosa, CA (2007)
- "Climate Change and EIS's," CLE International Conference on Climate Change Law, Biltmore Hotel Los Angeles (February 28-29, 2008)
- "AB 32," Law Seminars International Conference on Climate Change Impacts On Land Use Planning and Project Approvals, White Plains, NY (May 5-6, 2008)