

# Daily Journal

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## Top Women Lawyers 2018

*The Daily Journal's Annual List of  
Leading Women Lawyers in California*

### Deborah J. Fox

In the last year, Fox, a First Amendment expert, has handled several cases to help cities and counties maneuver through panhandling and solicitation issues.

After the U.S. Supreme Court's decision in *Reed v. Town of Gilbert*, Fox and Meyers Nave drafted a constitutionally sound solicitation ordinance for San Bernardino County. When that ordinance was challenged by the California New Business Bureau, Meyers Nave obtained a complete victory in court for the county. The bureau brought suit after it received four administrative citations for violating the ordinance by soliciting business on the grounds around the County's Hall of Justice. Meyers Nave successfully argued that the area around the Hall of Justice was not a public forum, and the Superior Court denied the bureau's request for an injunction. *California New Business Bureau, Inc. v. County of San Bernardino*, CIVDS1616334 (San Bernardino Super. Ct., filed Oct. 3, 2016).

"Interpreting under the First Amendment that if it's content-based, and it's part of a larger issue of homelessness in LA, it relates to the issue of criminalizing homelessness, when that may be the only way they can support themselves," Fox said.

Fox successfully defended the city of LA against a group of five plaintiffs who wanted to vend items on the Venice Boardwalk and also claimed that their artistic expression was unconstitutionally restricted. The plaintiffs raised numerous constitutional challenges to



the city's boardwalk ordinance and sought millions of dollars in damages. Fox and her team prevailed on summary judgment and the 9th Circuit U.S. Court of Appeals affirmed in full. *Zuvich v. City of Los Angeles*, 12-56904 (9th Cir.2016).

"It becomes very interesting when applying these rubrics in a very sophisticated jurisprudence to everyday issues, so I've been doing quite a bit of that," Fox said.

In land use and crisis management matters, Fox is currently representing Los Angeles County to obtain injunction relief in

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**Practice Type:**  
First Amendment, Land Use

order to stop the chronic violation within approximately 450 acres of the Santa Susana Mountains above Chatsworth. Here, resident Wayne Fishback has continuously violated regulations by running 100 trucks a day with construction debris at an illegal dump.

Fox said there was prior notion that photos could not be taken from a public road near the site with an iPhone, including no high resolution images, so she devised a plan to obtain truck photos and photos of the Fishback Mountain site using a drone.

Fox's team filed a new motion to modify the preliminary injunction, which is set for May 11. Fishback already has a \$21.7 million injunction against him in Ventura County, according to Fox. *People of the County of Los Angeles v. Fishback, et al.*, PC056481 (L.A. Super. Ct., filed July 6, 2015).

"I'm intellectually curious," Fox said. "I like issues that demand really deep thinking, where you have to sit and strategize and think about how you'll apply some very esoteric bodies of law to these facts."

— Matthew Sanderson