

WE HELP CLIENTS ANTICIPATE AND RESPOND TO THE UNEXPECTED, GUIDE THEM IN MAKING DIFFICULT DECISIONS, AND REPRESENT THEM THROUGHOUT ANY CRISIS.



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Recognized as one of California's leading crisis management experts, Deborah is Chair of Meyers Nave's Crisis Management Practice, Trial & Litigation Practice and First Amendment Practice.

Deborah is a Senior Fellow of the Litigation Counsel of America and has received the AV Preeminent rating from Martindale-Hubbell since 2004. Additional recognitions include "Top Litigators & Trial Lawyers," (*Los Angeles Business Journal*, 2020), "Top Women Attorneys" (*Los Angeles Business Journal*, 2020), "Top Litigators and Trial Lawyers in Los Angeles" (*Los Angeles Business Journal*, 2019), "75 Most Influential Women Lawyers in Los Angeles" (*Los Angeles Business Journal*, 2019), "Top Women Lawyers" (*Daily Journal*, 2018), "Southern California Super Lawyer" (*Super Lawyers Magazine*, 2017-2020), "Top Rated Lawyers in Land Use and Zoning" (Martindale-Hubbell, 2013-2018), "Women Leaders in the Law" (Martindale-Hubbell, 2013-2015) and "Top Women Litigators" (*Daily Journal*, 2007 and 2009).

Meyers Nave's Crisis Management team helps clients assess legal and reputational crises, anticipate and plan for potential risks, control crises by prioritizing what should be done, and develop effective response strategies and action plans, including internal and external communications programs. We have specialty expertise with high-profile issues that attract intense media attention and public scrutiny.

Meyers Nave provides clients with a strategic combination of substantive legal skills, attention to reputational concerns, and urgent advice on liability management and litigation implications of many types of crises, including public health and safety emergencies, government enforcement actions, workplace and other internal investigations, class actions, environmental catastrophes, and controversies that arise at the intersection of law and highly charged issues for society.

Our Crisis Management team handles situations that begin as litigation as well as those that become litigious as the crisis unfolds or after it concludes. Our crisis litigation experience includes multi-party and multi-district cases, civil litigations intertwined with pending criminal actions, and landmark cases dealing with matters of first impression. Our team has a successful track record of trial and appellate work in state and federal courts, as well as administrative hearings and other proceedings before regulatory and investigatory agencies.

When a crisis arises from within a client's organization and impacts the public's trust in a client, its products or its services, our mission is to help clients preserve or regain that public trust, protect the client's reputation, address accountability concerns, and avoid lasting damage by: (1) promptly and strategically responding to the immediate situation underlying the crisis, (2) improving internal ethics and compliance programs and (3) enhancing personnel policies, practices and training. We help efficiently and effectively resolve the exigent crisis and put in place a foundation to deter repeat future crises.

NATURAL AND MAN-MADE DISASTERS

- *County of Santa Barbara/Thomas Fire and Montecito Debris Flow Litigation.* Represent the County of Santa Barbara in a dispute with Southern California Edison (SCE) regarding potential liability for the 2017 Thomas Fire and subsequent Montecito debris flow. SCE sued various public entities, including the County of Santa Barbara, alleging that "negligent acts and omissions of the public entities" contributed to or exacerbated the injuries, deaths and multi-million dollar losses incurred by plaintiffs that are suing SCE for causing the fire. Includes 200 lawsuits, 3000 plaintiffs, and 70 plaintiff law firms asserting billions of dollars of liability against the County.
- *City of San Bruno.* Served as Special Counsel for the City of San Bruno, handling legal, regulatory and crisis management issues relating to a natural gas pipeline explosion that killed eight people and destroyed 38 homes in September 2010. On April 9, 2015, the California Public Utilities Commission fined PG&E, the owner and operator of the pipeline, \$1.6 billion, the largest penalty ever assessed against a California utility. PG&E was also found guilty by a federal grand jury for criminal violations of the Natural Gas Pipeline Safety Act and for obstruction of justice.
- *County of Los Angeles v. Southern California Edison.* Assisted the County of Los Angeles regarding the largest methane gas release in U.S. history. Parachuted in, consulted with the public health department and successfully obtained a TRO and permanent injunction allowing 3,000 relocated families to remain in safe alternative housing.

PUBLIC HEALTH & SAFETY EMERGENCIES

- *COVID-19 Shelter In Place Orders and Reopening Plans.* Defend counties, cities and public officials throughout California in federal litigation challenging Shelter In Place Orders and Reopening Plans related to the coronavirus pandemic. Plaintiffs are providers of religious services and private businesses challenging restrictions that are placed on the operation of their organizations. Obtained victories at the district and appellate court levels which deny plaintiffs' requests for TROs to block enforcement of such Orders and Plans.

ENVIRONMENTAL CATASTROPHES

- *County of Los Angeles v. Fishback and ABC Waste Management.* Achieved a closely watched victory for the County of Los Angeles in a final ruling that awarded \$6.6 million in attorneys' fees, sanctions and civil penalties plus permanent injunctive relief in a case that involved the illegal transport and dumping of concrete and other construction debris in an ecologically sensitive region in the Santa Susana Mountains. The case was featured on the front page of the *Los Angeles Times* and Fifth District Supervisor Kathryn Barger described it as "an important victory for communities and the environment."

INTERSECTION OF LAW AND HIGHLY CHARGED ISSUES FOR SOCIETY

- *Straight Pride Event in City of Modesto.* The National Straight Pride Coalition applied for a permit to hold a rally in Modesto, causing local protests, national debate and international news coverage. Meyers Nave provided the City with First Amendment legal, regulatory, litigation, public relations, and risk and crisis management advice on an ongoing urgent basis..

CLASS ACTION LITIGATION

- *Mobility Device Litigation.* Represented the cities of Walnut Creek and Riverside in federal ADA litigation regarding shared mobility devices (electric scooters and electric bicycles) on public rights of way. Plaintiffs alleged that users ride too fast and improperly park or ride the devices in the public pedestrian rights of way, and that shared mobility devices obstruct access on sidewalks, crosswalks and curb ramps. Obtained dismissals of both cities at the early stage of these federal proceedings through motions to dismiss in the Northern and Central Districts.

GOVERNMENT ENFORCEMENT ACTIONS

- *Securities Fraud Trial.* Obtained full acquittal after a six-week trial for a former CFO of a medical distribution company in connection with criminal securities fraud charges by the DOJ, arising out of \$9 billion stock market capitalization loss following an earnings restatement.
- *Securities Investigation Litigation.* Represented a former President of Countrywide Financial Corporation in connection with investigations by and litigation with the California Attorney General and the SEC, and related class actions.

WORKPLACE AND OTHER INTERNAL INVESTIGATIONS

- *Bay Area Rapid Transit (BART).* The transportation agency retained Meyers Nave to conduct a confidential internal affairs investigation of the officer-involved shooting death of Oscar Grant. The New Year's Day incident attracted national public attention and caused weeks-long protests. The investigation reviewed the actions of the police officers involved to assess potential misconduct. Meyers Nave issued a public report of its findings and recommendations that resulted in changes in BART policies.
- *San Jose/Evergreen Community College District.* Conducted a confidential investigation into alleged financial and administrative improprieties by the Chancellor. At the request of the client District, Meyers Nave issued a comprehensive public report of findings and recommendations that the District adopted.

GOVERNMENT CORRUPTION

- *Moreno Valley Corruption Investigation.* Assisted the City of Moreno Valley in a corruption investigation of the Mayor and every member of the City Council. Investigation conducted by a joint federal and state task force involving the FBI, IRS criminal investigative division, and the District Attorney.

EMPLOYEE HEALTH PLAN BANKRUPTCY

- *City of Modesto Insurance Crisis.* The DOL concluded that the health insurance company covering City employees was a Ponzi scheme. The DOL placed the company into receivership, leaving 800 employees and their families without medical insurance and \$8 million in unpaid claims. Meyers Nave helped the City navigate liquidation proceedings, recover from wrongdoers, and move to new insurance.