

# DAVID MEHRETU

PRINCIPAL

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English



David Mehretu is a seasoned litigator and trial attorney with nearly 20 years of experience representing private and public entities in high-impact litigation in federal and state court.

Known for his powerful written and oral advocacy, insightful, creative, and strategic legal thinking as well as his deft handling of difficult matters, David's practice is marked by complex, high-stakes, and politically significant lawsuits often covered by the media.

Clients tout David's ability to quickly understand their operations and objectives; his highly effective communication skills with key stakeholders, including boards and other governing bodies; and his record of success devising and implementing effective and efficient strategies to achieve his clients' most pressing objectives and goals. He is a consummate advisor, taking pride in customizing services to the unique preferences and needs of his clients in all areas of case administration, communication, and client engagement.

For private entities, David has broad experience in complex commercial litigation, employment litigation and investigations, class actions, unfair competition, real estate, as well as land use and environmental litigation and regulatory challenges. He has worked with private entities in major sectors of the economy, including energy companies, technology companies, financial institutions, media and telecommunications enterprises, global consumer goods companies, food and beverage companies, real estate developers, and non-profit organizations.

For public entities, David handles complex contractual disputes, public-private partnership (P3) matters, defense of government officials, employment, land use-related disputes, First Amendment matters, and real estate litigation.

David received his J.D. from New York University School of Law where he served as an editor for the Review of Law and Social Change. He earned his B.A. in philosophy and politics from New York University. He clerked for the Honorable Sandra B. Armstrong, United States District Court Judge for the Northern District of California, and served as a

## EDUCATION

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New York University School of Law,  
JD, 2006

New York University, BA, 1997

## ADMISSIONS

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California, 2007 – Bar No. 269398

U.S. District Court, Northern District  
of California

U.S. District Court, Central District  
of California

U.S. District Court, Eastern District  
of California

U.S. District Court, Southern District  
of California

U.S. District Court, Southern District  
of New York

U.S. Court of Appeals for the Ninth  
Circuit

U.S. Supreme Court – Bar No.  
325955

## PRACTICE AREAS

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Trial & Litigation

post-doctoral legal fellow at the Institute for Policy Integrity – a regulatory law and policy think tank based at New York University School of Law. David is Chair of Meyers Nave's Inclusion and Engagement Committee, providing strategic oversight and direction on opportunities, programs, and events open to all members of our team, supporting them to thrive inside and outside the firm.

Commercial Litigation

Crisis Management

Land Use & Environmental

Land Entitlements

## HONORS & AWARDS

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- Northern California Super Lawyers, *Super Lawyers Magazine* (2022–2026)
- Outstanding Public Service Award, *Justice & Diversity Center of The Bar Association of San Francisco* (2013, 2015)
- Outstanding Pro Bono Legal Service Award, *The Legal Aid Society* (2008)

## PROFESSIONAL & COMMUNITY AFFILIATIONS

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- The State Bar of California, Member
- The State Bar of New York, Member
- The Bar Association of San Francisco, Member
- American Bar Association, Member
- Charles Houston Bar Association, Member
- Ethiopian American Foundation, Member
- Asante Africa Foundation, Member
- Inclusion & Belonging Committee, Meyers Nave, Chair (2023–Present)

## PRESENTATIONS & PUBLICATIONS

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- Presenter, "Balancing Acts: Constitutional Rights v. Meeting Decorum in California Cities" – *League of California Cities City Attorneys Spring Conference* (May 10, 2024)
- Presenter, "Employment Law and Freedom of Speech: What Can and Can't Employers Do When Employees Express Their Political, Cultural, and Social Views?" – *California Public Employers Labor Relations Association Annual Training Conference* (November 17, 2023)
- Presenter, "Change of Course: Social Media Issues: Free Speech, Public Records and Public Meetings" – *California Special Districts Association* (August 23, 2022)
- Presenter, "Employment Law and Freedom of Speech: What Can Employers Do When

Employees Express Their Political, Cultural, and Social Views?" – *California Public Employers Labor Relations Association Annual Training Conference* (November 17, 2021)

- Presenter, "Social Media, First Amendment and Government: New Rules of Engagement" – *2021 League of California Cities Annual Conference and Expo* (September 22, 2021)
- Presenter, "Employment Law and Freedom of Speech: What Can and Can't Employers Do When Employees Express Their Political, Cultural, and Social Views?" – *Meyers Nave Webinar* (March 16, 2021)
- Presenter, "SB 54: Compliance, Litigation and Community Relations" – *Alameda County Bar Association Public Entity Law Section MCLE Seminar* (June 2020)
- Presenter, "SB 54: Compliance, Litigation and Community Relations" – *Bar Association of San Francisco Litigation Section MCLE Seminar* (May 2020)
- Presenter, "SB 54: Compliance, Litigation and Community Relations" – *California Lawyers Association – Public Law Section, MCLE Seminar* (May 2020)
- Presenter, "SB 54: Compliance, Litigation and Community Relations" – *Sacramento County Bar Association Public Law Section MCLE Seminar* (May 2020) (postponed due to coronavirus pandemic)
- Presenter, "SB 54: Compliance, Litigation and Community Relations" – *San Diego County Bar Association Government Law Section MCLE Webinar* (April 2020) (postponed due to coronavirus pandemic)
- Presenter, "Social Media Challenges: Applying Existing Case Law to New Technology" – *League of California Cities City Attorneys' Spring Conference* (2018)
- Author, "Public Records & Public Forums: How to Apply Established Case Law with Rapidly Emerging Social Media Platforms" *League of California Cities City Attorneys' Spring Conference* (2018)
- Co-Author, "Santa's Early for the White Collar Bar" *Daily Journal* (December 22, 2014)

## REPRESENTATIVE EXPERIENCE

### Complex Business Litigation

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- **City of Antioch** – Currently represents the city in a complex contractual dispute concerning the operation of a natural gas pipeline through the City, including fully prevailing at the Court of Appeal, as reflected in *California Res. Prod. Corp. v. Antioch City Council*, 107 Cal. App. 5th 481, 328 Cal. Rptr. 3d 388, 392 (2024), as modified (Dec. 18, 2024), review denied (Feb. 11, 2025).
- **County of Santa Barbara** – Represented the county in a federal litigation regarding a complex contractual dispute concerning a regionally-critical solid waste/recycling facility.

- **City of Modesto** – Represented the city in a dispute concerning a lease and purchase agreement with a commercial developer based on complex bond financing transactions.
- **City of Modesto** – Represented the city in a contractual dispute concerning a politically-significant water distribution public works project.
- **Procter & Gamble** – Defended an international joint venture in a multi-million dollar false advertising action, from inception of the case through a two-week trial in the Southern District of New York.
- Represented five sanitation districts against two large municipalities in a multi-phased administrative proceeding over a complex contractual dispute concerning a contested \$2 billion capital improvement program for the largest wastewater treatment facility in the western United States.
- Achieved a highly favorable settlement following mediation on behalf of an international heavy industry manufacturer in a breach of contract dispute.
- Oral argument in successful opposition to a petition for writ of mandate in California state court that attempted to cancel the award of a public school high-speed internet contract awarded to Cox Communications.
- **DISH Network** – Represented the satellite television provider in federal insurance coverage action through summary judgment and trial.
- Defended luxury condominium developer in copyright infringement action in the Southern District of New York concerning designs in a luxury condominium development in San Francisco.

## Land Use, Real Estate, and Environmental Litigation

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- **City of San Leandro** – Prevailed at the trial court level in two matters for city – a writ proceeding and a related declaratory action case pending in state court – related to defense of the city's mobile home rental ordinance, and currently handling the subsequent appeals before the California Court of Appeal.
- **City of Antioch** – Currently represents the city in several complex lawsuits concerning the operation of a natural gas pipeline through the City, including fully prevailing at the Court of Appeal, as reflected in *California Res. Prod. Corp. v. Antioch City Council*, 107 Cal. App. 5th 481, 328 Cal. Rptr. 3d 388, 392 (2024), as modified (Dec. 18, 2024), review denied (Feb. 11, 2025).
- **City of Antioch** – Currently represents the city in two related housing development related disputes with a developer related to SB 330 and litigation over a large housing developments' conditions of approval.
- Currently represents the City of Brentwood and the City of Antioch before the California Public Utilities Commission (CPUC) regarding an application by a natural gas pipeline operator to become a public utility.
- **City of Sacramento** – Represented the city, its city council, the former mayor and city manager in a lawsuit brought by the developer of a large-scale, smart-growth mixed-

use, urban infill development asserting equal protection and due process violations and various business torts related to the denial of permits and treatment during the entitlement process.

- Represented a large mental health services agency in a complex real estate dispute.
- **City of Los Altos** – Represented the city in a federal litigation brought by AT&T and Verizon challenging a city ordinance governing the siting of cellular facilities, successfully achieving dismissal of the action.
- **City of Antioch** – Successfully defended the city concerning a constitutional challenge to a COVID-19 shelter-in-place emergency ordinance restricting and regulating residential evictions and actions to recover unpaid rent.
- Successfully resolved a multi-party environmental contamination litigation in California state court against a national title insurance company concerning underground storage tanks.
- Represented a developer and automobile dealership in an appeal arising from alleged breaches of development loan agreements with the City of West Covina.
- **Albertsons Companies, Inc.** – Advised the grocery store in a lease dispute.
- **City of Antioch** – Represented the city in a complex multi-party dispute concerning a local land use related voter initiative.

## Government Litigation and Defense of Government Officials

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- ***City of Huntington Beach v. Gavin Newsom, et al.*** Achieved a major victory for **Southern California Association of Governments (SCAG)** when the Ninth Circuit affirmed the granting of SCAG's motion to dismiss. David then prevailed as the lead attorney before the United States Supreme Court in defeating the plaintiffs' petition for a writ of certiorari before the high Court. This action, brought by the City of Huntington Beach, is challenging the Regional Housing Needs Allocation of new, affordable housing units allocated to their jurisdiction in an effort to avoid building this much-needed housing stock. David led the effort to successfully obtain a dispositive motion rejecting the petitioner's attempt to utilize the federal court system to stall the development of badly needed housing. The appeal to the Ninth Circuit was dismissed, and cert before the Supreme Court was denied following briefing on the matter at the request of the Court, sustaining SCAG's victory.
- **County of Alameda** – Successfully represented the county and the Registrar of Voters in a series of writ proceedings concerning a variety of Elections Code claims.
- **County of Santa Barbara** – Currently represents the county in a dispute with Southern California Edison (SCE) regarding potential liability for the 2017 Thomas Fire and subsequent Montecito debris flow. In a Master Cross Complaint, 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. The matter includes 200 lawsuits, 3000 plaintiffs, and 70 plaintiff law firms asserting billions of dollars of liability against the County.

- Represented a large city regarding a claim by another jurisdiction for overpayment in documentary transfer tax payments.
- **City of Modesto** – Achieved successful dismissal of all claims against the city in a federal civil rights lawsuit concerning child removal proceedings.
- **County of Los Angeles** – Lead attorney on oral arguments for motion to dismiss and motion for summary judgment in the Central District of California in a complex federal civil rights action on behalf of the four individual defendants including due process and equal protection claims.
- Represented the City of Daly City in a claim for violations of civil rights and California's Sanctuary State Laws (SB 54) related to a highly publicized incident involving the transfer of an individual by the city's police department into the custody of the U.S. Immigration and Customs Enforcement (ICE).
- Prevailed on a dispositive pleadings motion in the Eastern District of California and on appeal in the Ninth Circuit on behalf of the City of Modesto and eight police and fire department personnel in a high-stakes federal civil rights lawsuit regarding a murder conviction and subsequent 18-year incarceration of the plaintiff, a case that generated front-page news since 1997 with the involvement of the Innocence Project.
- **City of Oakland** – Defended the city, the City's former police chief, and four individual officers in federal civil rights action brought by the survivors of a man who was fatally shot. Served as the lead for oral argument on the City's motion for summary judgment that successfully resolved key claims and issues in the case leading to settlement on highly favorable terms.
- **County of Santa Clara** – Defended the county and 44 other county defendants including the sheriff, county counsel, and 38 sheriff's deputies, in a federal court action concerning alleged systemic abuses of prisoners in the Santa Clara County Jail. Numerous appearances as lead counsel before the court to argue a series of discovery disputes that ultimately forced the plaintiff to voluntarily dismiss the case with prejudice.
- **County of Placer** – Successfully resolved five related prisoner abuse cases filed against the County and the sheriff arising out of the treatment of jail inmates by deputies who were later convicted of criminal offenses in connection with such acts.
- Prevailed on summary judgment in the Central District of California and served as the lead appellate brief drafter and lead attorney at oral argument in achieving a favorable ruling from the Ninth Circuit on behalf of a former City of Los Angeles police officer in federal civil rights lawsuit.
- **City of Richmond** – Lead drafter on a successful motion for partial summary judgment on behalf of the city and an individual police officer in a police excessive force case in the Northern District of California.
- Lead drafter on successful pleadings motions in four federal section 1983 lawsuits brought against cities and individual police officers involving: (1) allegations of inappropriate sexual contact between seven police officers and plaintiff; case dismissed with prejudice for a waiver of costs in advance of defendants filing a motion to dismiss, (2) allegations that two officers shot and killed a man who was not a threat;

plaintiffs dismissed for waiver of costs pre-discovery, (3) allegations that an officer shot and killed an unarmed man; plaintiff dismissed for waiver of costs pre-discovery, and (4) allegations of false arrest, illegal search of vehicle, and excessive force; plaintiff dismissed all claims for a waiver of costs two months before trial.

- **City of Modesto** – Represented the city in four federal civil rights lawsuits related to the criminal investigation into the murder of Korey Kauffman, which resulted in a series of highly publicized criminal trials.

## Class Actions for Private and Public Entities

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- **City of Modesto** – Represented the city in a class action lawsuit alleging violations of California's Prop 218 related to water rates.
- **County of Placer** – Successfully resolved a complex class action filed against the County of Placer and the sheriff arising out of the treatment of jail inmates by deputies who were later convicted of criminal offenses in connection with such acts.
- Defended **Westamerica Bank** in a consumer class action and fended off two copycat class actions alleging violations of California's unfair competition laws, which were part of a wave of overdraft fee-related litigation against banks across the country.
- **DISH Network** – Secured a voluntary dismissal of putative class action that was consolidated in the Pacquiao-Mayweather MDL in the Central District of California.
- Defeated class certification in a complex Telephone Consumer Protection Act class action in the District of Colorado.
- Prevailed on appeal in the Seventh Circuit to uphold dismissal of a class action asserting violations of the Social Security Act and state consumer protection laws against DISH Network.
- Prevailed on appeal brought by settlement class objectors in class action related to billing practices against One Legal.

## Employment Litigation and Investigations

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- Successfully represented a senior executive regarding their separation from a prominent arts institution.
- Successfully represented a publicly traded packaging company in a discrimination and retaliation suit.
- Represented a Fortune 500 technology company in a federal race and sex discrimination case involving senior executives.
- Represented a national sports association in investigation of association infractions related to athlete recruiting and coaching.
- **City of San Diego** – Represented the city in a hotly contested race discrimination case involving senior officials.
- **City of San Francisco** – Defended the city in a sexual harassment and race

discrimination case involving matters of unsettled law.

- **City of Modesto** – Advised the city in a race discrimination case brought by a police officer.
- Advised a city regarding potential liability for the death of a city public works employee.