



## Charles W. Reese

Partner

Oakland

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### PRACTICES

Construction Law

Environmental Land Use and  
Natural Resources

Litigation

Public Law

Real Estate and Business Law

### EDUCATION

J.D., University of California,  
Berkeley Boalt Hall School of  
Law, 1969

B.A., cum laude, Washington &  
Lee University, 1966

### ADMISSION

State Bar of California

Supreme Court of the United  
States

United States District Court for  
the Central District of California

United States District Court for  
the Eastern District of California

United States District Court for  
the Northern District of  
California

United States District Court for  
the Southern District of  
California

Charles W. Reese's over thirty-five years of legal practice include significant **litigation** experience at both the trial and appellate levels on behalf of both local **public** entities and private businesses. He has been actively involved with regulatory compliance and cost recovery litigation at many environmentally contaminated sites throughout the western United States, and with numerous transactions involving the acquisition, sale, and **environmental** regulation of businesses and real property.

Chuck's background includes litigation and transactional experience in the mining, engineering, chemical, and **construction** industries and in representing public entities. He is experienced with compliance with the California Environmental Quality Act and with air, water, and hazardous substance regulations. He has successfully represented major corporations and numerous public entities in significant cases at both the state and federal trial and appellate levels.

In addition, Chuck is an experienced negotiator and advisor for both public and private entities. He has served on the board of directors of several national environmental engineering and manufacturing corporations. Chuck was the President and CEO of Wulfsberg Reese & Colvig prior to its merger with Burke.

### RECOGNITIONS

The Best Lawyers in the Bay Area (Business and Corporate), Bay Area Lawyer Magazine

Selected to Northern California SuperLawyers, Northern California Superlawyers Magazine, 2014

Who's Who in American Law

### REPRESENTATIVE MATTERS

#### Litigation

## AFFILIATIONS

Forum Committee on the  
Construction Industry

American Bar Association,  
Sections on Construction  
Industry, Business Law,  
Environment, Energy and  
Resources, Real Property, Trust  
and Estate Law, and Taxation

Bar Association of San Francisco  
Alameda County Bar  
Association

- Favorable unanimous decision of California Supreme Court, expanding the applicability of Government Code pre-litigation claims requirement against local public entities to contract claims, and defeating \$22 million in claims against our Central Valley city client.
- Favorable 9th U.S. Circuit Court of Appeals decision clarifying scope and process of federal court post-judgment reorganizations, removing and surcharging federal court appointed Special Master, and saving our Bay Area city client over \$39 million.
- Favorable trial court judgment on behalf of major Bay Area Port in connection with over \$5 million in contractor's claims in complex litigation with subcontractors and sureties, in which we obtained terminating sanctions against all claims by the subcontractor.
- Favorable Court of Appeal decision supporting summary adjudication of over \$15M in claims against major developer, also affirming denial of leave to amend, and remanding on one narrow issue, which we then defeated on Summary Judgment.
- Successfully represented major Bay Area airport in complex contract litigation with major tenant, including recovery of \$125,000 in attorney fees for our client.
- Successfully obtained Court dismissal of major Central Valley city in multi-party federal court litigation challenging police towing operations, involving complex anti-trust and First Amendment issues.
- Successfully obtained through writ of mandate re-routing of California High Speed Rail right-of-way on behalf of Central Valley municipal client, and recovered all attorney fees.
- Successfully represented major national chemical manufacturer in complex multi-party federal court litigation involving six-acre industrial property and adjoining area in Oakland, California which was site of a series of industrial users since the 1860's.

## Environmental

Represented owners of major contaminated sites in California in regulatory and litigation matters, including:

- Owner of two former copper mines in Redding, California concerning acid mine drainage in Lake Shasta, under jurisdiction of the Regional Water Board.
- Multi-national chemical company former owner of contaminated site on which the Los Angeles Unified School District has constructed a \$54 million middle school, in responding to California Department of Toxic Substances Control requirements and multi-party litigation.
- Major manufacturer in responding to soil and groundwater contamination from its former aircraft parts facility in Burbank,

- California involving complex multi-party EPA consent decree and various Water Board clean up orders.
- Former manufacturer of landing gear assemblies in defending complex litigation involving contribution of contaminated waste to former landfill and municipal incinerator site in Pomona, California.

## **Real Estate and Business**

- Represent Bay Area City in disputes with local developer, involving wetlands and flood plain regulation, and inverse condemnation litigation.
- Represent owner of major mining site in central California in dealing with regulatory agencies and sale and development of property including prior contamination.
- Represented local redevelopment agency in successful remediation and redevelopment of slag contaminated 66 acre former steel mill site into homes and townhouses, involving close interaction with California Department of Toxic Substances Control, and which completed project received California Redevelopment Association's "Award of Excellence."
- Represented subsidiary of major international cement company in acquiring, expanding, and later disposing of its lightweight aggregate manufacturing operations in California for over \$15 million.
- Represented fiduciaries owning over \$100 million of Southern California real property concerning environmental and land use approvals and eventual resale for residential development. Included multiple foreclosures, and complex title and regulatory issues.
- Represented developer and manufacturer of laser scanning systems and modeling software products in \$78 million merger with publicly traded Swiss corporation.
- Represented management group of major regional real estate brokerage company in their successful leveraged buyout for a cash price in excess of \$5 million.
- Represented national fabric distributor in connection with stock sale for over \$13 million.