



## Roy C. Santos

Partner

**Oakland**

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### PRACTICES

Public Law

### EDUCATION

J.D., University of California, San Francisco School of Law, 2008

B.A., University of California, Davis, 2001

### ADMISSION

State Bar of California

United States Court of Appeals  
for the Ninth Circuit

United States District Court for  
the Eastern District of California

United States District Court for  
the Northern District of  
California

### AFFILIATIONS

Fresno La Raza Lawyers  
Association

Roy Santos is a partner and has represented public agencies throughout California for more than a decade. Roy currently serves as City Attorney for the City of King and General Counsel for the Salinas Valley Solid Waste Authority.

His legal expertise is focused on all aspects of representing public agencies, including matters involving the Brown Act, Public Records Act, Title IX, code enforcement, writ of mandate actions, labor and employment, civil rights and the Government Tort Claims Act. Roy began his legal career in 2001 as a litigation paralegal for one of the nation's premier intellectual property and antitrust law firms. He continued his work as a paralegal while attending law school at the University of San Francisco. After law school, he was hired by a firm as a contract attorney to work on a multi-million dollar carbon fiber antitrust lawsuit. Roy has experience managing litigation, from its inception through trial. As part of his litigation practice, he has conducted bench and jury trials in both state and federal courts, administrative hearings, depositions and numerous negotiations, mediations and arbitrations. In addition to his trial practice, Roy has experience litigating numerous appeals, including successfully advocating on behalf of his clients before the Ninth Circuit Court of Appeals and the California Court of Appeal, Fifth Appellate District.

### RECOGNITIONS

Named a municipal law "Rising Star" in the 2018 Northern California edition of Super Lawyers Magazine

### REPRESENTATIVE MATTERS

#### Transactional Matters

- Housing: General Plan – Represented city in the development and implementation of their general plan with industrial, commercial, and residential development.

- Housing: CHISPA Affordable Housing Development – Represented a city in providing city funding for a 40 unit affordable housing development that is seeking California low-income tax credits.
- Cannabis: Commercial Cannabis Ordinance – Prepared ordinances on behalf of the city councils of the cities of Arvin and King City governing the cultivation, manufacturing, testing and sales of commercial cannabis.
- Code Enforcement: Neighborhood Preservation Ordinance – Prepared ordinances on behalf of the city councils for the cities of Yuba City, Arvin and King governing nuisances, abatement, appeals, tax liens and other legal remedies relating to nuisance enforcement within the cities.
- Labor & Employment: City of King City – Assist the city manager with labor negotiations; advised the city on various employee leave issues and accommodation processes; represented the city in employee disciplinary actions; drafted COVID-19 Prevention Program and other safety standards.
- Labor & Employment: Salinas Valley Solid Waste Authority – Represented the Authority in labor negotiations regarding three employee bargaining units; advised the Authority on various employee leave issues; drafted COVID-19 Prevention Program and other safety standards.

## **Litigation Matters**

- *Kitchens v. County of Fresno et al.* – Prepared briefing and conducted oral argument on behalf of Defendant Fresno County Sheriff Margaret Mims and Lt. Gary Johnson. The Ninth Circuit affirmed the grant of summary judgment for Defendant Lt. Johnson as to Plaintiff's Section 1983 Supervisor liability claim.
- *Willis v. City of Fresno et al.* – Prepared briefing on behalf of Defendant Officers, the City of Fresno and Chief Jerry Dyer. The Ninth Circuit affirmed the grant of summary judgment as to Plaintiffs' Monell claim asserted against Defendant City of Fresno and Plaintiffs' Supervisor liability claim asserted against Chief Dyer arising from an officer involved shooting.
- *Rodriguez v. City of Fresno et al.* – Assisted in the preparation of the briefing and negotiations resulting in the settlement of Plaintiffs' appeal of the grant of summary judgment in favor of Defendant Officer, the City of Fresno, and Chief Jerry Dyer arising from an officer involved shooting.
- *Hudson et al. v. County of Fresno et al.* – Prepared briefing and obtained a writ of mandamus staying Superior Courts order to produce privileged investigative file.
- *Kitchens v. County of Fresno et al.* – On remand from the Ninth Circuit, obtained an order granting summary judgment as to Plaintiff's Section 1983 Supervisor liability claim asserted against

- Defendant Fresno County Sheriff Margaret Mims arising from Plaintiff's housing at the Fresno County Jail as a Sexually Violent Predator Civil Detainee. On September 22, 2016, the Ninth Circuit affirmed the District Court's grant of summary judgement.
- *Austin v. Arvin Police Department* – Obtained a dismissal in favor of the City of Arvin following the granting the City's motion to quash Plaintiff's writ of mandate summons and complaint for failure to properly name and serve the City.
  - *Chandler v. City of Cypress et al.* – Obtained an order granting the City of Cypress' motion for summary judgement to Plaintiff's complaint alleging dangerous condition of public property based upon the defenses of lack of notice and trivial defect.
  - *Chavez v. No. Orange Co. Comm. Dist. et al.* – Obtained dismissal on behalf of the City of Cypress via the meet and confer process prior to filing a demurrer to Plaintiff's complaint alleging dangerous condition of public property.
  - *Fields et al. v. Geo Dynamic et al.* – Obtained an order granting the City of Cypress & Cypress Police Dept's demurrer to Plaintiff's complaint alleging wrongful death & dangerous condition to public property.
  - *O'Brien Development v. City of Clovis* – Obtained an order denying Petitioner O'Brien's writ of mandate petition seeking to force the City of Clovis to issue it a conditional use permit authorizing its proposed development project.
  - *Rock Haven Inc. v. State of California* – Obtained an order granting summary judgment in favor of Rock Haven on its writ of mandate petition. Obtained a writ of mandate invalidating the State Department of Water Resources compliance order and restoring Rock Haven's control of its water system.
  - *Palomo v. City of Sanger* – Obtained an order granting Defendants former Mayor and City Manager's motion to dismissing Plaintiff's claims of retaliation and sexual harassment.
  - *Cotta et al. v. County of Kings et al.*, 79 F.Supp.3d 1148 (E.D. Cal. 2015) – Obtained an order dismissing Plaintiffs' claims asserted Kings County Sheriff D. Robinson and Assistant Sheriff D. Putnam and dismissal of Plaintiffs' Civil Code section 52.1 claims against all Defendants. Mr. Santos also obtained an order granting Defendant Classification Sergeant and Defendant County of Kings motion for summary judgment as to Plaintiffs' Section 1983, Monell and Wrongful Death claims arising from the murder of an inmate while being housed at the Kings County Jail. On April 6, 2017, the Ninth Circuit affirmed the District Court's dismissal of Plaintiff's claims against the County of Kings.
  - *Willis v. City of Fresno et al.* – Defense verdict in favor of Defendant Officers as to Plaintiffs' Section 1983 and Wrongful Death claims arising from an officer involved shooting. Prior to the defense

verdict, Mr. Santos obtained an order granting summary judgment in favor of Defendants Chief Dyer and the City of Fresno.

- *Srabian v. County of Fresno et al.* – Defense verdict in favor of Defendant Officers and the County of Fresno as to Plaintiff’s Section 1983, Battery and Vicarious Liability arising from an officer involved shooting. Prior to the defense verdict, Mr. Santos obtained an order granting Defendants’ motion for reconsideration of the Court’s order denying a portion of Defendants’ motion for summary judgment and obtained an order partially granting Defendants’ motion for summary judgment.
- *Quinn v. County of Fresno et al.* – At the conclusion of the jury trial Mr. Santos obtained an order setting aside a jury verdict finding liability against Defendant Probation Officer and the County of Fresno. The Court also set aside Plaintiff’s damages award of \$425,000.00, plus attorney’s fees and cost. Negotiated settlement of all Plaintiff’s claims, including attorney’s fees and costs, for significantly less than the prior damage award.
- *Rodriguez v. City of Fresno et al.* – Obtained an order granting summary judgment in favor of Defendant Officer, the City of Fresno and Chief Dyer as to all of Plaintiff’s claims arising from an officer involved shooting.
- *Lanier v. City of Fresno et al.* – Obtained a dismissal of all Plaintiff’s claims arising from an officer involved shooting.
- *Lema v. City of Modesto* – Obtained dismissal of Plaintiff’s claims asserting violations of the Americans with Disabilities Act and California Disabled Persons Act.
- *Mendoza et al. v. County of Fresno et al.* – Bench trial defense verdict in favor of Defendant City of Mendota as to all Plaintiffs and in favor of Defendant County of Fresno as to four of the five Plaintiffs on the issue of Plaintiffs failure comply with the Government Claims Act.
- *Garcia et al. v. County of Fresno et al.* – Obtained an order granting Defendant Officer and County of Fresno’s motion for judgment on the pleadings as to Plaintiffs’ Section 1983, False Arrest, Assault, Battery and Lose of Consortium arising from a high speed chase and arrest.
- *Gremminger v. County of Fresno et al.* – Obtained an order granting Defendant Employees of the Fresno County Sheriff’s Office Civil Unit demurrer as to all of Plaintiff’s claims. Negotiated settlement of all claims against Defendant County of Fresno for less than \$11,000.00 when Plaintiff originally requested nearly \$300,000.00.
- *McBride v. City of Fresno et al.* – Obtained an order granting City of Fresno’s demurrer and an order granting City’s motion to compel discovery responses and award monetary sanctions; granting their motion for terminating sanctions and entering Judgment, including costs, in the City’s favor.