

# Ashley K. Dunning

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Ashley Dunning is Co-Chair of the Public Pension & Investments Group at Nossaman, a member of the firm's Litigation Department and serves on the firm's Executive Committee. She has provided fiduciary and governance counsel services to public retirement systems since 1998. Ashley currently serves as fiduciary counsel to the California Public Employees Retirement System (CalPERS) and the New York State Teachers' Retirement System (NYSTRS), as well as fiduciary, litigation, governance and/or special projects counsel to the majority of the twenty California retirement systems governed by the County Employees Retirement Law of 1937 (CERL) and to the city retirement systems in Fresno, San Francisco, San Diego and Los Angeles. She is also general counsel to the county retirement system in Marin. She has provided fiduciary governance training and advice to the Colorado Public Employees' Retirement Association's Board and staff, the Howard County Maryland Retirement Plans' Committees, and to the Board of the Government Employees' Retirement System of the Virgin Islands. She has provided fiduciary expert witness testimony in proceedings on behalf of the University of California Board of Regents. Collectively, the retirement systems she serves hold over \$1 trillion in trust assets.

Ashley has represented public retirement systems in litigation in numerous cases resulting in published decisions. Ashley's most recent argument on behalf of retirement systems before the California Supreme Court resulted in a unanimous decision in *Alameda County Deputy Sheriff's Association, et al. v. Alameda County Employees' Retirement Association, et al. (State Of California) (Alameda)*. *Alameda* is a landmark decision of the Court, which decided the narrow issues presented to it determining that statutory amendments it considered were constitutional, while preserving the strength of the "vested rights doctrine" based on the California Constitution's Contract Clause, known in public pension law as the "California Rule."

Ashley is also currently lead counsel for public retirement systems in cases pending in California before the Third District Court of Appeal and several superior courts. These and other cases Ashley has led have involved disputes over all aspects of the administration and governance of public pension systems, including disputes over the extent to which benefits are contractually "vested" under the Federal and California constitutions, alleged conflicts of interest, retirement system funding, disability retirement and public transparency rules.

## EXPERIENCE

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Ashley advises on issues involving fiduciary obligations, governance and public retirement, conflict of interest, open meetings and public records laws. She appears regularly before boards of trustees and in court proceedings on these issues. She also regularly provides training on these topics to clients and at conferences throughout the country. In addition, Ashley has taught "Ethics for Public Officials" for " for approximately 15 years at the Principles of Pension

Management for Trustees conference and/or General Assemblies sponsored by the California Association of Public Retirement Systems (CalAPRS).

Published California Supreme Court decisions in Ashley's public pension cases include:

- *Alameda County Deputy Sheriff's Association, et al. v. Alameda County Employees' Retirement Association, et al.* (State Of California) (2020) 9 Cal.5th 1032;
- *Flethez v. San Bernardino County Employees' Retirement Assn.* (2017) 2 Cal. 5th 630; and
- *Lexin v. Superior Court* (2010) 47 Cal. 4th 1050.

Published and unpublished California Court of Appeal and Federal decisions in her public pension cases include:

- *San Joaquin Cty. Emples. Ret. Ass'n v. Travelers Cas. & Sur. Co. of Am.*, 843 Fed. Appx. 919 (9th Cir. 2021);
- *Allum v. San Joaquin County Employees. Ret. Ass'n*, 2021 Cal. App. Unpub. LEXIS 3984;
- *Scott v. Ventura Cty. Emples. Ret. Ass'n*, 2020 U.S.Dist. LEX 177136, 2020 WL 5748128 (U.S.D.C. Case No. CV-20-08166-PCT-DLR);
- *Luke v. Sonoma County* (2019) 43 Cal. App. 5th 301;
- *City & County of San Francisco v. Ret. Bd. of the San Francisco Emples. Ret. Sys.*, 2019 Cal. App. Unpub. LEXIS 3273, 2019 WL 2067236;
- *Marin Assn. of Public Employees v. Marin County Employees' Retirement Assn.* (2016) 2 Cal.App.5th 674;
- *Shelden v. Marin County Employees' Retirement Assn.* (2010) 189 Cal. App. 4th 458;
- *Block v. Orange County Employees' Retirement System* (2008) 161 Cal. App. 4th 1297;
- *San Ramon Valley Fire Protection Distr. v. CCCERA* (2004) 125 Cal.App.4th 343; and
- *In re Retirement Cases* (2003) 110 Cal. App. 4th 426

Ashley regularly presents to national public pension organizations on fiduciary issues applicable to public pension boards and systems, as described under Select Presentations below.

## REPRESENTATIVE CLIENTS

Ashley currently provides fiduciary and/or litigation, governance or special projects counsel for the following public retirement systems (in alphabetical order):

- Alameda County Employees' Retirement Association;
- California Public Employees' Retirement System;
- Colorado Public Employees' Retirement Association;
- Fresno City Retirement Systems;
- Howard County Maryland Retirement Plans;
- Kern County Employees' Retirement Association;
- Los Angeles City Employees' Retirement System;
- Los Angeles County Employees' Retirement Association;
- Los Angeles Fire and Police Pensions;
- Marin County Employees' Retirement Association;
- Mendocino County Employees' Retirement Association;
- Merced County Employees' Retirement Association;
- New York State Teachers' Retirement System;
- Pension Reserves Investment Management Board of the Commonwealth of Massachusetts;
- Sacramento County Employees' Retirement System;
- San Bernardino County Employees' Retirement Association;

- San Diego City Employees' Retirement System;
- San Diego County Employees' Retirement Association;
- San Francisco Employees' Retirement System;
- San Joaquin County Employees' Retirement Association;
- Sonoma County Employees' Retirement Association;
- Tulare County Employees' Retirement Association;
- Ventura County Employees' Retirement Association; and
- Water and Power Employees' Retirement Plan.

Additionally, she is part of Nossaman's public pension team that serves the following additional public retirement systems (in alphabetical order):

- Hawaii Employees' Retirement System;
- Maryland State Retirement and Pension System;
- New York State Teachers' Retirement System;
- State of Connecticut Office of the Treasurer; and
- Texas Municipal Retirement System.

## INSIGHTS

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### SPEAKING ENGAGEMENTS

Speaker, "Ethics for Public Officials," 2022 State Association of County Retirement Systems Annual Spring Conference, Rancho Mirage, CA, 05.10.2022

Panelist, "ESG Workshop," San Diego County Employees' Retirement Association's Board of Retirement Meeting, San Diego, CA, 03.17.2022

Speaker, "AB1234 Ethics for Trustees," California Association of Public Retirement Systems 2022 Annual General Assembly, San Diego, CA, 03.05.2022 – 03.08.2022

Speaker, "Strategic Planning Workshop," Mendocino County Employees' Retirement Association, 02.09.2022

Speaker, "Litigation Impacting the Operation of Public Pensions Systems," Nossaman's 2021 Public Pensions & Investments Fiduciaries' Forum, 12.06.2021 – 12.07.2021

Speaker, "Ethics Training for Trustees and Staff," 2021 State Association of County Retirement Systems Annual Fall Conference, 11.09.2021

Speaker, "Special Meeting Regarding Strategic Planning," San Joaquin County Employees' Retirement Association Board of Retirement, 11.04.2021

Speaker, "Fiduciary Responsibilities of Public Retirement System Trustees –Sound ESG Investment Decision-Making," California Association of Public Retirement Systems' Virtual Trustee Round Table, 10.29.2021

Speaker, "Public Pensions and Retirement Security in the U.S.," Columbia Business School Class Presentation, 10.27.2021

Speaker, "Fiduciary Governance Training," Howard County Maryland Retirement Plans, 07.22.2021

Speaker, "Significant State Pension Litigation Update," NAPPA's 2021 Legal Education Conference, 06.24.2021

Moderator, "Ethics I – Confidentiality," NAPPA's 2021 Legal Education Conference, 06.22.2021

Speaker, "Coming Out of the Pandemic: Legal Issues for Public Retirement Systems," CALAPRS Virtual Attorneys' Roundtable, 05.28.2021

"Legal Updates and a Discussion on the Alameda Decision," 2021 State Association of County Retirement Systems Annual Spring Conference, 05.13.2021

Speaker, "Ethics Training for Trustees and Staff," 2021 State Association of County Retirement Systems Annual Spring Conference, 05.11.2021

Speaker, "Free Speech Rights and Fiduciary Duties: A Governance Challenge for Retirement System Trustees," Los Angeles County Employees Retirement Association Meeting, 04.14.2021, 05.05.2021

Speaker, "Pensions Economics and Fiduciary Duty Education Workshop," San Diego County Employees' Retirement Association Meeting, 03.11.2021

Speaker, "AB1234 Ethics for Public Pensions Trustees," California Association of Public Retirement Systems' Virtual General Assembly, 03.08.2021

Speaker, "Ethics Training for Public Officials (AB 1234)," State Association of County Retirement Systems 2020 Fall Conference, 11.10.2020

Speaker, "Administrative Issues Facing Fiduciaries," Nossaman's 2020 Public Pensions & Investments Fiduciaries' Forum, 09.30.2020 - 10.02.2020

Speaker, "Litigation Impacting the Operation of Public Pensions Systems," Nossaman's 2020 Public Pensions & Investments Fiduciaries' Forum, 09.30.2020 - 10.02.2020

Moderator, "Practicing Ethically During and After the Pandemic," National Association of Public Pension Attorneys (NAPPA) 2020 Summer Webinar Series, 07.28.2020

Speaker, "Ethics Training for Trustees and Staff," State Association of County Retirement Systems (SACRS) 2020 Summer Webinar Series, 07.09.2020

Speaker, "Alameda DSA, et al. v. Alameda County Employees' Retirement Association, et al., S. No. S247095," CALAPRS Attorneys' Roundtable, 06.11.2020

Speaker, "Legal Consequences of Shelter-in-Place Orders and Beyond for Public Pensions Systems," Nossaman Webinar, 05.07.2020

Speaker, "AB 1234 Ethics for Public Retirement Systems Trustees," California Association of Public Retirement Systems 2020 General Assembly, Rancho Mirage, CA, 03.08.2020

Speaker, "California Rule and Public Retirement System Governance," CALAPRS Attorneys' Roundtable, Costa Mesa, CA, 02.07.2020

Speaker, "*San Joaquin County Employees' Retirement v. Travelers Casualty and Surety Company of America*, U.S.D.C. (Eastern Dist. of CA) Case No: 2:18-cv-02042-JAM-CKD," CALAPRS Attorneys' Roundtable, Costa Mesa, CA, 02.07.2020

Speaker, "*Luke v. Sonoma County, SCERA et al.*," CALAPRS Attorneys' Roundtable, Costa Mesa, CA, 02.07.2020

Speaker, "Fiduciary Principles to Guide Public Retirement System Trustees," CalPERS Board of Administration Fiduciary Training, Sacramento, CA, 01.21.2020

Speaker, "Pursuing What You're Due: One Retirement System's Experience Suing Its Carrier," State Association of County Retirement Systems 2019 Fall Conference, Monterey, CA, 11.14.2019

Speaker, "CalPERS & SACRS; Reciprocity, Do I Get It? Part 1 of 2: Legal, CalPERS Guest Panels at SACRS," State Association of County Retirement Systems 2019 Fall Conference, Monterey, CA, 11.14.2019

Presenter, "Practical Considerations for California Retirement Systems After the Supreme Court Rules in *Alameda*," California Association of Public Retirement Systems Attorneys' Roundtable, Oakland, CA, 10.25.2019

Speaker, "Litigation Update 2019: What's Happening in California Courts on the Public Retirement Front?," California Association of Public Retirement Systems' Administrator's Institute, Carmel-by-the-Sea, CA, 09.27.2019

Speaker, "Disability Retirement – the Fiduciary Role of the Retirement Board," Ventura County Employees' Retirement Association, Ventura, CA, 09.23.2019

Panelist, "California Public Pension Litigation Update," Nossaman's 2019 Public Pensions & Investments Fiduciaries' Forum, Berkeley, CA, 09.05.2019

Panelist, "Practical Considerations for Retirement System Trustees and Staff After the Supreme Court Rules in *Alameda*," Nossaman's 2019 Public Pensions & Investments Fiduciaries' Forum, Berkeley, CA, 09.05.2019

Panelist, "Roundtable: Top Fiduciary Issues for Public Plans," Nossaman's 2019 Public Pensions & Investments Fiduciaries' Forum, Berkeley, CA, 09.05.2019

Speaker, "2019 Public Pensions & Investments Fiduciaries' Forum: Evolving Demands on Public Plan Fiduciaries," Nossaman's 2019 Public Pensions & Investments Fiduciaries' Forum, Berkeley, CA, 09.04.2019

Moderator, "General Session: Public Retirement Board Governance and the Role of the Dissenter(s) on the Board," National Association of Public Pension Attorneys' 2019 Legal Education Conference, San Diego, CA, 06.26.2019

Panelist, "California Supreme Court to Decide: What's Next for the 'California Rule' and Public Employee Pensions as Vested Rights," State Association of County Retirement Systems 2019 Spring Conference, Lake Tahoe, CA, 05.09.2019

Moderator, "Attorney Breakout Roundtable Discussion," State Association of County Retirement Systems 2019 Spring Conference, Lake Tahoe, CA, 05.08.2019

Speaker, "Ethics Training for Public Officials (AB 1234)," State Association of County Retirement Systems 2019 Spring Conference, Lake Tahoe, CA, 05.07.2019

Panelist, "Fiduciary Implications of Investment Negotiations and Decision-Making," National Association of Public Pension Attorneys' 2019 Winter Seminar, Tempe, AZ, 02.20.2019

Speaker, "An Analysis of Oral Argument Before the California Supreme Court in *CalFIRE vs. CalPERS*," California Association of Public Retirement Systems (CALAPRS) Attorneys' Roundtable, Oakland, CA, 02.01.2019

Speaker, "A Focus on Two Pending Cases: *CalFIRE vs. CalPERS* and *Wilmot v. CCCERA*," California Association of Public Retirement Systems Attorneys' 2019 Administrators' Roundtable, Burbank, CA, 01.25.2019

Panelist, "Vested Rights: Is This The Year The California Supreme Court Revisits The 'California Rule'?" 2018 California Public Employers Labor Relations Association (CalPELRA) Annual Training Conference, Monterey, CA, 12.06.2018

Speaker, "Board Governance at Marin County Employees' Retirement Association," Marin County Employees' Retirement Association Retirement Board Fall Strategic Workshop, San Rafael, CA, 10.30.2018

Speaker, "Defense and Indemnification Rights of Trustees and Staff: How Protected Are You?," Nossaman's 2018 Public Pensions and Investments Fiduciaries' Forum, San Francisco, CA, 10.19.2018

Panelist, "Key Pension Litigation Nationally with a Focus on California, Texas, Washington and Kentucky," Nossaman's 2018 Public Pensions and Investments Fiduciaries' Forum, San Francisco, CA, 10.18.2018

Speaker, "Litigation Update 2018: What's Happening in California Courts on the Public Retirement Front?," California Association of Public Retirement Systems 2018 Administrators' Institute, Carmel, CA, 09.27.2018

Speaker, "Litigation Update," National Association of Public Pension Attorneys' 2018 Legal Education Conference, Savannah, GA, 06.29.2018

Moderator, "What to Do When #MeToo Hits Your Public Retirement Board and System," National Association of Public Pension Attorneys' 2018 Legal Education Conference, Savannah, GA, 06.28.2018

Speaker, "Setting Economic Actuarial Assumptions: A Fiduciary Process," National Association of Public Pension Attorneys' 2018 Legal Education Conference, Savannah, GA, 06.27.2018

Speaker, "What's Next for the "California Rule?": Public Employee Pensions as Vested Rights," The Rutter Group Seminar, Universal City, CA, 06.19.2018

Speaker, "What's Next for the "California Rule?": Public Employee Pensions as Vested Rights," The Rutter Group Seminar, San Francisco, CA, 06.12.2018

Speaker, "Litigation Update," State Association of County Retirement Systems 2018 Spring Conference, Anaheim, CA, 05.16.2018

Speaker, "Ethics for Public Officials – What Public Retirement System Officials Need to Know (AB 1234 Training)," State Association of County Retirement Systems 2018 Spring Conference, Anaheim, CA, 05.15.2018

Speaker, "Disability Retirement Determinations: Continuing Refinements of MCERA's and the Board's Processes," Board of Retirement Strategic Workshop, Marin County Employees' Retirement Association, San Rafael, CA, 04.18.2018

Speaker, "Rules of the Road for MCERA Retirement Board Compliance with Open Meeting Laws," Board of Retirement of the Marin County Employees' Retirement Association, San Rafael, CA, 04.18.2018

Speaker, "Felony Forfeitures," California Association of Public Retirement Systems' Attorneys' General Assembly, Indian Wells, CA, 03.05.2018

Speaker, "Using Social or Political Criteria in Making Investment Decisions for Pension Plans," National Association of Public Pension Attorneys' 2018 Winter Seminar, Tempe, AZ, 02.23.2018

Speaker, "Fiduciary Challenges in an Evolving Legal Landscape," CalPERS Board of Administration Offsite Workshop, Petaluma, CA, 01.18.2018

Speaker, "Participating Employer Audits: Continuing and Upcoming Challenges," Nossaman's 2017 Public Pensions & Investments Fiduciaries' Forum, San Francisco, CA, 12.01.2017

Speaker, "Fiduciary Challenges in an Evolving Legal Landscape," Nossaman's 2017 Public Pensions & Investments Fiduciaries' Forum, San Francisco, CA, 11.30.2017

Speaker, "How Protected Are Your Pension Benefits?," State Association of County Retirement Systems 2017 Fall Conference, Burlingame, CA, 11.17.2017

Speaker, "Litigation Update," State Association of County Retirement Systems 2017 Fall Conference, Burlingame, CA, 11.14.2017

Speaker, "History, Context and Fiduciary Principles Regarding KCERA's Supplemental Retiree Benefit Reserve," Special Meeting of the Board of Retirement Kern County Employees' Retirement Association, Bakersfield, CA, 11.03.2017

Speaker, "Alternative Investments Fees – Public Report Required Under G.C. Sec. 7514.7(b)," California Association of Public Retirement Systems' Attorneys' Round Table, San Jose, CA, 10.27.2017

Speaker, "Recent and Pending Litigation Over Retiree Benefits," California Retired County Employees Association 2017 Fall Conference, Emeryville, CA, 10.23.2017

Speaker, "Ethics for Public Officials – AB 1234 Training," California Association of Public Retirement Systems' Principles of Pension Management for Trustees Conference, Malibu, CA, 08.28.2017

Speaker, "Varying State Perspectives on Defined Benefit Pension Protections," National Association of Public Pension Attorneys' 2017 Legal Education Conference, Monterey, CA, 06.28.2017

Speaker, "Ethical Issues in Public Records Litigation," Law Seminars International: Public Records Act Litigation, San Francisco, CA, 06.07.2017

Speaker, "AB 1234 Ethics Certification for Trustees and Staff," State Association of County Retirement Systems 2017 Spring Conference, Napa, CA, 05.16.2017

Speaker, "War Stories and Practical Solutions Around Managing Risk," National Association of Public Pension Attorneys' 2017 Winter Seminar, Tempe, AZ, 02.24.2017

Speaker, "All You (as In-House Attorney for a Public Retirement System) Ever Wanted to Know About Fiduciary Principles," National Association of Public Pension Attorneys' 2017 Winter Seminar, Tempe, AZ, 02.22.2017

Speaker, "Disability Retirement and Reciprocity: What's Your System Paying? What Does Ours Owe?," State Association of County Retirement Systems 2016 Fall Conference, Indian Wells, CA, 11.08.2016

Speaker, "The Evolution of Vested Rights in California Supreme Court Precedent and Recent Court of Appeal Developments," Nossaman's 2016 Public Pensions & Investments Fiduciaries' Forum, San Francisco, CA, 10.27.2016

Speaker, "Legal Counsel Panel," National Council on Teacher Retirement's 94th Annual Conference, Providence, RI, 10.10.2016

Speaker, "Fiduciary Fundamentals for Public Pension Fund Trustees," Oklahoma Pension Conference, Tulsa, OK, 09.28.2016

Speaker, "It Ain't Easy Being You: Managing the Attorney-Client Relationship at a Public Pension Fund," National Association of Public Pension Attorneys' 2016 Legal Education Conference, New Orleans, LA, 06.23.2016

Speaker, "Fiduciary Principles to Guide In-House Counsel Who Advise Public Retirement Systems," California Public Employees' Retirement System In-House Counsel, 06.17.2016

Speaker, "Post-traumatic Stress Disorder (PTSD) and Disability," State Association of County Retirement Systems 2016 Spring Conference, Costa Mesa, CA, 05.10.2016

Speaker, "Disability Retirement Processing," Marin County Employees' Retirement Association Board of Retirement Strategic Workshop, San Rafael, CA, 03.16.2016

Speaker, "Pension Reform in California: What's Next?," California Association of Public Retirement Systems' Attorneys' General Assembly, Indian Wells, CA, 03.06.2016

Speaker, "Fiduciary Responsibility in Selecting and Managing Relationships with Service Providers," National Association of Public Pension Attorneys' 2016 Winter Seminar, Washington, DC, 02.17.2016

Speaker, "Rules of the Road for Compliance with the Brown Act and Robert's Rules of Order," Central Basin Municipal Water District Board of Directors' Workshop, Commerce, CA, 01.29.2016

Speaker, "Navigating the Attorney-Client Relationship Within California Public Retirement Systems," California Association of Public Retirement Systems' Attorneys' Round Table, 01.22.2016

Speaker, "Recent Court Cases on PEPRA and Voter-Initiatives Regarding Pensions and Vested Rights," Nossaman's 2015 Public Pensions & Investments Fiduciaries' Forum, San Francisco, CA, 09.25.2015

Speaker, "Ethics for Public Officials: Principles of Pension Management for Trustees," Pepperdine University, 08.26.2015

Speaker, "Ethics for Public Officials: Rules of the Road That County Retirement System Trustees, Staff and their Advisors Need to Know," State Association of County Retirement Systems 2015 Spring Conference, Anaheim, CA, 05.12.2015

Speaker, "Oversight Challenges Posed By Alternative Investments," Marin County Employees' Retirement Association Retirement Board Strategic Workshop, Novato, CA, 03.25.2015

Speaker, "Fiduciary Considerations When Investing MCERA Assets," Marin County Employees' Retirement Association Retirement Board Strategic Workshop, Novato, CA, 03.25.2015

Speaker, "SEC Investigations and Prosecutions re Pay-to-Play, Campaign Contributions and Public Retirement Systems," California Association of Public Retirement Systems' Trustees Round Table, 02.06.2015

Chair, "SEC Investigations and Prosecutions re Pay-to-Play, Campaign Contributions and Public Retirement Systems," California Association of Public Retirement Systems' Attorneys' Round Table, 01.23.2015

Speaker, "New Trustee Training: The Roles of Public Retirement Board Members and Rules That Govern Them," State Association of County Retirement Systems, 11.11.2014

Speaker, "Fiduciary Duty of Impartiality Among Those Whom the Board of Retirement Serves," National Association of Public Pension Attorneys' Section Meeting, 02.19.2014

Speaker, "Two Cases Regarding the Pensionable Treatment of Nonstandard Public Safety Officers' Hours," National Association of Public Pension Attorneys' Section Meeting, 02.18.2014

## **PUBLICATIONS**

Co-Author, "Board Governance: U.S. Supreme Court Upholds Power of Elected Boards to Censure Their Own Members," *Nossaman eAlert*, 03.28.2022

Author, "Fifth DCA Affirms Trial Court Ruling in Favor of County Retirement System and Rejects Fiduciary Breach Allegations," *Nossaman eAlert*, 12.09.2021

Podcast Co-Host, "Managing IP, Data and Privacy Risks of Pension Administration Systems," *Public Pensions & Investments Briefings*, 10.20.2021

Co-Author, "Everything Local Public Agencies Need to Know About California's New Rules on Virtual Meetings During the Pandemic," *Nossaman eAlert*, 09.17.2021

Podcast Co-Host, "Getting the Most Out of Your Public Pension Plan Insurance Coverage," *Public Pensions & Investments Briefings*, 07.07.2021

Co-Author, "Two Out of Two: Another Appellate Court Upholds Constitutionality of California's Felony Forfeiture Statute," *Nossaman eAlert*, 02.09.2021

Co-Author, "Second Appellate District of California Court of Appeal Upholds Constitutionality of Felony Forfeiture Statute," *Nossaman eAlert*, 12.16.2020

Co-Author, "California Courts Continue to Address Vested Rights Lawsuits," *Nossaman eAlert*, 11.25.2020

Co-Author, "California Supreme Court Upholds "California Rule" and 2013 Pension "Reform" Statutes, Setting the Stage for More Retirement System Governance Challenges," *The NAPPA Report*, 10.01.2020

Co-Author, "California Supreme Court Issues Orders in Four Remaining Cases Challenging Legality of PEPR," *Nossaman eAlert*, 09.25.2020

Co-Author, "The California Supreme Court Addresses the California Rule and Public Retirement System Governance," *Nossaman eAlert*, 07.31.2020

Co-Author, "ERISA Defined Benefit Plan Members Lack Standing to Bring Fiduciary Claims," *Nossaman eAlert*, 06.08.2020

Author, "California Supreme Court Announces Date for Oral Argument in *Alameda* Public Retirement Case," *Nossaman eAlert*, 04.16.2020

Co-Author, "California Rule and Public Retirement System Governance," *Daily Journal*, 01.08.2020

Co-Author, "California Court of Appeal Rejects Time-Barred Challenge to Sonoma County's 2002 Grant of Enhanced Retirement Benefits," *Nossaman eAlert*, 12.16.2019

Author, "California Supreme Court Announces Date for Oral Argument in the First of Its Five Pending Vested Rights Cases," *Nossaman eAlert*, 11.08.2018

Co-Author, "California Court of Appeal Rejects Constitutional Challenges to New Felony Forfeiture Statute," *Nossaman eAlert*, 06.26.2018

Co-Author, "California Court of Appeal Upholds Application of PEPR to Judges Who Were Elected Before, But Assumed Office After, PEPR Took Effect," *Nossaman eAlert*, 03.27.2018



Co-Author, "California Supreme Court Gears Up for Showdown Over the Scope of Vested Public Pension Rights," *Nossaman eAlert*, 02.26.2018

Author, "Superior Court Upholds Retirement Board's Provision of Due Process Through Administrative Hearing Process," *Nossaman eAlert*, 11.27.2017

Author, "California Supreme Court Upholds Public Retirement Boards' Fiduciary Role When Adjudicating Disability Retirement Applications," *Nossaman eAlert*, 03.03.2017

Co-Author, "California Supreme Court Rules that Public Business Conducted on Personal Devices Result in Public Records," *Nossaman eAlert*, 03.03.2017

Author, "First District Court of Appeal Speaks Again on Vested Rights as it Upholds the Constitutionality of PEPRAs Elimination of "Airtime" Service Credit Purchases," *Nossaman eAlert*, 01.03.2017

Author, "Court of Appeal Rejects Another Post-PEPRA Challenge," *Nossaman eAlert*, 12.21.2016

Author, "California Supreme Court Grants Review of MAPE Decision," *Nossaman eAlert*, 11.23.2016

Co-Author, "What's Next After First District Court of Appeals' Vested Rights Decision in MAPE v. MarinCERA?," *SACRS Magazine*, 10.01.2016

Co-Author, "A Critical View of California Vested Rights Law," *Law360*, 09.16.2016

Co-Author, "First District Court of Appeal Weighs in on the Law of Vested Rights in California," *Nossaman eAlert*, 08.29.2016

Author, "No Surprises in Recent Vested Rights Decision: *Fry v. City of Los Angeles*," *Nossaman eAlert*, 04.05.2016

Co-Author, "California Supreme Court Holds that Inadvertent Disclosure in Response to a Public Records Act Request Does Not Waive the Exemption for Withholding Privileged Documents," *Nossaman eAlert*, 03.29.2016

Author, "The Trouble with Tibble: The Uncertain Scope of Trustees' Ongoing Duty to Monitor Investments," *The NAPPA Report*, 10.01.2015

Co-Author, "Court of Appeal Strikes Down 2011 S.F. Charter Requirement that SFERS Be "Fully Funded" before Vested Supplemental COLAs may be Granted," *Nossaman eAlert*, 03.30.2015

Co-Author, "Nossaman Comment on Recent Court of Appeal Decision re Constitutionality of PEPRAs," *Nossaman eAlert*, 02.02.2015

Co-Author, "Overview of SEC's Rules on "Pay to Play" and Campaign Contributions Impacting Public Retirement Systems," *The Public Retirement Journal*, 01.2015

Co-Author, "Conflict of Interest Rules for Public Retirement System Trustees and Staff," *SACRS Magazine*, 12.01.2010

## HONORS & RECOGNITIONS

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Named a Top 100 Lawyer by the *Daily Journal*, 2020

Named to California's Top Women Attorneys list by the *Daily Journal*, 2016

McFetridge Inn of Court, San Francisco, 2000-2003

Urban Fellow, City of New York, 1991-1992

## COMMUNITY & PROFESSIONAL

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National Association of Public Pension Attorneys, Emeritus Board Member

National Association of Public Pension Attorneys, Past President 2020, Executive Board Member, 2015-2021

State Association of County Retirement Systems, Program Committee

## PRACTICES

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Public Pensions & Investments

Fiduciary

Pension Plan Litigation  
Retirement & Welfare Plan Benefits  
Litigation  
Corporate Governance  
Employment  
Insurance Recovery & Counseling

## INDUSTRIES

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Government & Public Sector

## EDUCATION

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University of California, Hastings College of the Law, J.D., 1996, *cum laude*; Order of the Coif, Thurston Society, *International and Comparative Law Review*, American Jurisprudence Awards in Property, Trial Advocacy, Judicial Administration and Professional Responsibility  
Yale University, B.A, 1991, *cum laude*, with Distinction in History, Yale President's Award for Public Service

## LANGUAGES

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French  
Spanish

## ADMISSIONS

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California  
Texas  
U.S. District Court, Central District of California  
U.S. District Court, Eastern District of California  
U.S. District Court, Northern District of California  
U.S. District Court, Southern District of California  
U.S. Supreme Court