

Specializing in appellate work in both state and federal courts, the attorneys at Remcho, Johansen & Purcell, LLP are established leaders in the field.

For over 25 years, our attorneys have successfully defended clients' trial court victories, reversed erroneous trial court rulings, filed original writs in the California appellate courts, and prepared amicus curiae briefs on behalf of clients who wish to raise issues in cases brought by other parties.

Remcho, Johansen & Purcell's clients include political candidates, city and county governments, state government agencies, ballot measure committees, nonprofit organizations and associations, the California Legislature, and California's various constitutional officers.

Representative highlights of this work include:

- > *McDonough v. City of San Jose*, Court of Appeal, Sixth Appellate District, Case No. H038126.  
Represented opponents of the City of San Jose's Measure B in successful ballot pamphlet litigation striking partisan and prejudicial portions of the City's ballot title and question.
- > *California Redevelopment Association v. Matosantos*, 53 Cal. 4th 231 (2011).  
Filed amicus curiae brief on behalf of the California Teachers Association in support of the State's efforts to restructure California's redevelopment agencies and provide as much as \$1.7 billion in additional funding for California's public schools.
- > *CASE v. Brown*, 195 Cal. App. 4th 119 (2011); *Prof. Engineers in Cal. Gov. v. Schwarzenegger*, 50 Cal. 4th 989 (2010).  
Represented the California State Controller in cases successfully challenging the Governor's authority to impose furloughs unilaterally on the state workforce.
- > *California School Board Association v. California State Board of Education*, No. C060957, 2010 WL 1692760 (Cal. App. 2010).  
Represented the California State Superintendent of Public Instruction in a successful challenge to the State Board of Education's effort to force schools to comply with an unfunded mandate that all eighth graders take Algebra I.
- > *Suever v. Connell*, 579 F.3d 1047 (9th Cir. 2009).  
Won reversal of district court's ruling that would have required the State to pay interest on unclaimed property, while successfully defending district court victory that shields the State from exposure to an award of damages.
- > *Azure Ltd. v. I-Flow Corp.*, 46 Cal. 4th 1323 (2009).  
Filed amicus curiae brief on behalf of the California State Controller in case determining the scope of a corporation's immunity under California's Unclaimed Property Law.
- > *Vargas v. City of Salinas*, 46 Cal. 4th 1 (2009).  
Filed amicus curiae brief on behalf of the League of California Cities and California State Association of Counties in case defending the rights of local governments to expend public funds informing citizens of the effects of upcoming ballot measures.
- > *In re Marriage Cases*, 43 Cal. 4th 757 (2008).  
Filed amicus curiae brief on behalf of individual California Senators and Assemblymembers in support of the right of same-sex couples to marry.
- > *Friends of Bay Meadows v. City of San Mateo*, 157 Cal. App. 4th 1175 (2007).  
Successfully represented a private landowner in support of the city's decision to disqualify invalid signatures on referendum petition.
- > *Canatella v. Stovitz*, 213 Fed. Appx. 515 (9th Cir. 2006).  
Defended constitutionality of attorney discipline provisions and proceedings on behalf of the State Bar of California.
- > *Independent Energy Producers Association v. McPherson*, 38 Cal. 4th 1020 (2006).  
Defended Proposition 80 in a case that now defines the standard for pre-election review of ballot measures.
- > *Nadler v. Schwarzenegger*, 137 Cal. App. 4th 1327 (2006).  
Successfully defended the State's 2001 redistricting plan against a lawsuit challenging the state legislative plans on the grounds that they violated the California Constitution.
- > *Harris v. Westly*, 116 Cal. App. 4th 214 (2004).  
Defended constitutionality of the California Unclaimed Property Law on behalf of the California State Controller.

- > *Lindelli v. Town of San Anselmo*, 111 Cal. App. 4th 1099 (2003).  
Successfully challenged an interim contract approved by a municipality before a referendum election could take place.
- > *California Association of Retail Tobacconists v. State*, 109 Cal. App. 4th 792 (2003).  
Represented proponents of Proposition 10 as interveners in successful defense of the constitutionality of Proposition 10.
- > *Westly v. California Public Employees' Retirement System Board of Administration*, 105 Cal. App. 4th 1095 (2003).  
Prevailed in a challenge to the California Public Employees' Retirement System's interpretation of its powers under Proposition 162.
- > *People ex rel. Foundation for Taxpayer & Consumer Rights v. Duque*, 105 Cal. App. 4th 259 (2003).  
Won reversal of trial court ruling that would have required a commissioner of the Public Utilities Commission to forfeit his office on the basis of a conflict of interest.
- > *Governor Gray Davis Committee v. American Taxpayers Association*, 102 Cal. App. 4th 449 (2002).  
Represented Governor Gray Davis in case that established the standard for "express advocacy" versus "issue advocacy" in California.
- > *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002).  
Filed amicus curiae brief regarding Cleveland school voucher system on behalf of California Alliance for Public Schools.
- > *San Francisco NAACP v. San Francisco Unified School District*, 284 F.3d 1163 (9th Cir. 2002).  
Defended California State Superintendent of Public Instruction against motion for attorneys' fees.
- > *Senate v. Jones*, 21 Cal. 4th 1142 (1999).  
Represented California Senate in successful challenge to the constitutionality of a statewide initiative.
- > *National Committee of the Reform Party of the U.S.A. v. Democratic National Committee*, 168 F.3d 360 (9th Cir. 1999).  
Represented Democratic National Committee in defeating allegations that it violated federal campaign laws.
- > *Department of Commerce v. U.S. House of Representatives*, 525 U.S. 316 (1999).  
Represented the California Assembly before the United States Supreme Court in a case challenging the way in which the decennial census is conducted.
- > *California ProLife Council Political Action Committee v. Scully*, 164 F.3d 1189 (9th Cir. 1999).  
Successfully challenged Proposition 208, a campaign finance initiative.
- > *Schabarum v. California Legislature*, 60 Cal. App. 4th 1205 (1998).  
Successfully defended the Legislature against claim that the Legislative Counsel Bureau's budget was included in the Legislature's constitutional spending cap.
- > *Assembly v. U.S. Department of Commerce*, 968 F.2d 916 (9th Cir. 1992).  
Successfully litigated a Freedom of Information Act request to compel the Department of Commerce to turn over adjusted census data to the Assembly.
- > *Wilson v. Eu*, 1 Cal. 4th 707 (1992).  
Represented the California Assembly in proceedings before the California Supreme Court regarding the submission and enactment of a statewide redistricting plan by court-appointed special masters.
- > *Taxpayers to Limit Campaign Spending v. Fair Political Practices Commission*, 51 Cal. 3d 744 (1990).  
Successfully argued that two campaign finance measures, Propositions 73 and 68, conflicted with one another and could not be reconciled.

\* The results described above were dependent on the facts of that particular case. Prior results do not guarantee or predict similar outcomes.