



Jennifer M. Guenther, *Shareholder*

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Ms. Guenther assists clients with all aspects of commercial and residential real estate development, including land use applications, zone changes, General and Specific Plan Amendments, and environmental review. She works with a variety of clients, including major commercial and residential developers, as well as with clients in the mining, railroad, and transportation industries.

She regularly advocates for private commercial and residential projects before local, state, and federal agencies, including those projects requiring expertise and experience with air and water quality regulation, the Federal and California Endangered Species Acts, and the California Environmental Quality Act (CEQA). While many of the Projects are highly controversial, often times garnering media attention on a regional and sometimes national level, Ms. Guenther brings a knowledgeable, common sense approach to her representation that gives the decision-makers a comfort level in approving those projects.

Ms. Guenther's experience in environmental matters amidst the drastic changes in State and Federal legislation that have occurred in recent years has also placed her at the forefront of the growing industry related to sustainable resources and energy development. She is knowledgeable in the development of alternative energy projects, such as solar and wind energy development, and educated in the LEED certification process.

In addition to hands-on experience in analyzing compliance issues with both State and Federal Environmental laws, Ms. Guenther has extensive litigation experience in matters related to project development, the environment, real property transactions, quiet title and other land use matters. While continuing to litigate environmental compliance cases, she has expanded her practice to provide representation for companies and individuals found to be in violation of Federal environmental laws, representing clients in administrative hearings and negotiations with Federal agencies, including matters before the Environmental Protection Agency (EPA)

KEY PRACTICE AREAS

Appellate
Land Use /
Environmental
Litigation

EDUCATION

University of San Diego
School of Law, San
Diego, California, J.D.,
1999

University of
Washington: Jackson
School of International
Studies, Seattle, WA,
B.A., 1994

BARS

California, January 2000
U.S. District Court
Central District of
California, 2000
U.S. District Court
Southern District of
California, 2000
U.S. District Court
Eastern District of
California, 2000

and Office of Debarment, as well as the United States Army Corp of Engineers and the U.S. Fish and Wildlife Service.

Ms. Guenther brings a strong sense of community and commitment to her clients that reflects her understanding of the need to find balance between potentially controversial projects and representing the best interests of those clients. She is on the Board of Directors for the Inland Empire Association of Environmental (IEAEP) Professionals as the Legislative Liaison Officer. She is the Programs Chair of the State Planning Committee for the California Association of Environmental Professionals (CAEP) 2010 State Convention and is actively involved in the National Association of Women Lawyers (NAWL). She has published several articles on career building strategies and life balance, and is a regular speaker on environmental compliance and litigation matters.

REPRESENTATIVE MATTERS

Van De Kamps Coalition v Board of Trustees of Los Angeles Community College District, et al., Los Angeles Superior Court Case No. BS 129238 (filed November 18, 2010). Successfully defended Los Angeles Community College District against challenge to development of site for private lease agreements.

Adams v. City of San Bernardino, G038713, G038714, COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION THREE, 2007 Cal. App. Unpub. Successfully defended General Plan Amendment and Redevelopment Master Plan for the future redevelopment of a significant area of the City, 2007.

Successfully negotiated dismissal of lawsuit and resolution of dispute between a local advocacy group and private residential developer of exclusive gated community development. Successfully represented developer in manner which avoided limiting number of lots and reducing overall success of development., 2007.

Communities v. City of San Jacinto, E038816, COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION TWO, 2006 Cal. App. Unpub. Successfully defended proposed commercial development against petition for writ of mandate brought pursuant to the California Environmental Quality Act, 2006.

Maintain Our Desert Environment v. Town of Apple Valley, 120 Cal. App. 4th 396 (Fourth Dist. Div. 2 2004). Successfully defended petition for writ of mandate challenging a million square foot warehouse development project. The Appellate Court found that the trial court properly refused to compel town to set aside approval of development project. CEQA did not require listing a project end user in the description of the project in the notice prepared by the agency preparing an environmental impact report., 2004.

Burrtec Waste Inds. V. City of Colton, 97 Cal. App. 4th 1133 (Fourth App. Dist. Div. 2, 2002). Successfully challenged City approval of a solid waste facility and established precedent for determining standing in environmental law suites brought pursuant to the California Environmental Quality Act, 2002.

Citizens for Sensible Traffic in Beaumont and *Banning v. City of Beaumont*, E038696, COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION TWO, 2006 Cal. App. Unpub. Successfully defended challenge to large commercial development project under California Environmental Quality Act addressing traffic and air quality measures.

Obtained approval before City of Riverside City Council of highly contested commercial development project for big box retailer, including preparation and development of strategy to analyze greenhouse gases and impacts on the global environment. Environmental Impact Report and project approvals were later successfully defended in legal challenge to project., 2007.

Worked with team to obtain approval of million plus square foot distribution facility before city council in Barstow despite heavy opposition.

Consistently work with high profile developers on multi-million dollar residential and commercial project to implement proper land use and environmental strategies and obtain approval of such projects.

OTHER PROFESSIONAL EXPERIENCE

Honorable Thomas J. Whelan, District Court Judge, Southern District of California San Diego, CA, Judicial Extern (1999).

Honorable Larry A. Burns, Magistrate Judge, U.S. District Court, Southern District of California, San Diego, CA, Judicial Extern (1998).

PUBLISHED WORK

Author, *Attitude and Attrition*, Women Lawyers Journal Vol. 93 No. 2, National Association Of Women Lawyers, 2008. Published article regarding the promotion and retention of women in private practice and the need for women to take control over their destinies in creating a career path.

Columnist, *Desk of the Working Mom*, Monthly Bar Bulletin, San Bernardino County Bar Association (2006-2008). Published monthly column for two years on the practice of law and career development.

MS-JD.com, Writer in Residence by invitation, 2010 Monthly Column.

SPEAKING ENGAGEMENTS

University of California, Riverside, Lecturer/Professor of Environmental Science 174, Environmental Law and Policy, Winter Quarter, 2010 and 2011.

Speaker/Panelist, AEP 2011 Spring CEQA Legal Update Workshop Series, Association Of Environmental Professionals.

Speaker/Panelist, California Association of Environmental Professionals 2010 Annual Conference, Palm Springs: "CEQA Litigation 101."

Speaker/Panelist, California Association of Environmental Professionals 2010 Annual Conference, Palm Springs: "Legal Greening-effects of Green Building and Environmental Laws."

Speaker/Panelist National Association of Environmental Professionals 2010 Annual Conference, Atlanta, GA: "The Expanding Role of the EPA: Impacts of New Green House Gas Legislation.

Speaker/Panelist National Association of Environmental Professionals 2010 Annual Conference, Atlanta, GA: "Funding and NEPA Implications for Renewable Energy Projects."

Speaker, *LEED-igation: Its Not Easy Being Green*. Co-developed program on LEED Certification and potential litigation impacts related to contracting, insurance coverage, and construction defect. Spring 2009.

Speaker/Panelist AEP 2009 Fall Workshop-CEQA Basic, Association of Environmental Professionals.

Speaker/Panelist, AEP Fall 2009 CEQA Basics Workshop Series: *Understanding the Environmental Process, Association Of Environmental Professionals*. Speaker and legal analyst on panel of professionals in the field of environmental compliance under the California Environmental Quality Act.

Speaker, *From Backpack to Briefcase: A Transitional Program for Law Students*, National Association Of Women Lawyers, February 2008. Featured speaker in presentation entitled "The Big Picture: Recognizing Change from Law Student to Lawyer". Presentation included segments related to client management, professionalism, and creating a framework for a successful career upon entry into the legal market.

Featured speaker regarding legislative and case law updates for Inland Empire Association of Environmental Professionals, February 2008.

Speaker/Panelist, AEP 2008 Spring CEQA Advanced Workshop Series, *Association Of Environmental Professionals*, April 2008. Participated as a panel member and speaker, providing legal insight and legislative analysis on environmental and land use topics, including Water Supply, Greenhouse Gases and Climate Change, Agricultural Land Conversation, and Mitigation standards and requirements for significant environmental impacts. Also provided legislative and case law update on significant environmental cases for previous year.

Speaker/Panelist, AEP Fall 2007 CEQA Basics Workshop Series: *Understanding the Environmental Process, Association Of Environmental Professionals, 2007*. Speaker and legal analyst on panel of professionals in the field of environmental compliance under the California Environmental Quality Act.

AFFILIATIONS

National Association of Women Lawyers, Member, Planning Committee

San Bernardino County Bar Association, President-Elect, 2010- 2011; Director at Large, 2007-2010

Inland Empire Association of Environmental Professionals, Director at Large, Legislative Liaison

University of San Diego Alumni Association, Inland Empire, Chapter Chairperson

California Association of Environmental Professionals 2010 Conference, Planning Committee, Programs Chair

Leadership Riverside, Class of 2007

American Bar Association, Member

Commercial Real Estate Women (CREW), Marketing Committee Chair- IE Chapter, Member, 2011

HONORS

Selected for inclusion in the **2011, 2010 and 2009 Top Young Lawyers in Southern California, Super Lawyer Rising Star®** list, *as published by Law & Politics* and LOS ANGELES MAGAZINE.

BV rated by Martindale Hubble Peer Review. This is the maximum rating a lawyer can receive who has been admitted to the bar from 5-9 years.

Named one of the Inland Empire Women to watch of 2006, *as published by INLAND EMPIRE MAGAZINE*, 2006.

Finalist in The Institute of International Commercial Law at the Pace University School of Law International Essay Competition. Authored article on the role of electronic commerce and communication in economic and business development, Author, 1998.

Co-Founding Editor in Chief, International Law Journal, University of San Diego School of Law. Developed and established successful Journal on international law and politics that continues to thrive, 1999.

Recipient of the Virginia S. Mueller Outstanding Member Award from National Association of Women Lawyers, 2010.