



MISSION STATEMENT

Michel & Associates, P.C. is a mid-sized boutique law firm located in Long Beach, California specializing in handling adversarial proceedings and civil and criminal litigation.

Michel & Associates, P.C. has earned the highest available rating for legal service providers, an AV rating from renowned legal services evaluator, Martindale-Hubbell.

Our practice areas include environmental law, land use law, firearm regulatory matters, labor and employment, trade secret, contract law, civil rights advocacy, criminal defense, and related matters.

While Michel & Associates, P.C. is located in Long Beach, California, it serves a diverse clientele throughout California and the nation. Our mission is to provide compassionate, knowledgeable and economical legal services and guidance to satisfy our clients' demands for sophisticated legal representation in as efficient and cost-effective a manner as possible. We offer this unique brand of legal support to our clients – both large and small, who need and deserve our services.

Michel & Associates, P.C. recognizes that every client is unique. We take special care to tailor the representation of each of our clients to fit each client's specific needs and objectives, in both the long and short term.

Our lawyers are accessible and approachable. We are committed to offering clear, practical advice to each client, and promptly attending to each client's calls, inquiries, and needs. We pride ourselves on being effective communicators, as well as good listeners.

Michel & Associates, P.C.'s commitment to our clients is based upon our sincere interest in our clients' welfare. This interest continually motivates us to find practical and timely solutions to their problems and concerns.

The lawyer-client relationship is a special one. It is based upon trust, respect, discretion and absolute confidentiality. By honoring the attorney-client relationship, by practicing our philosophy of client service, and by achieving exemplary results, verdicts and settlements, we meet the high standards we have set for ourselves in representing our individual and business clientele.

We've followed this business philosophy since we began the law firm. As a result, Michel & Associates, P.C. has established a reputation for excellence and success. Our dedication to practicing law in a manner both personal and professional has brought us many return clients and referrals.

We offer a free consultation and welcome your inquiries.



FIRM OVERVIEW

Michel & Associates, P.C. is a premier boutique law firm specializing in handling adversarial proceedings, civil litigation and criminal defense. Our practice areas include environmental law, land use law, firearms regulation, employment and labor law, contract law, civil rights advocacy, criminal defense and other interrelated practice areas. The firm serves a diverse nationwide clientele.

Michel & Associates, P.C. has earned a A/V performance rating, the highest rating available from renowned legal services evaluator Martindale-Hubbell.

Michel & Associates, P.C. was formed by C.D. “Chuck” Michel in 1994 when he left “big firm” practice in downtown Los Angeles to start his own law firm. Michel & Associates quickly grew from its modest beginnings and, in 1998, morphed into Trutanich • Michel, LLP when Mr. Michel partnered with Mr. Carmen “Nuch” Trutanich. As Managing Partner of Trutanich • Michel, LLP, Mr. Michel assembled a talented team of legal advocates that emphasize performance, quality, and efficiency. When Mr. Trutanich was elected to be Los Angeles’ City Attorney in 2009, all of the talented staff and attorneys stayed on and Michel & Associates, P.C. was revived.

Michel & Associates, P.C. attorneys have extensive experience in all phases of civil and criminal litigation. We formulate complex case strategies and tactics, manage voluminous discovery, draft all manner of trial and appellate court documents, and handle all pretrial and trial proceedings, writs and appeals.

Helping large and small clients to anticipate and solve problems that arise during civil litigation or criminal prosecutions demands a high degree of skill and sensitivity. Increased governmental regulation and constantly changing laws, coupled with heightened political, economic and societal pressures, make the properly handling of adversarial legal proceedings more complex and challenging than ever before. We recognize that facing legal difficulties can be enormously demanding on our clients, both emotionally and financially.

Winning cases doesn’t come easy. Our team members, having worked for some of the most respected governmental entities and private law firms, have the talent, skill, experience, and sensitivity to get the job done right. Our strong practical orientation and devotion to our clients assure them exceptional results in the most cost-effective manner possible.

We exemplify commitment to our clients by equipping ourselves with the technology, training, and resources to respond quickly, accurately, and effectively. Technical advisors and nationally renowned experts also work closely with our attorneys when appropriate. Many of these experts were formerly employed by, or headed, the same regulatory or law enforcement agencies involved in litigation handled by the firm. The experts we use add an invaluable dimension and depth to the services we offer.

Michel & Associates, P.C. also has the contacts and relationships needed to get things done. Our attorneys keep a high profile in state and local politics, and before both state and local administrative and legislative bodies. We appear on behalf of clients at state legislative hearings, before local government councils and officials, and at agency rule-making proceedings. As advocates, we also help our clients to contest agency rulings and pursue administrative appeals where necessary. In fact, our attorneys continue to draft and influence legislation at the local, state and federal levels on behalf of various clients.



ATTORNEY PROFILES SENIOR PARTNER

C. D. Michel

Mr. Michel is CEO and Founding Partner of Michel & Associates, P.C. His practice focuses on adversarial litigation and regulatory compliance advice in firearms law, civil rights, land use, and environmental law. He has been trial counsel in over 50 jury trials.

Mr. Michel is recognized as one of the leading authorities on California and federal firearms law in the country. For over two decades, he has played a significant role in advocating and defending individual civil and constitutional rights, particularly Second Amendment rights, and in helping to shape related legislation. He has been instrumental in crafting some of the most important legal challenges to legislation that infringes on rights guaranteed by the Constitution.

Mr. Michel has represented many of the most prominent shooting sports and self-defense civil rights associations in the world, including the National Rifle Association, California Rifle and Pistol Association, Second Amendment Foundation, Gun Owners of America, and other state and national groups.

He has represented corporate, non-profit, and individual clients in high-profile cases that got significant media attention and has been a commentator and contributor to national media discussions. He has appeared as a spokesperson for various clients on dozens of video and radio interviews and in hundreds of newspaper articles.

Mr. Michel has taught as an Adjunct Professor at Chapman University Fowler School of Law in Orange, California, where he taught firearms law and law practice management. He is the author of the book *California Gun Laws B A Guide to State and Federal Firearm Regulations*. He has also published numerous articles and editorials in the *Los Angeles Times*, the *Daily Journal*, and many other state and national newspapers.

Mr. Michel began his career with a coveted judicial clerkship with United States District Court Judge William J. Rea in Los Angeles. He worked as a criminal prosecutor for the Los Angeles County District Attorney's Office, several Southern California cities, and as an advocate with the Los Angeles Federal Public Defender's office. Mr. Michel also practiced environmental and general civil litigation as an attorney at the renowned international law firm of O'Melveny & Myers, LLP. While at O'Melveny, Mr. Michel represented clients ranging from individuals to multinational corporations. His varied experience included representing Exxon Corporation in connection with the Exxon Valdez oil spill and serving as Staff Counsel to the Christopher Commission investigating the Los Angeles Police Department (LAPD) in the wake of the Rodney King incident under the leadership of former Secretary of State Warren Christopher.

Mr. Michel graduated near the top of his class from Rutgers University in New Jersey in 1980 and then from Loyola Law School in Los Angeles in 1989, again near the top of his class. In law school, he won two prestigious awards for trial advocacy and writing skills, one through the United States Supreme Court.

Mr. Michel has been profiled in recognition of his work in numerous newspapers, magazine articles, radio, TV, and social media platforms.

PARTNERS

Joshua Robert Dale

Mr. Dale is a seasoned civil litigator specializing in employment, business, tort liability, and constitutional law. With extensive training in alternative dispute resolution, he has served as a panel neutral for the Los Angeles County Superior Court's arbitration panel. He has tried numerous cases and argued before state and federal appellate courts.

Previously a partner at a Newport Beach law firm, Mr. Dale has defended commercial businesses and government agencies in employment and contract disputes, handled anti-SLAPP motions, defended class actions, and advised clients, judges, and law firms on ethical issues in corporate governance and legal practice.

Licensed to practice in California, Nevada, and various federal courts nationwide, Mr. Dale represents for-profit and nonprofit corporations, business leaders, legislators, and judges. His community involvement and legal work have earned him awards from local business leaders, congressmen, and community organizations.

He holds a B.A. in Communications from California State University, Fullerton (1997) and a J.D. with cum laude honors from Pepperdine School of Law (2000), where he also earned a Certificate in Dispute Resolution. At Pepperdine, he served as a student body representative, an editor for the Pepperdine Law Review, and a coach and member of several moot court teams.

Mr. Dale is a Trustee of the Fullerton Public Library and has served as a Director of the Fullerton Historic Theatre Foundation and the Fullerton Public Library Foundation. A member of The Federalist Society, he is also a Life Member of the National Rifle Association, a member of the California Rifle & Pistol Association, and a shooting enthusiast who represents firearms industry stakeholders and hobbyists.

Anna M. Barvir

Anna Barvir practices civil litigation and appeals with an emphasis on constitutional law and civil rights matters. Her expertise includes firearms litigation, LGBT discrimination law, civil rights advocacy, and civil appeals.

Ms. Barvir has worked on several high-profile cases in constitutional law and civil rights. She was the lead attorney in *Duncan v. Becerra*, challenging California's ban on ammunition magazines over 10 rounds on Second Amendment and Takings Clause grounds. In the district court, she successfully secured a preliminary injunction against the law's possession ban and (twice) obtained a final judgement striking the entire law as unconstitutional. Ms. Barvir also successfully sued the City of Los Angeles, on First Amendment grounds, over its unconstitutional attempt to blacklist members and sponsors of a high-profile gun-rights

organization, demanding that they disclose their relationship with the organization as a condition of securing or maintaining contracts with the city. After Ms. Barvir secured preliminary relief barring the enforcement of the city law, Los Angeles voluntarily repealed the ordinance and the case settled.

Ms. Barvir graduated magna cum laude from Whittier Law School in 2009, earning her Juris Doctor and Certificate in Legal Writing. During law school, she served as Executive Editor of the Whittier Law Review and Treasurer of the Student Bar Association. Upon graduation, Ms. Barvir was awarded the Whittier Law School Dean's Citation Award for Outstanding Leadership and Service to the Law School Community.

Matthew D. Cubeiro

Mr. Cubeiro's primary practice areas include firearm regulatory compliance and litigation. He also assists with local ordinance issues, legislative analysis, civil rights advocacy, and general civil litigation.

Before joining Michel and Associates, Mr. Cubeiro volunteered at the Orange County District Attorney's Office Insurance Fraud Unit, where he received a certificate of honorable service for his work on a high-profile criminal case that gained national media attention.

One of Mr. Cubeiro's primary responsibilities at Michel and Associates is tracking all ongoing firearm related litigation in the United States at both Federal and State Court levels, including over 300 ongoing cases nationwide. He also serves as the attorney responsible for answering any firearm related questions California residents may have in navigating the complex California firearm regulatory environment.

In addition to practicing firearms law, Mr. Cubeiro is dedicated to the advancement of education and safety for all firearm owners. He is certified by the National Rifle Association as an instructor in Pistol, Rifle, Personal Protection in the Home, Personal Protection Outside the Home, and Metallic Cartridge Reloading disciplines. He is also a certified by the National Rifle Association as a Range Safety Officer.

Mr. Cubeiro is a graduate of Western State University where he received his Juris Doctorate with honors and Certificate in Criminal Law Studies. Before law school, he earned his Bachelor of Arts in business administration with honors from Chapman University.

W. Lee Smith

Mr. Smith specializes in environmental, land use, and insurance law. His environmental law practice emphasizes cost-recovery litigation under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Hazardous Substance Account Act (State Superfund), and related regulations and common law theories of recovery. Mr. Smith has extensive experience in defending PRP groups in federal and state Superfund sites and litigating private party suits involving industrial stormwater violations under the Clean Water Act (CWA) for the California State Water Board's Industrial General Permit program. He also represents clients in matters involving federal, state, and local regulatory agencies, including the EPA, DTSC, RWQCB, AQMD, OSHA, as well as local health departments, hazardous materials divisions (CUPA), public works departments, fire departments, and sanitation departments.

In this capacity, Mr. Smith advises and represents clients on regulatory compliance matters and enforcement orders, as well as zoning, permit, and license issues. In addition, Mr. Smith has experience in CEQA, NEPA, CWA, Clean Air Act, Endangered Species Act, Polanco

Redevelopment Act, land use regulations, water law, toxic torts, natural resources, contracts and transactions, business and corporate law matters. Mr. Smith has served as Special Counsel to bankruptcy trustees representing bankruptcy estates in legal matters pertaining to environmental and insurance issues. Mr. Smith's insurance practice includes bad faith litigation and coverage issues. With his environmental, land use, and business background, Mr. Smith is uniquely qualified to advise and represent clients in real estate development and transactions, including Brownfields properties and the purchase and sale of contaminated properties.

Mr. Smith began his legal career with the Department of Defense, at the Department of the Navy, Office of General Counsel, Western Area Counsel Office, in the Environmental and Water Law Division. He distinguished himself in complex litigation while at the San Diego law firm of Chapin, Fleming, McNitt, Shea & Carter in the environmental litigation department, where he worked extensively on *Aguilar v. Pacific Gas & Electric, et al.*, subsequently made famous by the Erin Brockovich movie.

In 1995, Mr. Smith graduated *cum laude* with a bachelor's degree in political science from California State University, San Marcos. He earned his law degree from California Western School of Law in 1997. While in law school, Mr. Smith worked as a research assistant for law review and clerked for the Department of Defense, where he gained extensive experience in federal matters.

Mr. Smith has been recognized by Southern California Super Lawyers Magazine as one of the top environmental attorneys in Southern California.

ASSOCIATE ATTORNEYS

Tiffany D. Cheuvront

Tiffany Cheuvront is the Managing Attorney at Michel & Associates, P.C. Ms. Cheuvront practices civil litigation and corporate governance law, and comes to the firm with 17 years' experience working in the non-profit and regulatory fields. Over the years, Ms. Cheuvront has written and provided testimony on issues at the local, state, and federal levels of government she has served on many different policy committees including a National Tribal Budget Council and a gubernatorial appointment for work on child welfare and mental health issues.

Ms. Cheuvront graduated from Trinity Law School in 2017 where she was a member of the National Moot Court Team, was Senior Research Editor of the Trinity Law Review, and was awarded the Golden Gavel for best oral argument in the school. Ms. Cheuvront also served as Vice President of Student Education for the Student Bar Association.

Ms. Cheuvront interned for the Pacific Justice Institute, and served as an extern for the Judicial Extern Program in the Orange County Superior Court. Ms. Cheuvront also served as a student board member for the Orange County Women Lawyers Association.

Alexander A. Frank

Mr. Frank's practice is focused on firearms regulation and constitutional rights. Prior to joining Michel and Associates, Mr. Frank was an associate at a large financial services defense firm.

Mr. Frank graduated *cum laude* with a degree in International Relations from the University of Southern California. He is also a graduate of Loyola Law School, Los Angeles, where he earned first honors in multiple classes.

OF COUNSEL

Sean A. Brady

Sean Brady's practice includes municipal law, legislative advisement, constitutional law, civil rights advocacy, self-defense civil rights litigation, firearm related regulatory compliance advice, and general civil-business litigation. Mr. Brady has worked on high-profile cases in most of these areas. The most recent was a challenge to three state laws regulating ammunition, which Mr. Brady and other attorneys for Michel & Associates, P.C. were successful in having struck down. Mr. Brady's passion for firearms and protecting the liberties of people to own and use them as well as protecting all civil liberties brought him into these legal practice areas.

Prior to joining Michel & Associates, P.C., Mr. Brady worked in his family's construction business. Over his many years in the construction industry, he worked his way up from basic manual labor, to operating heavy earth-moving equipment, to being involved in every aspect of managing a construction project from planning and permitting through completion. Mr. Brady's experience in the construction industry gives him an invaluable real-life perspective in helping clients with construction and business-related legal matters.

Mr. Brady received his bachelor's degree in language studies in 2004 from the University of California at San Diego. Mr. Brady can read, write, and speak Spanish proficiently. He attended Western State College of Law, earning his J.D. in 2008. As President of the Western State chapter of the Federalist Society, Mr. Brady organized the First Annual Second Amendment Celebration, an event that continues to provide law school students, many of whom are first-time shooters, an opportunity to be introduced to the world of firearms.

Mr. Brady is a native of Long Beach, California. He attended the same high school as his parents and two of his grandparents. He is now a husband and parent himself. Mr. Brady is an avid surfer, fisherman, and diver. He enjoys target shooting, soccer, and spending time with family and friends to the tune of country and mariachi music. Mr. Brady has a voracious appetite for education and culture. And, as a young man, he worked in construction, warehouses, restaurants, catering services, and beach life guarding to finance his travels around the world from Japan to Ireland to Costa Rica as well as his university life. Mr. Brady brings this depth of real-world experience, along with his strong work ethic, to bear for his clients in every legal matter he is involved in.

Jason A. Davis

Jason Davis has over 33 years of experience in the California firearms industry. He spent the early part of his career as a representative for several of the nation's leading firearm manufacturers, gaining more than 13 years of practical business and manufacturing experience in the firearms industry before going to law school. This practical experience serves Jason well as he counsels sporting goods retailers, firearm manufacturers, dealers, collectors and trade associations in California's firearms, air gun and other weapons-related regulatory compliance matters, including litigation.

From setting up firearms dealers and manufacturers with appropriate licenses, permits, and design classifications from the Bureau of Alcohol, Tobacco, and Firearms and California Department of Justice, to challenging the laws that regulate the industry, Mr. Davis' combination of technical firearms knowledge and legal understanding has made him a prominent figure in the California firearms industry. Mr. Davis has been particularly recognized for successfully guiding clients through the development, design, marketing, and regulatory approval of novel designs of firearms and accessories.

Mr. Davis is a Technical Member of the Association of Firearm Toolmark Examiners, is a Certified Firearms Specialist, and has been approved and appointed by the San Diego California Superior Courts to serve as a Special Master.

In 2009, the California Law Revision Commission issued their Final Report to the California Legislature, which directed them to “study, report on, and prepare recommended legislation by July 1, 2009, concerning the revision of the portions of the Penal Code relating to the control of deadly weapons.” In that Final Report, the Commission recognized Mr. Davis for his role, stating that “the Commission is especially grateful to Jason Davis, who faithfully attended the Commission’s meetings to represent the views of gun owners.”

Mr. Davis co-authored an amicus brief to the United States Supreme Court on behalf of a majority of California District Attorneys and other law enforcement associations in *Heller v. District of Columbia*, the historical case determining that the Second Amendment provides an individual right to bear arms, as well as a similar brief in the *McDonald v. Chicago* case two years later. He has been involved in many high profile and precedent setting cases involving constitutional law, firearms law, and regulatory compliance issues.

Mr. Davis graduated from Loyola Law School in 2002. While at Loyola, he focused on tax and corporate law. He was the Treasurer of the Corporate and Business Law Association and a member of the International Legal Fraternity of Phi Delta Phi.

Davis graduated cum laude from the University of California, Riverside in 1999 with dual degrees in economics and history. His undergraduate writings attributing economics as a key factor in the rise of firearms litigation was accepted for publication by the University of California, Riverside’s *Cornerstone Journal*. While studying economics, he became a member of the international economics honors society, Omicron Delta Epsilon and received numerous honors and the Chancellor’s award.

Joseph Di Monda

Mr. Di Monda is an architect and attorney who has been recognized as one of the leading catastrophic personal injury lawyers in California. As a former chair of the City of Hermosa Beach Planning Commission and past President of the American Institute of Architects (Long Beach/South Bay Chapter) he has also been recognized as an expert in construction matters. As a member of the American Institute of Architects governmental legislation committee he has been instrumental in crafting and refining legislation related to the construction and real estate industry.

Mr. Di Monda began his legal career with a judicial externship with U.S. District Court Judge Terry Hatter in Los Angeles. He moved on to form his own practice in catastrophic personal injury, insurance bad faith and construction/real estate law. He has obtained multiple seven and eight figure settlements for his injured clients as a result of motorcycle, car and industrial accidents, and recently obtained a \$24 million dollar personal injury judgment for an injured client in the San Diego Superior Court. Mr. Di Monda has a number of appellate opinions to his name, and has argued before the California Court of Appeals on numerous occasions.

Mr. Di Monda holds a Bachelor of Science in Architecture and a Bachelor of Architecture from the City College of New York and a Juris Doctor from Southwestern University School of Law. He holds licenses to practice Architecture in New York and California and is a Member of the State Bar of California.

Michael W. Price

For the past 20 years, Michael W. Price has maintained a private practice in criminal defense. He has successfully represented clients charged with felonies and misdemeanors throughout California. He is a master negotiator and skilled trial lawyer, and excels in getting the disposition or trial result that his clients want.

Mr. Price has defended many thousands of clients, with charges ranging from shoplifting, drug possession, DUI's, and simple assaults to more serious charges such as possession of illegal weapons, Grand Theft Auto, domestic violence, hit-&-run, and homicide. Mr. Price also represents criminal appellants seeking to challenge their pleas, convictions, or sentences suffered as a result of official misconduct, misapplication of the law, or ineffective assistance of other counsel.

Whether handling a client's matter in preliminary hearing, at trial, or on appeal, Mr. Price understands the emotional toll on his clients, and uses his empathetic and compassionate nature to guide clients through a harrowing process to resolution. As with all clients, Mr. Price is equally passionate about representing clients who get caught up in California's labyrinthine firearm laws. These firearm cases hold a special significance for Mr. Price, because he is a staunch defender of the Second Amendment.



PRACTICE AREA: CIVIL LITIGATION

The litigation practice of Michel and Associates, P.C. is civil and criminal, regulatory and commercial. Our attorneys litigate through trials, writs and appeals in state and federal courts and administrative forums across the country. Our firm's litigation clientele consists of corporations, government and public entities, trade and lobbying associations, corporate officers and directors, and private individuals. Our clients come from a variety of industries, including manufacturing, wholesale, retail, entertainment, real estate, oil and gas, and sporting goods enterprises.

We strive to help our clients avoid expensive and time-consuming litigation when possible and appropriate. When appropriate or necessary however, our adversaries know that our lawyers will develop and implement hard-hitting and effective legal strategies, and that we are ready, willing and able to litigate and try cases before judges or juries and to obtain favorable results.

Michel & Associates, P.C. fields a team of exceptionally experienced, well-known dynamic trial lawyers and litigators. Our lawyers are known for devising and advocating practical solutions for complex legal disputes, often in highly charged political environments. Our senior lawyers have extensive trial experience. We have successfully litigated and won many "scorched earth" and "bet the company" cases.

Michel & Associates, P.C.'s lawyers readily adapt to the particular needs of each client. Our attorneys are keenly aware of the nonlegal issues underlying every lawsuit and familiarize themselves with the business, scientific, technical, economic and political issues of every case. Considering the client's needs and objectives, available resources, evidence, and judicial trends, our attorneys help clients evaluate litigation risks and develop litigation strategies that maximize awards and settlements and minimize potential liability exposure.

We recognize that at times a client's goals may be best achieved through coordinated actions in more than one venue. We frequently utilize litigation in tandem with legislative and lobbying efforts as part of a broad plan to pursue a client's objectives. A regulatory barrier can often be overcome by government cooperation. We appear before administrative agencies and legislative bodies when appropriate to seek assistance. The dispute that seems destined for long and costly private litigation may be resolved more efficiently through legislation, and the barrier to a business goal may be removed by advocacy before the executive branch. In matters where the government has an adverse stake, our understanding of administrative and legislative agendas often helps clients avoid or limit litigation.

When advantageous, our attorneys make use of alternative dispute resolution proceedings including arbitrations, mediations, and administrative agency proceedings. But in cases that do reach the courts, Michel & Associates, P.C. has the depth, size and experience necessary to conduct full-scale litigation and to win.

PRACTICE AREA: CIVIL RIGHTS ADVOCACY

Michel & Associates, P.C.'s civil rights lawyers advocate on behalf of a variety of civil rights, including the Second Amendment right to keep and bear arms, the right to self-defense, student rights, housing rights, and the rights of medical marijuana patients and their caregivers.

The Second Amendment and the Right to Self-Defense

Michel & Associates, P.C. has one of the most recognized and respected firearms litigation practices in the nation. Our team of litigators and legal advisors is comprised of former district attorneys, trial lawyers, retired state legislators, constitutional law professors, and authors of law review articles and best-selling books on firearms law. We are proud to be on the front lines of the self-defense civil rights battle. Litigation and test cases moving through the courts today will establish the parameters of the right to keep and bear arms for future generations. We provide outstanding advocacy on behalf of the National Rifle Association, the California Rifle and Pistol Association, other Second Amendment and self-defense civil rights advocacy groups, as well as the individual gun owner.

Student Rights and Special Education

Having legal representation at student disciplinary proceedings has become increasingly important. Often parents and students are not informed that they have the right to an attorney at all stages of school discipline and special education proceedings. With the advent of "zero tolerance" policies, school districts and their attorneys take advantage of their familiarity with the system and often quickly suspend and expel children leaving inexperienced parents and students with little or no recourse. Students facing disciplinary proceedings before a school board often simultaneously face criminal charges in juvenile court stemming from the same conduct. Because the lawyers of Michel & Associates, P.C. have experience in both criminal and education law, we can represent students before both venues.

In addition to ensuring discipline hearings meet due process requirements, we hold school districts accountable when they fail to provide the appropriate educational opportunities for children with disabilities. We assist parents in requesting assessment, and in formulating and implementing Individualized Education Plans. When parents and school districts disagree on placement, our attorneys have represented children and parents in due process hearings and, where appropriate, sought emergency intervention from the State.

Landlord – Tenant / Housing Law

Landlords who turn a blind eye to the law subject themselves to civil and, on some occasions, criminal liability. Michel & Associates, P.C.'s attorneys have represented tenants in lawsuits against their landlords and have obtained substantial money judgments and improved living conditions. Our attorneys have successfully brought claims for racial, religious, ethnic, and gender discrimination; for failure to disclose certain dangerous conditions such as the presence of lead, asbestos or mold; and for failure to maintain rented properties in legally habitable condition.

Michel & Associates, P.C.'s lawyers also help landlords comply with the law and zealously

defend against claims brought by tenants.

Medical Marijuana

Michel & Associates, P.C.'s lawyers use their specialized experience in a variety of legal fields to assist patients, caregivers, doctors, cooperatives, collectives, dispensaries, and others associated with the cultivation, distribution, and use of medical marijuana. Michel & Associates, P.C.'s attorneys typically assist our clients in business formation, licensing, permitting, tax collection, leasing of facilities, establishment and implementation of best management practices, interaction with and lobbying of state and local law enforcement and government representatives, seeking the return of seized property including marijuana, bringing civil actions to protect the rights of our clients, and defending against civil litigation and criminal prosecutions. For now at least, the federal government steadfastly refuses to recognize the medicinal value of marijuana, or even to acknowledge the difference between medical and recreational use of marijuana. So marijuana, including medical marijuana, is still illegal under federal law. But many states have enacted legislation that allows certain patients to use medical marijuana legally. In 1996, California voters approved Proposition 215, the Compassionate Use Act (CUA), allowing medical marijuana patients and their caregivers the right to cultivate and possess marijuana for medical use. And in 2003 the State Legislature passed Senate Bill (SB) 420, which gave the Attorney General the authority to clarify some aspects of the CUA.

Unfortunately, interpreting the often ambiguous Health & Safety Code provisions that set the CUA and SB 420 into law has proven to be extremely complicated and politically influenced. Legal interpretations of the CUA and SB 420 continue to evolve. In California, regulations and opinions regarding the application of the medical marijuana laws vary widely between cities, counties, State agencies, and multi-jurisdictional agencies. As some jurisdictions resist allowing dispensaries to operate, legal issues concerning the identification and qualification of patients and caregivers; forming, opening and operating a collective or cooperative; cultivating and distributing medical marijuana; recovering costs of operation; and getting back property seized by law enforcement officials are necessarily being resolved or refined through litigation. As cases work their way through the courts, judicial decisions often raise more questions than they answer.

Michel & Associates, P.C.'s attorneys are uniquely qualified to represent our clients in what is still a highly charged and dynamic political environment, one in which inadvertent violations can be all too common, and potential legal consequences unjustly severe.



PRACTICE AREA: CRIMINAL DEFENSE

Michel & Associates, P.C. has uncommon expertise in defending individuals and businesses against criminal charges. We pride ourselves in the depth of experience our attorneys possess from both sides of the criminal court bar. Several of our attorneys are former prosecutors who zealously handled the entire spectrum of criminal offenses in representing the government. Because of the real-world education our attorneys share with our firm, all of our lawyers hold prosecutors to the highest standard of conduct. In an increasingly politicized criminal courtroom environment, this is no easy task.

We represent clients in all criminal matters, from pre-filing advocacy through trial. We are specially recognized for handling environmental crimes, firearms violations, and white-collar defense. These areas are among the most challenging in the field of criminal law due to the political factors involved. We steadfastly hold the government to its burden of proof beyond a reasonable doubt, earning the gratitude of our clients and the respect of our peers for our strong advocacy in both state and federal courtrooms.

Environmental Crimes

Increased interest in protecting the environment has led to increased prosecution of business operators, owners and managers, and their employees for violating environmental regulations. With our attorneys' technical expertise and years of experience, we are uniquely suited to defend clients against these types of allegations in both criminal and civil court.

Firearm Offenses and Regulatory Compliance

Our work on behalf of firearm and accessory owners, retailers, wholesalers, and manufacturers facing criminal charges has garnered national recognition. Increasingly complex state and local laws regulating "assault weapons," "high-capacity" magazines, and "destructive devices"; laws governing concealed weapons; and other firearm regulations increasingly confuse police and prosecutors, not to mention the general public. The political climate and lack of technical expertise possessed by many police, prosecutors, and judicial officers makes successfully defending against these allegations particularly challenging.

Special Investigations/White-Collar Defense

White-collar crimes are criminal violations that occur in a professional business or government setting. In the last 15 to 20 years, governmental prosecutors have been aggressively pursuing alleged white-collar crimes in several different industries, while Congress and state legislatures have passed new laws to regulate and punish this conduct. Some of the areas being subject to increased scrutiny include the health care industry, government contracting, the firearms industry, campaign financing, and environmental crimes.

Defending clients in white-collar investigations or prosecution poses unique problems and challenges. Michel & Associates, P.C.'s attorneys are well-equipped to meet those challenges while serving businesses and individuals who face white-collar criminal allegations. Our attorneys understand, and are sensitive to, the public relations ramifications of these matters

and have significant expertise in environmental and firearm regulatory white-collar investigations and criminal defense. As trial lawyers and former prosecutors, our Criminal Defense practice group provides the skills and experience that add a critical element to our effective representation of clients. Our lawyers have tried numerous cases in state and federal courts, argued successfully before courts of appeal, and have been special counsel to a number of investigative commissions.

Our clients range from large corporations to small and emerging businesses. We represent high-profile individuals who have made their mark in business, public office, sports, and entertainment. We prize our ability to help our clients avoid problems before they become the subject of investigation, charges, or publicity. When appropriate and necessary, we have and can negotiate preindictment or pretrial settlements, including agreements that avoid any criminal sanction.

Clients recognize the value of requesting our assistance as a proactive measure and working with us to design and implement corporate-compliance programs to prevent and detect violations of criminal law. Similarly, knowing how prosecutors apply criminal laws in particular industries, we undertake compliance audits, draft and edit compliance plans, and assist in implementing those plans.

Juvenile Proceedings

With the recent passage of Proposition 21, California juvenile law has changed its emphasis from rehabilitation to punishment. These changes affect all children charged with crimes, and a juvenile conviction can affect a child for a lifetime. Our attorneys are qualified to deal with the unique issues that arise in juvenile proceedings. Now more than ever, it is crucial that children have effective, aggressive representation to protect their rights and preserve their futures.

A child facing criminal charges is also commonly facing school disciplinary proceedings too. Our attorneys are experienced in representing children both in court and at school disciplinary or expulsion proceedings, including in matters involving learning disabilities or other special needs where unique laws and procedures apply.

Medical Marijuana

Michel & Associates, P.C.'s lawyers use their specialized experience in a variety of legal fields to assist patients, caregivers, doctors, cooperatives, collectives, dispensaries, and others associated with the cultivation, distribution, and use of medical marijuana. Michel & Associates, P.C.'s attorneys typically assist our clients in business formation, licensing, permitting, tax collection, leasing of facilities, establishment and implementation of best management practices, interaction with and lobbying of state and local law enforcement and government representatives, seeking the return of seized property including marijuana, bringing civil actions to protect the rights of our clients, and defending against civil litigation and criminal prosecutions. For now at least, the federal government steadfastly refuses to recognize the medicinal value of marijuana, or even to acknowledge the difference between medical and recreational use of marijuana. So marijuana, including medical marijuana, is still illegal under federal law. But many states have enacted legislation that allows certain patients to use medical marijuana legally. In 1996, California voters approved Proposition 215, the Compassionate Use Act (CUA), allowing medical marijuana patients and their caregivers the right to cultivate and possess marijuana for medical use. And in 2003 the State Legislature passed Senate Bill (SB) 420, which gave the Attorney General the authority to clarify some aspects of the CUA.

Unfortunately, interpreting the often ambiguous Health & Safety Code provisions that set the CUA and SB 420 into law has proven to be extremely complicated and politically influenced. Legal interpretations of the CUA and SB 420 continue to evolve. In California, regulations and

opinions regarding the application of the medical marijuana laws vary widely between cities, counties, State agencies, and multi-jurisdictional agencies. As some jurisdictions resist allowing dispensaries to operate, legal issues concerning the identification and qualification of patients and caregivers; forming, opening and operating a collective or cooperative; cultivating and distributing medical marijuana; recovering costs of operation; and getting back property seized by law enforcement officials are necessarily being resolved or refined through litigation. As cases work their way through the courts, judicial decisions often raise more questions than they answer.

Michel & Associates, P.C.'s attorneys are uniquely qualified to represent our clients in what is still a highly charged and dynamic political environment, one in which inadvertent violations can be all too common, and potential legal consequences unjustly severe.

Know Your Rights When Encountering Law Enforcement. This booklet published by the ACLU addresses what rights you have when you are stopped, questioned, arrested, or searched by law officers.

What to do If You're Stopped by Police, Immigration Agents or the FBI. This travel sized booklet summarizes what you should do to protect your rights when you interact with law enforcement, and it can be conveniently carried on your person while you are traveling.

The NAACP Real World Guide to Interacting with Law Enforcement. This guide published by the NAACP provides helpful suggestions on how you should interact with law enforcement when you are on the street, in your car, or in your home.



PRACTICE AREA: ENVIRONMENTAL LAW

Increasingly complex environmental laws and challenging technical considerations confront practically every company doing business today. Michel & Associates, P.C. provides quality legal and technical services to those clients facing environmental issues in any regulatory or adversarial context.

Michel & Associates, P.C.'s attorneys represent small, medium, and Fortune 500-sized companies, as well as developers, natural resource management advocacy groups, and individuals. Michel & Associates, P.C. has assembled a unique team of individuals and consultants to achieve our clients' goals. Our attorneys, support staff, engineers, scientists, experts and public relations advisors provide support and expertise at every stage and on every level.

We counsel clients to develop and implement best-management practices and promote regulatory compliance to prevent environmentally based conflicts from arising in the first place. When conflicts are unavoidable, we focus on resolving environmentally based conflicts responsibly and efficiently.

We often handle Brownfield projects and work with clients on contaminated property characterization and remediation. Michel & Associates, P.C.'s attorneys and experts evaluate the nature and extent of site contamination, estimate remediation costs, and define the potential development value and potential investment return within the chosen legal strategy.

Our attorneys also have extensive experience with environmental legislation such as CERCLA, RCRA, CEQA, NEPA, Proposition 65, the Clean Air and Clean Water Acts, and the Endangered Species Act. We are familiar with the application of those laws in the regulatory context, in multifaceted environmental litigation, and in prosecuting or defending against civil and criminal charges alleging environmental violations.

Michel & Associates, P.C.'s attorneys have handled many environmental matters of national prominence, including the Exxon Valdez oil spill, the follow-up Chromium VI cases made famous by the "Erin Brokovich" movie, the Oil Superfund Site, the Denova Environmental Superfund Site, the Santa Margarita River adjudication, and Times Beach / Syntech chemical dioxin cost-allocation action.

Michel & Associates, P.C. has a long history of experience counseling clients in resolving environmental regulatory compliance matters and litigation, and also in the increasingly interrelated land use legal practice area. Michel & Associates, P.C.'s attorneys represent private and public landholders and developers before city councils, county boards, the State Coastal Commission, and other local, state and federal administrative bodies. We assist our clients in obtaining permits and other entitlements including general plan amendments, specific plans, zone changes, tract maps and development agreements. We also protect and advance

our clients' interests, including eminent domain concerns, by legislative advocacy before local, state and federal agencies.

Michel & Associates, P.C. has extensive experience in both environmental and land use issues. Our goal is to use our experience and knowledge to help our clients achieve their goals at a reasonable cost and in a manner consistent with good business practices. We use our experience and knowledge to help our clients plan proactively, identify their options, make wise choices, and achieve their objectives.



PRACTICE AREA: FIREARMS LAW

Michel & Associates, P.C. has one of the most recognized and well-respected firearms law practices in the nation. For years, we have helped our clients to achieve their goals.

Firearms law is a unique and challenging specialty. Our firearms law attorneys are former prosecutors, trial lawyers, retired state legislators, constitutional law professors, and authors of best-selling firearms law books and articles. Together, our group is unparalleled in firearms law and firearms-related litigation and advocacy.

Among other things, our attorneys appear at agency and legislative rule-making proceedings that impact firearm owner interests, assist in drafting firearms legislation, represent clients in firearm licensing matters, represent firearms manufacturers, wholesalers, and retailers in product liability litigation, defend against firearms-related criminal charges, and challenge ill-conceived or unconstitutional state laws and local ordinances in court.

Our clients include the National Rifle Association, the California Rifle and Pistol Association, law enforcement agencies and officers, industry trade associations, gun shows, importers, manufacturers, distributors, dealers, indoor and outdoor shooting ranges, special-effects companies, prop houses, armories, pyrotechnicians, and individuals who face firearms-related federal or state licensing and compliance issues or criminal charges. Michel & Associates, P.C. is Preferred Counsel for firearm retailer advocate FFLGuard for all California firearms issues including legislative advocacy, litigation, and regulatory compliance advice.

We constantly adapt our firearms law practice to respond to changes in firearms laws and the political environment. For example, the firearms law group now works closely with the firm's environmental and land use lawyers to advise shooting ranges on environmental concerns specific to such facilities. Those attorneys also work with hunters on game and natural resource management issues across the country.

California state statutes regulating firearm manufacture, distribution, sale, and possession now number more than 700. That number does not include regulations, local ordinances, and the written and unwritten policies of the California Department of Justice. As former California Attorney General Dan Lungren recognized, thanks to political influences California firearms laws are now as complex as the state's byzantine environmental and tax laws. Michel & Associates, P.C.'s attorneys are familiar with the confusing and often inconsistent firearms laws, and know how to cut through the red tape to achieve our clients' goals.

Whether challenging a law's constitutionality, advocating to invalidate or change a law, or simply determining the most cost-effective way to comply with it, our lawyers have been there. We know where to find answers when illogical, ill-conceived and poorly implemented laws do not provide them. We know the state and local requirements and politics. Our network of professional relationships includes politicians and political staffers, as well as staff at regulatory agencies administering firearms laws.

Our unique and extensive firearms law and litigation experience enables us to address increasingly complex regulatory schemes to meet our clients' legal needs.



PRACTICE AREA: GOVERNMENT ENTITY LAW

Michel & Associates has collectively more than 75 years of experience advising cities, municipal agencies, and other governmental entities, and litigating cases on behalf of governments. Michel & Associates attorneys have successfully won cases involving dangerous conditions of public property, law enforcement practices liability, employment liability, and other issues faced by government agencies every day.

Michel & Associates's list of clients includes dozens of government agencies, regional authorities, and municipalities. We have advised municipalities and other agencies about proper ordinance drafting, regulatory interpretation and implementation, labor relations, and other governance issues. We provide full "city attorney" services as well as counsel on discrete issues such as ordinance drafting, environmental and regulatory compliance, law enforcement best practices, and other ad hoc issues faced by cities, counties, and other agencies.

We also anticipate the ever-changing needs of local government as new laws take effect. We provide model policy and ordinance drafting services to address cities' needs for such policies as laws change and new circumstances arise.



PRACTICE AREA: LABOR AND EMPLOYMENT LAW

Michel & Associates, P.C.'s Labor and Employment Law practice group offers its business and municipal clients experienced, sophisticated, and cost-effective representation concerning all aspects of personnel-related legal matters. We offer comprehensive counseling to address the myriad unique legal issues employers of all types and sizes face today.

Michel & Associates, P.C.'s lawyers are fierce labor and employment law litigators. Our labor and employment law team prosecutes claims against former employees and competing businesses for theft of trade secrets and confidential information. We also represent employers who have been sued by employees or charged by state or federal government agencies for alleged violations of labor and employment laws. We assist our clients in defending against all manner of employee claims, including claims of unpaid wages and benefits, wrongful termination, discrimination, retaliation, harassment and workplace violence.

Whether brought by a government agency, an individual, or through an attempted class action, we provide our clients with aggressive and effective representation before courts, administrative agencies, arbitrators, and mediators.

We also offer comprehensive counsel on employment relationships to employers of all sizes across a wide business and industry spectrum. We advise our clients on all aspects of the creation, management, and termination of the employment relationship including recruitment and hiring, employee discipline, and severance procedures. We help employers comply with and enforce federal and state wage and hour laws, handle unemployment and disability claims, maintain appropriate employment insurance coverage, understand and comply with state and federal Occupational Safety and Health Act (OSHA) regulations, implement drug testing programs when appropriate, comply with employee privacy protections, and comply with the Americans with Disabilities Act (ADA).

Our attorneys help prevent problems by helping clients establish appropriate policies and procedures, design training programs, and conduct follow-up audits to ensure continuing regulatory compliance. We can educate and guide you through the maze of federal and state regulatory employment and labor laws, and provide you with aggressive and effective representation when you need it.



PRACTICE AREA: LAND USE LAW

Michel & Associates, P.C.'s land use law practice group addresses the complicated legal interrelationship between real property rights and land usage restrictions. Conflicts between these interests routinely arise from real estate development and use in California, particularly along its coastline. Michel & Associates, P.C. offers complete services to its land use clientele, allowing us to tailor our representation to each client's needs, budget, and goals.

Our land use clients include municipalities, landowners, real estate developers, natural resource management advocacy groups, and others affected by land use issues. We represent our clients before planning commissions, city councils, county boards, the California Coastal Commission, and before other local, state and federal administrative, legislative and judicial authorities.

Land use disputes are as varied as the plots of land from which they spring. Michel & Associates, P.C. develops specific strategies for each client and each property. Land use projects often involve many discrete but interrelated elements, including administrative proceedings, negotiation, coalition building, geological and environmental investigation, permitting, compliance advice, legislative lobbying, public relations, civil planning and increasingly, litigation. Michel & Associates, P.C.'s attorneys help our clients coordinate these elements to their advantage.

Michel & Associates, P.C.'s role in land use matters is frequently preemptive, avoiding costly and time-consuming litigation if possible. To that end, Michel & Associates, P.C.'s land use law practice group assists clients to obtain conditional use, coastal development, and other permits. And we help our clients negotiate and obtain general plan amendments, zoning changes, approval of tract maps, development agreements, and other specific plans.

Early resolution of land use issues often turns on discretionary decision-making by regulators. Michel & Associates, P.C.'s expertise and our professional relationships and experience with government regulators works to our clients' advantage.

When litigation is called for, Michel & Associates, P.C.'s land use law practice group includes practitioners experienced in various aspects of land use law litigation, including declaratory relief actions, contribution and cost-recovery suits regarding environmental damage to real property, takings claims, condemnation actions, writs of mandate, and defense against allegations of regulatory violations.

Land use legal challenges often involve state and federal environmental laws. Because of our environmental law experience, Michel & Associates, P.C. is uniquely positioned to advise clients on both the land use and environmental aspects of a case, creating a synergy that is both substantively important and financially beneficial.

Michel & Associates, P.C. is prepared to resolve any land use issues our clients may have, and we tenaciously strive to achieve each client's goals despite the procedural and political hurdles that may arise.



PRACTICE AREA: PERSONAL INJURY LAW

Our personal injury practice is led by experienced litigation attorney Joseph Di Monda. During his decades of experience as a personal injury attorney, Mr. Di Monda has obtained tens of millions of dollars in settlements and judgments for his clients. He is a member of the prestigious Million Dollar Advocates Forum. He's also made favorable case law for personal injury and insurance company victims in two published California Court of Appeal decisions.

Mr. Di Monda is no stranger to intense legal battles, especially with insurance companies. Defendants facing his legal claims know about the \$20 million dollar judgment he obtained in a motorcycle accident. And they know that Joe obtained a \$24 million dollar judgment on behalf of a client seriously injured in an auto accident.

Other past injury awards include: \$13.8 million for a pedestrian in one car collision and \$5 million for another pedestrian in another collision, \$44.5 million for a swimming pool injury and \$11 million for another swimming pool injury, \$11 million for homeowners in a construction defect case, \$6 million in an insurance fraud case, \$16 million for an insurance coverage dispute, \$1.9 million for a work injury, and \$6.75 million for an industrial injury.

While past results are no guarantee of future performance, you can rest easy knowing that our personal injury attorneys will fight relentlessly to get the highest compensation possible for your or your loved one's personal injury claims. We represent all serious injury accident victims, including victims of car accidents, motorcycle accidents, truck accidents, bus accidents, bicycle accidents, pedestrian accidents, dog bites, slip and fall accidents, wrongful death, burn injuries, spinal cord injuries, and brain injuries.



PRACTICE AREA: SHOOTING RANGE LAW

Michel & Associates, P.C. is perhaps the only law firm in the country with the diverse experience in the areas of firearms law, land use law, environmental law, and insurance law that allows us to comprehensively address the challenges that shooting ranges face today.

Michel & Associates's lawyers advise ranges on proper clean-up, remediation, reclamation, and recycling of spent lead ammunition, cartridges, hulls, wads and targets on-site or off-site under RCRA, CERCLA, or other applicable laws. If lead has migrated off-site for any reason, we can advise on or litigate appropriate actions necessary to clean-up or remediate environmental issues to the satisfaction of regulatory agencies. Michel & Associates's attorneys also work with a panel of experts to develop an individualized Environmental Stewardship Plan (ESP) to manage lead on-site and to prevent lead from migrating off-site.

Michel & Associates's attorneys also aggressively defend our range clients from attempts by anti-gun groups, political activists, and NIMBYS to shut down shooting ranges. Our insurance law expertise allows us to maximize the potential for obtaining insurance coverage to cover litigation or regulatory compliance expenses.

Michel & Associates's attorneys also represent and advise clients on permitting, licensing, and zoning issues involving state, county, and local municipalities related to shooting range operations. Our attorneys further advise shooting ranges on range design and safety measures to address noise ordinance violations compliance, and to ensure safe operation of the range to prevent potential liability from regulatory actions or civil litigation.

Our attorneys advise clients on leases, corporate structure, and proper corporate documents to maximize protection for shooting ranges, and to protect and minimize risk of liability to officers, directors, members and range personnel. We also assist ranges in negotiating lease extensions well before their expiration, utilizing range improvements for leveraging long-term leases.