

# Robert CECCON

## Shareholder

### LOS ANGELES

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Robert Ceccon is one of RWG's most experienced litigators. He has taken over 25 cases to judgment as lead counsel in trials in both state and federal courts, and has arbitrated dozens more. He has argued before the California Court of Appeal. His over three decades of experience have spanned the entire range of tort liability and damage claims against public agencies, including inverse condemnation, solid waste, police practices, employment claims, wrongful death claims, and dangerous conditions. He has achieved significant victories for his clients in complex multi-party cases where millions in compensatory or punitive damages were at stake. Bob serves as RWG's Litigation Department Chair. He is co-author of California Government Tort Liability Practice, which California Courts of Appeal have cited hundreds of times.

Bob is a natural trial attorney. He attributes his success to some of the skills he learned growing up in Boston's South End: thinking on his feet, anticipating problems quickly, and utilizing the art of persuasion. Bob combines people skills with the most current audiovisual courtroom techniques to paint a vivid picture that brings the facts of a case to life for a judge or jury.

Bob never shies away from a tough case. When the County of Ventura needed an experienced trial lawyer to defend it in the La Conchita landslide cases alleging 10 deaths and tens of millions of dollars in claimed damages, it called Bob. More recently, the City of Brea asked Bob to defend it in an excessive force case brought by the family of a criminal suspect fatally wounded in an officer-involved shooting. Bob and his trial team prevailed using the same tools they apply in every case: thorough investigation, persuasive writing and tireless commitment to the client.

### PRACTICE AREAS

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Litigation  
Municipal & Public Agency  
Law

### FOCUS AREAS

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Inverse Condemnation

### EDUCATION

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J.D., University of California,  
Los Angeles, School of Law

B.A., Columbia University

## WORK FOR CLIENTS

Bob has represented the cities of Barstow, Beverly Hills, Brea, Buena Park, Calimesa, Carson, Compton, Hesperia, Indio, Lynwood, Malibu, Oceanside, Palmdale, Pasadena, Rancho Cucamonga, Redondo Beach, Rialto, Stanton, Temecula, Upland, West Hollywood, and the County of Ventura.

## HONORS & AWARDS

Los Angeles Daily Journal, Top Verdicts of 2013 (San Bernardino County Flood Control District v. City of Upland)

## PROFESSIONAL AND COMMUNITY AFFILIATIONS

Los Angeles County Bar Association

## EXPERIENCE

## HIGHLIGHTED REPRESENTATIONS

- ▶ ***Windeler v. County of San Luis Obispo***. Bob represented the County of San Luis Obispo in a lawsuit brought by the owners of vacant lots in the town of Cambria. The County of San Luis Obispo denied plaintiffs' applications to build on their lots because plaintiffs could not show they had adequate (or any) water to support development. Plaintiffs claimed this violated their rights under the takings and due process clauses of the U.S. Constitution, and the sued for more than \$1,000,000 in damages. After a two-week trial, the District Court ruled in favor of the County and held, among other things, that plaintiffs were merely potential water users who had no compensable right to connect to the public water system.
- ▶ ***Fishback v. County of Ventura***. Bob represented the County of Ventura as lead trial counsel in this significant environmental protection case involving illegal dumping of 8,000 truckloads of unpermitted construction debris into the canyons above Simi Valley, California. Bob obtained judgment in favor of the county ordering defendants to clean up all unpermitted fill material, and to pay \$21.7 million in statutory penalties to the county — the maximum statutory penalty under the Public Resources Code. This case represents the first California case of statutory penalties ever awarded for illegal disposal of solid waste.
- ▶ ***Alvis v. County of Ventura***. Bob represented the County of Ventura as a lead trial counsel in defense against two lawsuits brought by over 80 plaintiffs in connection with the 2005 landslide in La Conchita, California that resulted in 10 deaths and destruction of 16 homes. Bob prevailed against damage claims based on theories of dangerous condition of public property, wrongful death, nuisance, and inverse condemnation resulting from alleged negligence in approving plans for a retaining wall intended to protect against such a landslide. The Court granted summary adjudication in favor of the county based on design immunity and substantial evidence that

the county reasonably approved the design of the wall. The ruling, which resulted in dismissal of all personal injury claims, is the first appellate decision in 2 decades to address the approval element of design immunity, and clarified the type of defects that can be claimed a changed condition.

- ▶ ***Dunex, Inc. v. City of Oceanside***. Bob represented the City of Oceanside as lead trial counsel in connection with an inverse condemnation lawsuit involving mobile home law in the context of a mobile home park conversion to residential ownership in the Coastal Zone, which is subject to regulation under the Coastal Act. The suit alleged that the city's mobile home rent control ordinance resulted in a taking that caused at least \$30 million in damages. The Court ruled in favor of the city, holding the plaintiff could not prove a claim because it had made a reasonable return on investment for the plaintiff.
- ▶ ***Collender v. City of Brea***. Bob represented the City of Brea and its police officer as lead trial counsel in connection with an officer involved fatal shooting of an unarmed man. The decedent was alleged to have committed an armed robbery and was reaching towards his pocket when the officer attempted to arrest him. The shooting was captured on video. Plaintiffs claimed that the city defendants used excessive force. The jury deliberated for less than a day and found in favor of defendants.
- ▶ ***Pedersen v. City of Temecula***. Bob represented the City of Temecula in an lawsuit brought by a plaintiff who alleged that he tripped and fell on City property, and sustained fractures of his C-4 and C-7 vertebrae. The City argued that the accident did not occur as plaintiff claimed, that plaintiff did not trip and fall on City property, and that the property in question was not a dangerous condition. Following a 6-day jury trial, plaintiff requested that the jury award \$1,300,000 in damages. The jury deliberated for less than 30 minutes, found that the property where plaintiff alleged he fell was not a dangerous condition of public property, and returned a verdict in favor of the City.

## SAMPLING OF PUBLISHED APPELLATE VICTORIES

- ▶ ***Huckey v. City of Temecula (2019) 37 Cal.App.5th 1092***. Plaintiff alleged that he tripped and fell over a sidewalk slab displacement measuring approximately 1.25", and that he sustained a brain injury as a result of the fall. In a landmark decision, the Court of Appeal held that the 1.25" sidewalk rise was a trivial defect, and upheld the granting of summary judgment in the City's favor.
- ▶ ***Mercury Casualty Co. v. City of Pasadena (2017) 14 Cal.App.5th 917, reh'g denied, review denied 11/15/17***. Inverse condemnation case involving damage from a tree that fell in a severe windstorm. The appellate court reversed judgment for Mercury after a trial, and ordered judgment to be entered for city, because the tree that fell was not a work of public improvement as "there was no evidence it was planted as part of a planned project or design serving a public purpose or use."
- ▶ ***Alvis v. County of Ventura (2009) 178 Cal.App.4th 536***. In the La Conchita landslide litigation brought by over 80 plaintiffs, the appellate court affirmed the design immunity defense to plaintiffs' claim for dangerous condition of public property, finding that the county's discretionary approval of construction of a wall was sufficiently

informed and the design was sufficiently reasonable for design immunity, and no changed condition defense to design immunity applied.

## NEWS

RWG Litigation Victory for Our Client

12.04.2023

Design Immunity Does Not Protect Against a Failure to Warn of a Dangerous Condition

05.22.2023

A Plaintiff Cannot File a Lawsuit Against a Public Entity Before the Entity Rejects a Government Claim

11.02.2020

Published Court of Appeal Decision Holds That Sidewalk Slab Rises of up to One and One-Half Inches Are Generally Trivial Defects as a Matter of Law

07.29.2019

Court of Appeal Holds That a One and One-Quarter Inch Sidewalk Slab Rise Is A Trivial Defect

07.11.2019

Local Public Entities Have "Unambiguous Power" to Impose Their Own Claim Presentation Requirements

04.03.2018

U.S. Supreme Court Clarifies Probable Cause Standard for Warrantless Arrests

02.02.2018

Police Officer Entitled to Qualified Immunity Unless It is "Beyond Debate" that Conduct Violated Clearly Established Law

12.07.2015

Public Entity Immune From Liability To Plaintiff Injured By "Tree Swing" On Public Property

11.24.2015

## PRESENTATIONS

Join RWG at the Eminent Domain Institute's Annual Conference

Eminent Domain Institute, 03.05.2020

Taking and Defending Depositions in Law Enforcement Excessive Force Actions  
06.28.2019

Avoiding Liability for Falling Trees in Urban Forests  
California League of Cities: Public Works Officer Institute, 04.04.2019

City Trees and Urban Forests – Understanding Inverse Condemnation Liability  
California League of Cities: City Attorneys' Conference, 04.03.2018

Trial Debriefing: *Collender v. Brea*  
09.07.2016

Taking and Defending Depositions  
09.07.2016

How to Prepare and Present an Opening Statement  
09.07.2016

How to Move for Summary Judgment  
09.07.2008

## PUBLICATIONS

City Trees and Urban Forests: Understanding Inverse Condemnation Liability  
*California Special Districts, Volume 14*, Mar-Apr 2019

Handling Claims Against Government Entities: Here's How and When to Do It  
*Action Guide, Continuing Education of the Bar - California*, 2018

California Government Tort Liability Practice (Co-Author)  
*Continuing Education of the Bar - California*, 2014