



## Charles V. Berwanger

### PARTNER

San Diego

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### RELATED SERVICES

- Real Estate
- Appellate
- Government Investigations & Enforcement Defense
- Cannabis, Hemp & CBD
- Commercial Litigation
- Estate & Trust Litigation
- Community Associations

### OFFICES

- San Diego
- Irvine
- Los Angeles

### OVERVIEW

Charles V. Berwanger is a Partner and Co-Chair of the firm's Real Estate Practice Group. Charles specializes in real estate, land use, environmental and business dispute resolution and litigation. His real estate expertise includes resolving real estate disputes through mediation, litigation and appeals.

A sample of the types of matters Charles handles includes:

- Easement-related disputes including reciprocal parking easements; access easements; easement surcharge; and prescriptive easements.

- Environmental-related disputes involving the California Environmental Quality Act; the Clean Water Act and related statutes and regulations; and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and related statutes.
- Purchase and sale agreements and disputes arising out of them.
- Commercial leases and disputes arising out of them.
- Land use issues at the administrative and litigation phases.
- Coastal Act issues at the administrative and litigation phases.
- Negotiation of settlement agreements regarding development entitlements.
- Eminent domain matters on behalf of condemners and condemnees.
- Homeowner association disputes.
- Partnership disputes relating to real estate transactions.
- Earth movement and flood litigation.

Charles' experience includes representing public agencies and property owners giving him a broad perspective and understanding of the dynamics of agencies and owners.

Charles has represented public agencies including the Cities of Signal Hill, Norwalk, San Dimas, Cerritos, Beverly Hills, and San Diego. The representations have included administrative and traditional mandamus proceedings relating to land use and related regulations; eminent domain; inverse condemnation; abatement of pornography; and permitting.

With substantial trial and appeal experience, Charles helps clients resolve their disputes with litigation as but one element to the dispute resolution process, the goal being cost effective dispute resolution.

In addition, Charles is a Deputy Special Prosecutor for the State Bar of California and has served as a Lawyer Representative to the Ninth Circuit from the United States District Court for the Southern District of California.

## **REPRESENTATIVE EXPERIENCE**

### **Representative Experience**

- *Paulson v. City of San Diego*, 294 F. 3d 1124 (9th Cir. 2012) (Mr. Berwanger represented the Mount Soledad Memorial Association in its effort to continue to operate a veteran's memorial atop Mt. Soledad in La Jolla, Ca.)
- *United States v. 1.377 Acres of Land*, 352 F. 3d 1259 (9th Circuit, 2003) (Mr. Berwanger persuaded the court to award condemned hotel tenant goodwill compensation as provided by lease.)
- *City of Chula Vista v. County of San Diego* (1994) 23 Cal. App. 4th 1713 (Mr. Berwanger represented City in an action to abate a hazardous waste transfer and treatment facility.)

- City of Signal Hill v. Owens (1994) 154 Cal. App. 3d 119. (Mr. Berwanger represented the City to enforce its massage parlor land use regulation.)
- Great Lakes Properties v. City of El Segundo (1977) 19 Cal. 3d 152 (Mr. Berwanger represented property owners on this appeal relating to interpretation of the California Coastal Zone Conservation Act of 1972.)
- City of Rancho Palos Verdes v. City Council at Rolling Hills Estates, 547 F.2d 1092 (9th Cir. 1976) (Mr. Berwanger represented Palos Verdes Properties in this action challenging its proposed development based on the California Environmental Quality Act.)
- Rancho Palos Verdes Corp. v. City of Laguna Beach, 390 F. Supp. 1004 (C.D. Cal. 1975) (Mr. Berwanger represented Corp. in an action under 42 U.S.C. §§ 1983 seeking damages for the taking by City of Corp.'s land within City through open space zoning.)

## CREDENTIALS

### Admissions

- California Supreme Court
- U.S. Supreme Court
- U.S. Court of Appeals, Federal, Fifth and Ninth Circuits
- U.S. District Court, Eastern, Northern, Central and Southern California Districts

### Memberships

- State Bar of California – Chairperson, Litigation Section; Real Property Section, Co-Chair
- Association of Business Trial Lawyers of San Diego, Chairperson
- City Ballet of San Diego, Board Member
- American Youth Hostels, Board Member
- San Diego County Bar Association, Legal Ethics Committee
- Deputy Special Prosecutor for the State Bar of California Enforcement Unit
- San Diego River Park Foundation Board Member
- Wallace Inn of Court, Master and Treasurer
- Enright Inn of Court, Master
- Ethics Committee, San Diego Bar Association, Member
- Mount Soledad Memorial Association, Counsel
- NCCA Small College Tennis Championship Team Member

### Education

- J.D., University of Southern California Law School, 1969
- B.A., Political Science, California State University, Los Angeles, 1966

## Honors

- Top Rated Lawyer-AV® Preeminent™, Martindale-Hubbell
- Top Rated Lawyer in Real Estate
- *Super Lawyers*® distinction in the fields of Business Litigation, Appellate and Real Estate (2007-2016)
- Top Lawyer in San Diego, Real Estate (*San Diego Magazine*, 2017)
- *Best Lawyers in America*® distinction in Commercial Litigation (2020-2025), Eminent Domain and Condemnation Law (2023-2025)