



KELI N. OSAKI

Attorney

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San Bernardino, California

Keli Osaki is an Of Counsel attorney who works out of our San Bernardino office where her practice focuses on land use, real estate and business litigation. She has extensive experience in a wide range of matters, including representing project applicants and public agencies during all phases of litigation, such as appeals, with a focus on issues arising under the California Environmental Quality Act, the State Planning and Zoning Law and initiative and referendum law as they relate to land use matters.

She also provides her clients with oversight to ensure that environmental review and development approvals are legally defensible.

In addition to land use litigation, Keli has over 20 years of experience in a wide range of real estate and business litigation matters.

EDUCATION

- J.D., *magna cum laude*, Pepperdine University School of Law
- B.A., University of California, Los Angeles

AREAS OF PRACTICE

- Real Estate
- Business Litigation
- Land Use

REPRESENTATIVE MATTERS

- CREED-21 v. City of Wildomar – Represented developer in a CEQA challenge to a superstore project. The Court of Appeal upheld terminating sanctions against the petitioner based on its flagrant violations of discovery on the issue of whether the petitioner had standing to bring its lawsuit.
- Foothill Communities Coalition v. County of Orange – Represented developer. The Court of Appeal ruled in favor of the developer finding that spot zoning can be found where an isolated parcel is zoned either more or less restrictively than the surrounding

property. The Court further found that Orange County's rezoning decision was supported by sufficient evidence and was thus not unlawful spot zoning.

- *Habitat Trust for Wildlife Inc. v. City of Rancho Cucamonga* – Represented developers. The Court of Appeal rejected petitioners' claims that the city, developers and San Bernardino County had collaborated to deny the environmental groups' right to own the subject property. In so doing, the court held that there was nothing improper about the city's method of deciding who could own mitigation land; that the environmental groups had no constitutional right to the land; and that the developers had not breached a contract they had with the groups. The court also upheld an award of \$954,000 in attorney fees and legal costs to the developers.
- *Hernandez v. Town of Apple Valley* – Represented developer. The Court of Appeal reversed the trial court's holding that a retail developer's Initiative Measure ("Initiative") to create a Specific Plan violated Article 2, Section 12 of the California Constitution. The Appellate Court ruled that the Initiative did not violate the state constitution prohibiting naming any "private corporation to perform any function or to have any power or duty," even though the subject property was owned by a single developer that was a private corporation and was familiar to the electorate, where the Initiative did not specify the name of the developer, and the Initiative would grant the same rights to any new developer or owner if the property was sold.

AWARDS AND HONORS

- Recipient of 2009 ACLU Religious Liberty Award. Keli obtained land use approvals for a Buddhist congregation in Garden Grove through a settlement agreement after a federal judge issued a temporary restraining order against the city pursuant to the Religious Land Use and Institutionalized Persons Act
- Pepperdine Law Review, Senior Staff Member 1993-1995

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, California Women's Leadership Association
- Member, Pepperdine Alumni Affairs
- Member, Orange County Asian American Bar Association
- Member, Orange County Bar Association

ADMISSIONS

- California