



THIELE ROBIN DUNAWAY

Director

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Oakland, California

Robin handles a range of state and federal civil litigation matters, including matters related to business disputes, land use, natural resources, climate change, and appellate advocacy. Pragmatic, diligent, and tenacious, Robin provides trusted counsel to clients, is skilled at investigation and assessment, and is highly experienced at achieving successful outcomes.

Litigation

With a focus on appellate work in state and federal courts, Robin is experienced litigating a broad range of issues, including complex business matters involving real property, contracts, business tort claims, and bankruptcy issues.

She has significant experience litigating disputes involving commercial loan documents, deeds of trust, title to real property, various business contracts, as well as trust and probate instruments. She has also handled matters related to public agency contracts and the Brown Act "open meetings" law.

Land Use Compliance and Litigation

Robin is experienced in disputes concerning land use permitting. Her land use litigation and compliance work includes cases involving the California Environmental Quality Act (CEQA), the Subdivision Map Act, Section 404 permitting under the Clean Water Act, the public trust doctrine, the Endangered Species Act (including Section 7 consultations), and the National Environmental Policy Act (NEPA).

EDUCATION

- J.D., University of California, Berkeley, School of Law
- A.B., cum laude, Phi Beta Kappa, Augustana College, Rock Island, Illinois

AREAS OF PRACTICE

- Business Litigation
- Estate Litigation
- Government Relations & Regulatory
- Land Use

REPRESENTATIVE CASES

- Represented client in application for water quality certification under Section 401 of the Clean Water Act
- Represented client in working with Army Corps of Engineers to establish a wetlands mitigation bank, including preparing requisite agreements
- Represented public and private sector clients regarding compliance with the Ralph M. Brown Act open meeting law
- Represented public agencies in defending claims subject to the Government Claims Act and prosecuting claims for breach of contract
- Represented wholesaler in claim for breach of requirements contract, including the enforceability of a liquidated damages provision
- Represented beneficiary with respect to trust claims, including issues of undue influence and applicability of a no-contest clause
- Represented landowner in CEQA action challenging the county's approval of Specific Plan amendments, the environmental impact report and development agreement for a large commercial and residential project on neighboring property
- Represented real party in interest and worked with city to defend city's reliance on CEQA exemptions in approving a mixed-use, transit oriented infill development project
- Represented developer and worked with city in the preparation and approval of a joint EIS/EIR for a large residential and commercial development project on real property transferred pursuant to the Defense Base Realignment and Closure Act
- Represented real property owners in secured transactions and foreclosure disputes
- Represented client in dispute involving the State's claim that real property was subject to the public trust

Representative Appellate Decisions

- *Sandy v. Superior Court* (1988) 201 Cal.App.3d 1277, which concerned interpretation of a statute establishing a ten-year statute of limitations for latent construction defects.
- *State Water Resources Control Board v. Office of Administrative Law* (1993) 12 Cal.App.4th 697, which involved the issue of whether certain regulations had been adopted in compliance with California's Administrative Procedures Act.
- *Greenwich S.F., LLC v. Wong* (2010) 190 Cal.App.4th 739, which involved the issue of whether lost profits were properly awarded to the buyer after a seller breached a real property sales agreement.

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, Alameda County Bar Association
- Member, American Water Resources Association

ADMISSIONS

- California