

# Daily Journal

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## Gaines & Stacey LLP

By Susan McRae

ENCINO - As far back as high school, Fred Gaines remembers being interested in two things: law and politics.

That combination became the mainstay of Gaines & Stacey LLP, a land use boutique practice he and Sherman Stacey launched 15 years ago in the San Fernando Valley.



In the years since, the partners have grown the firm from three to seven lawyers, all of whom share a passion for land use and environmental law. That outlook is reflected in their success rate before local city councils, planning commissions and the powerful California Coastal Commission on behalf of clients with disputes over property rights.

Their achievements didn't come about by accident.

Gaines' background is an example.

A political science major at UCLA, where he served as student body president, Gaines won a fellowship to Harvard University's John F. Kennedy School of Government. His master's thesis adviser was former Massachusetts Gov. Michael Dukakis. Three years after graduating, Gaines was attending UC Berkeley School of Law when he got a call asking if he'd help on Dukakis' 1988 presidential campaign, an experience that he said further fueled his interest in politics and the law.

After law school, Gaines joined Manatt, Phelps, Rothenberg & Phillips LLP, where he worked under the supervision of Mickey Kantor, who went on to chair the 1992 Clinton-Gore campaign and then was appointed U.S. trade representative.

Three years later, Gaines joined Reznik & Reznik, one of the San Fernando Valley's premier land use firms, where he became a partner and chairman of the firm's land

use group.

While there, he co-represented a client with Stacey, an outside counsel who'd gone straight from law school into solo practice. The complicated case involving undeveloped beachfront property in Malibu continued through the bulk of Gaines' tenure at Reznik. By the time it was over, the lawyers had gone through five administrative decisions by the coastal commission and five court trials ranging from one to three weeks.

They'd also decided to form their own partnership.

"I'd been at the firm for nine years and decided I'd like to practice with Sherman and have this [land use] focus," Gaines said.

As for Stacey, he'd been practicing on his own since 1975. His wife, Nanci Sessions-Stacey, was about to graduate from law school, and he was looking for a small firm where they could practice together. The Staceys work out of the firm's Newport Beach office near where the couple live.

Lisa A. Weinberg and Rebecca A. Thompson, both of whom had worked with Gaines at Reznik, joined the firm shortly thereafter. Mothers with young children at the time, they said one of the big draws besides the firm's size and focus was its family-friendly environment and flexible working conditions.

Weinberg, who focuses on land use and real estate-related litigation, came aboard as a partner a few months into the Gaines firm's launch. Thompson, also a partner, focuses on environmental contamination cases involving abandoned or underused properties, formerly sites of gas stations and dry cleaners, negotiating with regulatory agencies before the land can go up for resale.

The firm also employs two associates. Alicia B. Bartley specializes in real estate, land use, zoning and environmental law. In keeping with the firm's culture of community involvement, she serves on the Sherman Oaks Neighborhood Council land use committee and helped organize last year's annual Great Los Angeles River Clean Up.

Kimberly A. Rible specializes in land use and environmental law and related litigation. She's a member of the Urban Land Institute San Diego/Tijuana and Valley Industry and Commerce Association.

As for Gaines, now that his children are grown, he said he has time to pursue politics of his own. Last year, he was elected to the Calabasas City Council, where he lives and is now its mayor pro tem.

Aside from being barred from handling any matters in Calabasas, he said the position has its advantages. The city council benefits from having a member with land use and zoning expertise, he said, and being on the council has opened doors for him to work on cases that involve city politics.

Lobbying is also an important part of the practice, Gaines said. As such, the lawyers meet regularly with elected officials, government agencies and community

groups to drum up support for clients' projects.

"I always like to say that land use is half law and half politics," said Gaines, who's also working on the campaigns of Wendy Greuel and Dennis Zine for Los Angeles mayor and city comptroller, respectively. "Whenever you're standing in front of a planning commission or city council or the coastal commission, the political situation you find yourself in is equally important to the substantive law and facts you're trying to apply to the case.

"So having a knowledge of those political aspects and to use that as your lobby and advocate for clients is a very important part of the work."

Stacey has gone before the coastal commission more times than any private lawyer in the commission's history, he and Gaines said. And Stacey has won a lot of those cases. Several involve the thorny issue of allowing businesses or homeowners on oceanfronts or hillsides to protect their property against erosion. The commission's position is that land should be left in its natural state, Stacey said, adding that getting the agency to make concessions is extremely difficult.

Gaines also has his plate full representing a half-dozen school districts in various stages of expansion. In the past year, he's also prevailed in allowing grocers Vons and Pavillons to expand and open stores. He's also working on several major hotel projects, including the building of a luxury hotel in Malibu.

Just because the firm is small, the lawyers said, doesn't preclude them from working on big projects, though the bulk of their work is confined to the local area.

"This is the kind of work we like to do and that keeps us busy," Gaines said. "We're always looking for new and interesting projects, but we're happy being in a small-firm environment."