

MATTHEW B. NAZARETH

OF COUNSEL

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English



Matthew Nazareth is an experienced litigator working with government and private entities to resolve their most pressing crises and disputes.

He participates in all aspects of litigation in California state and federal courts, as well as appeals in the California Courts of Appeal and Ninth Circuit Court of Appeals. His litigation experience includes defense of class actions, complex coordinated proceedings, and serving as second chair at jury and bench trials.

Matthew has handled litigation matters in a variety of areas of substantive law, including catastrophic disasters such as wildfires, floods, and landslides; inverse condemnation; dangerous condition and related torts; governance and public policy matters such as Brown Act compliance, Public Records Act compliance, and quo warranto; Section 1983 claims; First Amendment; breach of contract; residential and commercial real estate; unfair competition law; trade secret misappropriation; FDCPA; discrimination; independent contractor misclassification; and the Americans with Disabilities Act. He has also advised and counseled on employment law issues, including employee handbooks, wage and hour, hiring, and termination issues.

Matthew handles pre-trial litigation, discovery, and dispositive motion practice, mediation and settlement conferences, and trial. In addition, Matthew handles appellate litigation, with experience in California and federal courts, petitions for writ of mandate, petitions for supersedeas, and merits briefing in the California Supreme Court.

Matthew also worked in the Federal Pro Se Clinic of Public Counsel of Los Angeles, where he performed intake and gave procedural advice to pro se litigants and conducted settlement conferences.

After graduating from law school, Matthew clerked for Chief Magistrate Judge Suzanne H. Segal of the District Court for the Central District of California.

EDUCATION

New York University, School of Law,
JD, 2011

University of California at Los
Angeles, BA, Political Science, 2008

ADMISSIONS

California, 2011 – Bar No. 278405

U.S. District Court, Northern District
of California

U.S. District Court, Central District
of California

U.S. District Court, Eastern District
of California

U.S. District Court, Southern District
of California

U.S. Court of Appeals for the Ninth
Circuit

Supreme Court of the United States

PRACTICE AREAS

Trial & Litigation

Commercial Litigation

PROFESSIONAL & COMMUNITY AFFILIATIONS

- The State Bar of California, Member (2011–Present)
- California Lawyers Association, Public Law Section, Member
- South Asian Bar Association of Southern California, Member

Crisis Management

Eminent Domain & Inverse
Condemnation

First Amendment

Writs & Appeals

Labor & Employment

PRESENTATIONS & PUBLICATIONS

- Author, [“Failure to Comply with Claims Presentation Requirement Cannot be Cured After Lawsuit is Served on a Public Entity”](#) – *Meyers Nave Client Alert* (June 9, 2026)
- Author, [“Ninth Circuit Clarifies Mootness Exceptions for Covid-19 Litigation”](#) – *Meyers Nave Client Alert* (June 17, 2022)
- Author, [“Ninth Circuit Upholds COVID-19 Closure and Capacity Limits on Summer Water Park”](#) – *Meyers Nave Client Alert* (July 16, 2021)
- Author, [“Gallagher v. Newsom – California’s Third District Court of Appeal Upholds Governor Newsom’s Broad Authority to Issue Executive Orders During the COVID-19 Emergency”](#) – *Meyers Nave Client Alert* (May 7, 2021)
- Author, [“One Year In: Recent Shelter In Place Litigation Roundup”](#) – *Meyers Nave Client Alert* (March 16, 2021)
- Author, [“U.S. Supreme Court Overturns California’s Ban on Indoor Religious Services but Leaves Open Singing/Chanting Ban”](#) – *Meyers Nave Client Alert* (February 9, 2021)
- Author, [“Shelter-in-Place Litigation Update: Ninth Circuit Affirms California’s Temporary Restrictions on Indoor Worship Services While Invalidating 100/200 Person Numerical Caps”](#) – *Meyers Nave Client Alert* (January 29, 2021)
- Author, [“SCOTUS Blocks New York’s COVID-19 Limits on Houses of Worship: California is Next for SCOTUS with Harvest Rock Church v. Newsom”](#) – *Meyers Nave Client Alert* (November 30, 2020)

REPRESENTATIVE EXPERIENCE

Disaster and Inverse Condemnation Actions

- **City of Pasadena – Eaton Fire.** Currently represent the City of Pasadena in connection with cross-claims alleged by Southern California Edison (SCE) for indemnity and contribution as to thousands of claims brought by individual, subrogation, and public entity plaintiffs against SCE. Although none of the victims brought claims against the City of Pasadena, SCE’s cross-complaint attempts to shift liability to the City of Pasadena for alleged deficiencies in its water system that was used to fight the

devastating Fire and sought indemnity from the City in excess of \$10 billion. Meyers Nave secured a complete dismissal of the cross-claims against the City of Pasadena on demurrer at the trial court.

- **County of Santa Barbara – *Whiting v. County of Santa Barbara*.** Represented the County of Santa Barbara in connection with claims by plaintiff homeowners and residents whose properties were damaged in severe flooding in the Orcutt area following a significant storm. The plaintiffs alleged the County's retention basins and roadways were improperly designed or maintained, causing the flooding. Following Meyers Nave's filing of a motion for summary judgment supported by expert analysis, Meyers Nave negotiated a favorable settlement of all the plaintiffs' claims.
- **County of Orange – *Airport Fire*.** Currently represent the County of Orange in connection with allegations by individuals stemming from the Airport Fire in 2024. Working with experts and investigators on determining the cause of the Fire. Handling government claims filed by entities and individuals, including successfully mediating claims by dozens of homeowners and tenants.
- **County of Los Angeles – *City of Calabasas v. County of Los Angeles*.** Represented the County of Los Angeles in connection with a writ action filed by the City of Calabasas challenging disposal of fire debris from the Palisades Fire into the Calabasas Landfill. Was brought on to defend against an Ex Parte TRO with less than 24 hours' notice, and successfully opposed the TRO.
- **County of Los Angeles – *Portuguese Bend Landslides*.** Currently represent the County of Los Angeles in connection with seven related actions pending in the Complex Division in LA Superior Court related to damage to homes in the Portuguese Bend area of Rancho Palos Verdes.
- **County of Santa Barbara – *Thomas Fire and Montecito Debris Flow Litigation*.** Currently represent the County of Santa Barbara in a dispute with Southern California Edison (SCE) regarding potential liability for the 2017 Thomas Fire and subsequent Montecito debris flow. In a Master Cross Complaint, SCE sued various public entities, including the County of Santa Barbara, alleging that "negligent acts and omissions of the public entities" contributed to or exacerbated the injuries, deaths and multi-million-dollar losses incurred by plaintiffs that are suing SCE for causing the fire. The matter includes 200 lawsuits, 3000 plaintiffs, and 70 plaintiff law firms asserting billions of dollars of liability against the County. In November 2023, achieved a major victory for the County by securing a dispositive motion excluding Edison's \$700 million damage claim. Thereafter, in April 2024, secured a second dispositive motion excluding more than \$300 million in additional damages, resulting in rulings excluding a total of more than \$1 billion in damages.
- **County of Maui – *Wildfire Litigation*.** Assisted local counsel in providing advice and defense to the County of Maui in response to litigation stemming from the 2023 Maui wildfires. These unprecedented fires caused significant damage, including in the historic town of Lahaina, resulting in at least 100 deaths and billions of dollars of damage to over 2,000 structures. Brought in to assist with the complex nature of the litigation, involving hundreds of cases, thousands of plaintiffs, and several defendants in actions pending in both state and federal courts.

Public Records Act, Brown Act, and Various Election Matters

- ***Daly v. Board of Supervisors***. Represent the County of San Bernardino in a matter involving the need to employ quo warranto and its companion procedural steps when a challenge is made to the County Board of Supervisors decision on filling a vacant Board seat and related Brown Act issues. In this matter, the County had thirty days during the end-of-year holidays to fill a seat after the prior supervisor was elected to the State Assembly. A politically motivated union challenged the appointment process under the Ralph M. Brown Act via a writ proceeding. The Meyers Nave team secured a unanimous decision from the California Supreme Court confirming the application of the automatic stay on appeal to injunctive relief.
- ***The People of The State of California Ex Rel. Alameda County Taxpayers' Association, Inc., Marcus Crawley, David Denton and Steve Slauson v. David Kyle Brown (a.k.a. Dave Brown, a.k.a. David K. Brown)***. Successfully defended this quo warranto challenge addressing the vacancy appointment filling the Third District Board seat. The case turned on a matter of statutory interpretation of the residency requirements for a Board member who was appointed. This case comes on the heels of the Supreme Court ruling in the *Daly v. County of San Bernardino*
- Defended several local jurisdictions in connection with various constitutional challenges to COVID-19 related mandates and policies, including the initial shelter-in-place orders, vaccination policies, and capacity restrictions on activities in settings such as restaurants, gyms, and religious worship facilities.

First Amendment

- ***City of Pasadena – Jonathan Schmidt v. City of Pasadena***. Currently represent the City of Pasadena in connection with an action filed by employee who challenged the City's COVID-19 vaccination policy. Employee was granted a religious exemption but challenged the masking and testing requirements and alleged constitutional violations, retaliation, harassment, and related tort claims based on same. Successfully obtained the dismissal of all claims in the District Court, and a Ninth Circuit appeal is pending.
- ***Gaetz, et al. v. City of Riverside et al., 5:23-cv-01368-HDV-SHK, (C.D. Cal. July 2023)***. Represented City of Anaheim in politically sensitive federal litigation instigated by Representatives Matt Gaetz and Marjorie Taylor-Greene, and their fundraising committees, regarding the cancelation of a fund-raising rally in July 2021. Plaintiffs alleged Section 1983 First Amendment claims against the City of Anaheim and the City of Riverside and Section 1985(3) conspiracy claims against the municipal defendants and numerous nonprofit and political group defendants, such as the NAACP and League of Women Voters.
- ***Gish v. Newsom, Cross Culture Christian Center v. Newsom, Best Supplement Guide v. Newsom, County of Yolo, Best Supplement Guide v. Newsom/County of San Joaquin, Disbar v. Newsom, Tuck's Restaurant v. Newsom, RPC Systems v. Amador County, Excel Fitness Fair Oaks v. Newsom, and Abshire v. Newsom***. Defended numerous counties, cities, and public officials throughout California in federal and

state court litigation challenging shelter-in-place orders, public health orders and reopening plans related to the coronavirus pandemic. Plaintiffs in these cases were single and/or multiple churches, gyms, nail salons, restaurants, wine bars, brew pubs, lodging establishments, and other businesses challenging various restrictions that are placed on the operation of their organizations, as well as individual plaintiffs challenging limitations on travel and assembly rights during the pandemic. These cases also included challenges to enforcement citations and fines that have been issued due to violations of such Orders and Plans. The issues involved complex constitutional questions regarding local and state governmental powers during public health and safety emergencies intertwined with alleged violations of various rights under the California and U.S. Constitutions, ranging from First Amendment freedoms of expression, religion, and assembly to civil rights claims for alleged violations of the due process and equal protection clauses to economic claims under the takings and commerce clauses. Meyers Nave has obtained precedent-setting victories at both the district and appellate court levels. Published decisional victories in these cases include *Abshire*, *Gish*, *Cross Culture Christian Center*, *Best Supplement Guide* and *Disbar* at the District Court level. Argued the Ninth Circuit appeals in *Abshire* and *Best Supplement Guide*, which both resulted in complete victories affirming the District Court dismissals.

Americans with Disabilities Act

- ***LAX LINQ v. Los Angeles World Airports***. Currently represent Los Angeles World Airports (LAWA) in dispute with shuttle operator LAX LINQ, which alleges due process and equal protection claims under Section 1983 related to disputes over LAWA's non-issuance of a permit based on LAX LINQ's compliance with the ADA.
- ***Evans v. Bird Rides, et al. and Machowski v. Bird Rides, et al.*** Represented the City of Walnut Creek and the City of Riverside in federal ADA litigation regarding shared mobility devices (electric scooters and electric bicycles) in public rights of way. Plaintiffs allege that shared mobility device users ride too fast, improperly park, or ride the devices in the public pedestrian rights-of-way, and that shared mobility devices obstruct access on sidewalks, crosswalks, and curb ramps. Successfully obtained dismissals of both public entities at the early stage of two separate federal proceedings through motions to dismiss filed in the Northern and Central Districts.

Energy

- ***Central Coast Community Energy (3CE) v. AES Redondo Beach***. Meyers Nave represented Central Coast Community Energy (3CE) in this breach of contract action where AES Redondo Beach breached its obligation under a negotiated Confirm to provide the District with a backup energy supply (RA) at a reduced price. This negotiated Confirm providing a below market price to 3CE was based on 3CE offering its written support to the State Water Board to allow the AES Redondo Beach operating plant to continue operation for several years. AES Redondo Beach is an environmentally unpopular project that has been subject to widespread community opposition from Surfriders and various other environmental groups. AES benefited

from 3CE's support and then reneged on providing the RA at the agreed to price. The damages for the replacement RA are in excess of 3 million dollars. This required knowledge of the extensive regulatory provisions within the energy market and Meyers Nave successfully negotiated a settlement for 3CE.

Labor and Employment

- **City of Pasadena – *Jonathan Schmidt v. City of Pasadena*.** See above via First Amendment.
- Represented private employer in a case involving age discrimination brought by a former independent contractor. Plaintiff sought over \$8 million in compensatory damages and additional punitive damages. Obtained full defense verdict after 7-week jury trial.
- Represented private employer in a case involving racial discrimination brought by an independent contractor whose contract was terminated. Obtained a full defense verdict after 3-week jury trial.