

# Daily Journal

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## TOP BOUTIQUES 2023



FROM LEFT: Michele M. Goldsmith, Gregory M. Bergman and Brian J. Bergman

### BDG Law Group

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In California, where clashes over land use issues are often highly contentious, BDG Law Group frequently represents public entities, land owners and companies in real property, construction, business and employment disputes. The 15-attorney boutique, founded in 1983 in Los Angeles, now has offices there and in Woodland Hills, Costa Mesa and Oxnard.

"Real estate in California is expensive and worth fighting for," said shareholder Brian J. Bergman, the firm's vice president and managing partner, who leads the real estate practice group.

Labor and employment specialist Michelle M. Goldsmith came on as an associate in 1996 and later joined the letterhead.

Last year, she prevailed with a defense win for the Los Angeles County Fire Department when a 51-year-old probationary firefighter claimed age discrimination, harassment and wrongful termination. *Lenihan v. County of Los Angeles*, BC656759 (L.A. Super. Ct., filed April 5, 2017).

"Employment litigation involving public entities presents distinct challenges," Goldsmith said. "It is a balance of serving the public interest, protecting the public

fisc, engaging strategic litigation tactics and interacting with the 'client' at the highest levels of government. My favorite part of practicing law is talking to the jury, whether in *voir dire*, opening or closing. It is the culmination of all of the hard work and preparation my team does on a case."

A major coup for BDG Law came in 2018 when Brian Bergman and of counsel Jason J. Barbato successfully represented the county of Los Angeles in a landmark effort to use the eminent domain process to gain control of a long-vacant four-acre tract in South L.A. for the development of affordable housing, a transit hub and retail outlets.

It was the first case of its kind following the state's closure of California redevelopment agencies in 2012. "No one was sure whether local governments could use eminent domain post-redevelopment for projects of this kind," Bergman said. "We tested the theory and won." *County of Los Angeles v. 8400 S. Vermont Ave. et al.*, BC686141 (L.A. Super. Ct., filed Dec. 12, 2017).

"A couple of years ago, I went to the groundbreaking," he added. "This was a

fight not just about money. We helped a major public project to happen. And legally speaking, it was a novel issue of first impression for the court."

The win led to more such projects. Bergman and the firm represent L.A. County in another eminent domain suit over Purple Line Phase 3 construction issues. *County of Los Angeles v. Century City Mall LLC et al.*, 22STCV33346 (L.A. Super. Ct., filed Oct. 12, 2022).

"That's one of the bigger ones on my plate right now," Bergman said. In Northern California, he and BDG Law represent the Santa Clara Valley Transportation Authority in eminent domain proceedings for a BART extension project that includes a downtown San Jose station. The litigation involves complicated environmental, valuation, relocation and goodwill issues. *Santa Clara Valley Transportation Authority v. Green Valley Corp. et al.*, 21CV389078 (S. Clara Co. Super. Ct., filed Sept. 27, 2021).

"We're busy and the firm's expanding," Bergman said.

— John Roemer