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2025 NICHE LAWYERS



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EMINENT DOMAIN

LOS ANGELES

Brian Bergman found his calling in one of California's most specialized legal fields. Working in eminent domain law, he represents local governments navigating the complex process of acquiring private property for public infrastructure projects across the state.

"Eminent Domain is a specialized legal practice in California, requiring attorneys with both deep procedural knowledge and strong courtroom skills to navigate the complex rules that enable the state's ambitious infrastructure plans," Bergman said. "The practice requires multi-disciplinary knowledge of legal procedure, appraisal valuation, construction, land use and environmental issues."

His path to eminent domain law stems from his desire to contribute to California's infrastructure development. "I was drawn to this practice because of the ability to be an integral part of getting infrastructure projects completed," Bergman said. "Rather than just a battle of two parties fighting over money, you can drive by the infrastructure project and feel like you helped it happen."

His work spans major transportation projects throughout California. Bergman recently completed a high-profile case for the Santa Clara Valley Transportation Authority involving property acquisition for a BART extension project that includes a downtown San Jose station. The case presented numerous challenges, including environmental concerns, property valuation disputes, relocation issues and goodwill claims.

The property acquisition began with SCVTA making a statutory offer of \$11.8 million, which the agency later increased to \$12.8 million. When the property owner rejected the offer and demanded \$14.4 million, the matter proceeded to trial. By the time the case reached court, the property owner had increased their demand to \$17.1 million. *Santa Clara Valley Transportation Authority v. Green Valley Corporation et al.*, 21CV-389078 (Santa Clara Super. Ct., filed Sept. 27, 2021).

Bergman's strategic approach proved decisive. The case involved complex valuation issues regarding fluctuating property prices in downtown San Jose. "I attacked this issue by getting the Court to agree that the jury would be taken on a bus tour of the relevant areas of San Jose, a request not normally granted and one that is logistically difficult," Bergman said.

The unusual courtroom strategy paid off. The jury ultimately awarded \$10.3 million, saving SCVTA millions of dollars compared to the property owner's demands and generating significant press coverage.

Currently, Bergman represents Orange County in acquiring properties for the OC Loop bike lane project. The ambitious initiative will create a 66-mile continuous public bikeway and pedestrian trail spanning 17 cities. His firm has successfully resolved all acquisition matters before trial and is completing final procedural requirements. *County of Orange v. Dave R. Leeper*, 30-2022-01254704 (Orange Super. Ct., filed April 12, 2022).

The work requires expertise across multiple disciplines. Bergman and his team must understand not only legal procedures but also property appraisal methods, construction requirements, land use regulations and environmental compliance issues. Each case presents unique challenges as government agencies work to balance public infrastructure needs with private property rights.

Eminent domain law operates within strict procedural frameworks designed to ensure fair compensation for property owners while enabling essential public projects. The field demands attorneys who can navigate both courtroom advocacy and complex regulatory requirements.

"With a renewed focus on infrastructure projects in California, and across the country, the practice will continue to expand," Bergman said, reflecting on the growing demand for specialized eminent domain expertise as governments invest in transportation, utilities, and other public infrastructure projects.

For Bergman, the work provides tangible results that extend beyond individual cases. Each successful property acquisition contributes to California's broader infrastructure goals, from expanding public transportation networks to creating recreational facilities that serve entire communities for decades to come.