



Andrew J. Brady

Associate

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Andrew Brady, an associate based in DLA Piper's Los Angeles office, represents private sector and public entity clients in litigation and advisory matters before local, state and federal governmental agencies and in state and federal courts.

Andrew has handled client matters involving urban infill and complex multi-jurisdictional land use permitting and entitlements, the California Environmental

Quality Act (CEQA), the National Environmental Policy Act (NEPA), water rights,

and contaminated site remediation. His experience also includes court cases and regulatory enforcement

matters involving CEQA, soil and groundwater contamination, the Clean Water Act and NPDES permitting, and air quality permitting.

• Real Estate

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Andrew has represented:

- A developer in obtaining entitlements, permits and the approval of a CEQA exemption for a 102-unit mixed use student residential project one block away from the University of Southern California. Andrew successfully defended the Project against CEQA appeals by two neighborhood groups and obtained final entitlement approvals from the City of Los Angeles in December, 2019
- A cruise ship company in defending a Port of Long Beach terminal facility improvement project against five administrative appeals filed by various community and environmental groups on CEQA and other environmental groups. The appeals were denied and the project was obtained final approvals from the City and Port of Long Beach in December, 2019
- A developer in litigation involving CEQA and the State Redevelopment and Planning laws. Andrew and the DLA team obtained a final judgment in favor of the client in June, 2019, following a trial on the merits. and successfully got the Petitioners' appeal dismissed in August, 2019
- A developer in litigation involving claims challenging a project approval under federal fair housing laws. Andrew and the DLA team, working with a group of co-defendants, obtained a judgment in favor of our clients in November, 2019, obtaining a full dismissal of the case on a demurrer
- A developer in obtaining entitlements and successfully defending against an administrative CEQA appeal by a community group

against a 50-unit residential project in the Koreatown neighborhood of Los Angeles. The Project obtained final approvals from the City of Los Angeles in March, 2020

- A developer in obtaining entitlements, permits and the approval of a CEQA exemption for the Hub Project, a 79-unit mixed use student housing residential and retail tower project adjacent to Exposition Park in South Los Angeles.
- A developer in obtaining entitlements, permits and the certification of a CEQA environmental impact report for the College Station project, a 725-unit mixed use residential and retail project in the Chinatown neighborhood of the City of Los Angeles.
- A developer in obtaining building permits, alcohol permits and approving environmental review for ROW DTLA, a 1.8 million square foot mixed-use adaptive reuse retail, restaurant, and creative office park project adjacent to the Arts District in Downtown Los Angeles.
- A developer in obtaining entitlements, permits and the approval of a CEQA exemption for a 236 unit, 26-story mixed use residential and retail tower project in Downtown Los Angeles.
- A developer in obtaining entitlements, permits and the approval of a full CEQA exemption for a 178-unit, 27-story mixed use residential and retail tower development in the Chinatown neighborhood of the City of Los Angeles.
- A developer in successfully defending two administrative appeals by a union group on various grounds including CEQA against the Mart South Project, a 149-key adaptive reuse hotel project in the Fashion District in Downtown Los Angeles.
- A developer in CEQA litigation against the Los Angeles County Metropolitan Transportation Authority (Metro) challenging a light rail turn-back facility project that threatened to condemn a portion of a site being developed by the client in the Arts District in Downtown Los Angeles. The litigation resulted in a settlement wherein Metro purchased the client's property.
- A developer in obtaining entitlements, permits and the approval of environmental review for a 122-unit mixed use residential and retail tower project in the Westlake neighborhood of the City of Los Angeles.
- A developer in obtaining permits and entitlements and the approval of environmental review for 102,679 square foot cutting-edge private artists club and showcasing facility in Downtown Los Angeles' Arts District.
- A developer in obtaining permits and entitlements and the approval of environmental review for a 99-unit student and public housing project in South Los Angeles.
- An ready mix concrete manufacturer in defense Clean Water Citizen Suit claims by environmental organizations claiming violations of the Clean Water Act. Resolved case outside of court with zero liability for client.
- An aggregate mining facility in defense of Clean Water Citizen Suit claims by private citizen claiming violations of the Clean Water Act. Resolved case with low, nuisance settlement that was a small fraction of the liability sought by the Plaintiff.
- A developer in an administrative appeal of a denial of permits and entitlements for 203-unit eldercare residential facility located in the Westlake neighborhood of Los Angeles. Successfully obtained reversal of denials on appeal to the City's Central Area Planning Commission, obtaining full project approvals for all required entitlements, including an eldercare facility unified permit.
- A large energy company in the successful defense of an environmental organization's CEQA challenge to a port facility lease project
- A city in a successful CEQA challenge to a proposed rock quarry project
- A private school in the successful defense of a CEQA challenge to a project to expand the school facilities
- A large cement manufacturer in negotiating a lease, conducting environmental review and obtaining permits and entitlements for a large port development project
- A solar energy developer in obtaining permits, entitlements and water rights and conducting an environmental review for a commercial solar power station project
- A nonprofit in conducting an environmental review and filing a CERCLA suit for recovery of response costs for a public park and community center project
- A utility in conducting an environmental review for a gas pipeline project
- A large concrete manufacturer in nine separate Clean Water Act citizen suits brought by an environmental NGO
- A group of Los Angeles County cities in negotiation and an administrative challenge to the Los Angeles County MS4 NPDES permit
- A group of landowner water rights holders in Antelope Valley groundwater adjudication
- A California municipality in a published appeal regarding the application of the Cullen Earthquake Act
- The Association of California Water Agencies as amicus counsel in two California Court of Appeal cases challenging the Cadiz water project

CREDENTIALS

Admissions

- California

Recognitions

- *The Legal 500 United States*
2019-2020 - Recommended, Land Use / Zoning

Education

- J.D., University of California at Los Angeles School of Law
- B.A., University of California at Irvine

INSIGHTS

Publications

The exhaustion doctrine under the California Environmental Quality Act

12 October 2021
Real Estate Gazette

Over the last 15 years, the long-established common law mandate to “exhaust administrative remedies” before filing a lawsuit challenging a public agency decision has been eroded under California Environmental Quality Act (CEQA) jurisprudence. This development is largely the result of a conflation of the exhaustion requirement with the separate jurisdictional prerequisite of “standing” by courts interpreting CEQA.

Understanding California's South Coast AQMD Warehouse Indirect Source Rule – key points for warehouse owners, operators and tenants

30 June 2021
Implementing the rule may prove challenging to owners, operators and tenants of warehouse facilities.

Events

- Speaker, *Hot Topics in CEQA*, CEB, March 11, 2020
- Speaker, "California's Environmental Choices," Association for Environmental Health and Sciences (2016)