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Bird Marella Wins Dismissal of Appeal for Public Land Management Agency, MRCA

Representing the Mountains Recreation and Conservation Authority (MRCA), Bird Marella attorney and certified appellate specialist Tom Freeman won dismissal of an appeal brought by Malibu residents who sought to bar the public from MRCA property and public trails in the Santa Monica Mountains. In the first phase of a bifurcated trial, the MRCA, a California state agency, and the Santa Monica Mountains Conservancy defeated the residents' claims. In the ensuing appeal, Bird Marella, along with the Conservancy's counsel, the California Attorney General's Office, moved to dismiss for lack of jurisdiction utilizing a novel theory of law. On May 27, 2022, the Court of Appeal granted the motion and dismissed the appeal — allowing the MRCA to proceed to trial on its affirmative claims.

Bird Marella's appellate practice can also help in the trial court by maximizing the probability of successfully defending or attacking the trial court judgment. To learn more about the firm's appellate capabilities, click here.