

OF COUNSEL

Nowland C. Hong

✉ nowland.hong@bbklaw.com ☎ (213) 787-2565

📍 Los Angeles



Nowland C. Hong is of counsel with Best Best & Krieger LLP's Municipal Law practice group. During his five decades of experience, he has handled many trials and appeals in the state and federal courts representing major public agencies, special districts and private corporate and individual clients. The matters include complex litigation, class actions and representative suits encompassing a wide range of issues.

Among the matters he successfully handled for the County of Los Angeles was the defeat at trial and on appeal of a class action brought by outside contract service providers contending they were common law county employees entitled to salary and benefits, including pensions, rather than being independent contractors. He also prevailed on behalf of the County in a representative suit by past and existing employees who claimed they were improperly convinced to enter into its non-contributory pension plan, which had inferior benefits to the plans in which they previously belonged. Additionally, the County of Los Angeles, represented by Nowland, prevailed in a class action brought by county firefighters claiming employment misclassification that precluded them from qualifying for higher pension rights and benefits with the Los Angeles County Employees' Retirement Association.

Nowland's litigation success also includes representation of a private corporation, prevailing against a claim of employee status by a member of a group of professional, licensed and certificated studio teachers/welfare law enforcers in the entertainment industry. The suit was brought by the Division of Labor Standards Enforcement of the California Labor Commissioner, seeking wages, benefits and statutory penalties.

On behalf of the City of Long Beach and its police department, Nowland successfully defended against civil rights violation claims under brought by a plaintiff for 13 years of incarceration for a child molestation conviction, which was later overturned by modern DNA analysis. The City and its police department prevailed at trial and on appeal. The favorable outcome was preserved by the U.S. Supreme Court's denial of Certiorari.

In the area of public policy, on behalf of the League of California Cities, Nowland briefed and argued as amicus in the landmark decision of the California Supreme Court, *Amelco Electric Corp. v. City of Thousand Oaks*, 27 Cal.4th 228. The decision confirmed and adopted the position of the cities for the necessity of strict statutory compliance in public contracting to protect the integrity of such contracts.

Nowland represented the National Organization of Life & Health Guarantee Associations in the largest modern-day

CORE PRACTICES

Eminent Domain
Municipal Law
Public Agency Litigation

EDUCATION & ADMISSIONS

Education

University of Southern California
Gould School of Law, J.D.
Pomona College, B.A.

Bar Admissions

California

insurance company failure and reorganization in California since the depression of the Executive Life Insurance Company: *In re Executive Life Insurance Co.*, 32 Cal.App.4th 344. He also thereafter represented NOLHGA in the reorganization of First Capital Life Insurance Co.

In the litigation that followed the mass disaster of the MGM Hotel fire in Las Vegas, *In re MGM Grand Hotel Fire Litigation*, MDL No. 453, Nowland represented defendant Del E. Webb Construction Co., effecting the first and lowest settlement of any defendant with the court. Following the fire case, Nowland also represented the Webb Company in the ensuing insurance/re-insurance litigation involving the so-called “retroactive” insurance coverage obtained by MGM after the fire over, among other things, when it and its different layers of coverage and re-insurance came into play in correlation with the insurance of other defendants. He was trial group leader for the court-designated Group 4 defendants. The settlement of the case on behalf of the Webb Company was achieved without any financial impact upon it.

In one of the largest mass landslide inverse condemnation actions along the California coast, the *Big Rock Mesa Malibu Landslide* litigation, Nowland represented Los Angeles County and its related flood control district as defendants and cross-complainants in the cross actions against the plaintiff homeowners for their own septic tank effluent that contributed to the cause of the landslide. At the outset of the trial, the case was settled by the State of California, the County of Los Angeles and the homeowners’ insurance carriers.

Nowland is admitted to the U.S. Supreme Court, the U.S. Ninth Circuit Court of Appeals and the U.S. District Court for the Southern, Central, Northern and Eastern districts of California.

Accolades

- Metropolitan News-Enterprise, 2020 Person of the Year
- *Southern California Super Lawyers*, Litigation, 2005-2007, 2009-2012

Professional & Community Involvement

- California State Bar, Litigation Section
- American Board of Trial Advocates, advocate
- The Los Angeles Chancery Club
- American Bar Association, Litigation, General Counsel, and State and Local Government Law sections
- Los Angeles County Bar Association, Litigation Section
- Southern California Chinese Lawyers Association, past president
- Chinese American Citizens Alliance, past national president