



**HON. OLIVER W. WANGER (RET.)**

*United States District Court Judge, Eastern District of California*

The Honorable Oliver W. Wanger's distinguished legal career includes more than three decades of service on the California bench, with twenty of those years spent as United States District Judge, Eastern District of California. Prior to his time on the District Court bench, he served as a Pro Tem Trial and Settlement Judge to the Superior Court of California, County of Fresno for 5 years (1986 – 1991). He also sat by designation on the United States Court of Appeals for the Ninth Circuit in Pasadena, California.

Judge Wanger has tried or presided over more than 600 jury trials to verdict in state and federal courts. He has heard many cases involving water law, water rights and environmental issues and drainage entitlements, as well as copyright, patent, trademark, financial institution, labor and employment, securities, toxic torts, and diversity cases involving business and commercial disputes and insurance coverage, and bad faith. He has also managed, heard and decided on cases related to antitrust, construction defects, intellectual property, agri-business Perishable Agricultural Commodities Act (PACA) and Agricultural Marketing Agreement Act (AMAA) cases, and class actions in labor and employment, civil rights, mass torts, as well as creditors' and debtors' rights, and bankruptcy appeals.

Judge Wanger's expertise in water law and environmental law includes cases under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Endangered Species Act (ESA), the National Environmental Policy Act (NEPA), the Resource Conservation and Recovery Act (RCRA), the Clean Water Act (CWA), the Clean Air Act. He has also overseen cases related to government tort claims arising out of lawsuits among the U.S. Department of the Interior, its Bureau of Reclamation, the California Department of Water Resources, water districts, private and municipal and industrial water users, power generators, other federal and state water contractors, and environmental groups litigating the allocation and use of federal and state contracted water. Many of these decisions have been reviewed in the Court of Appeals and one in the United States Supreme Court.

He has extensive experience in complex white-collar criminal cases including the Racketeer Influenced and Corrupt Organizations Act (RICO), career criminal enterprises, cybercrime, environmental crimes, money laundering, mail and wire fraud, public corruption, and organized crime.

Prior to serving on the bench, Judge Wanger's career began as the Deputy District Attorney for Fresno County, followed by a civil business trial practice in Fresno. He was also a contract City Attorney for the City of Mendota, CA.

As an, Adjunct Professor of Law at San Joaquin College of Law for 24 years, Judge Wanger has taught civil procedure, constitutional torts, trial practice and evidence, federal courts, real property, remedies, and criminal law and procedure. He is also the co-founder, former Dean, Chair of the Board of Trustee and President of San Joaquin. He has served as a moderator and/or instructor in many California Continuing Education of the Bar, Rutter Group, and California State Bar Section programs on environmental law and litigation, federal and state trial practice, civil procedure, and trial evidence, and has lectured and moderated forums on water law and state and federal water rights.

Mr. Wanger's achievements as a trial lawyer gained him Fellowship in the American College of Trial Lawyers; International Academy of Trial Lawyers; American Board of Trial Advocates (President of San Joaquin Valley Chapter and a National Director); Litigation Counsel of America (rank of Centurian), Founder Diplomat of the American Board of Professional Liability Attorneys; a former Certified Civil Trial Specialist by the National Board of Trial Advocacy; Founder and President of San Joaquin Valley Inns of Court.

He has received numerous awards, some of which include: U.S. Congressional Tribute; Los Angeles Daily Journal Top 100 Lawyers; Teacher of the Year Award, SJCL, Fresno; NAACP Image Award; and Central California Legal Services Champion of Justice.

Judge Wanger is available to mediate and arbitrate cases throughout the United States.

### **AREAS of EXPERIENCE**

- Accounting / Finance
- Antitrust
- Appellate
- Attorney Fee / Malpractice
- Banking / Lender Liability
- Business / Commercial / Corporate
- Civil Rights
- Contracts
- Contracts
- Employment / Labor
- Entertainment, Media & Sports
- Environmental / CERCLA
- Insurance – Coverage, Bad Faith, Tripartite Relationship
- Intellectual Property (Patents, Trademark & Copyright)
- Labor and Employment Law – Class Actions
- Torts & Product Liability
- Real Estate
- Securities / Financial Services

### **FORMAL ALTERNATIVE DISPUTE RESOLUTION TRAINING**

- Arbitrator Performance and Demeanor, 2018
- Developments in Arbitration Law, Practice Focused Cases, 2017
- Vacatur and Enforcement of Arbitration Awards Program, 2016
- Principled Deliberations – Decision Making Skills for Arbitration, 2016
- Arbitration Fundamentals and Best Practices for New Arbitrators, 2012

### **REPRESENTATIVE MATTERS**

- In 2007, Wanger ruled that state and federal water pumps that deliver about six million acre-feet of delta water to Kern County could eliminate the smelt, which is an endangered species. In order for the water pumping practices to be brought into compliance with the federal Endangered Species Act, Wanger ruled, the pumping had to be reduced by about one-third, to 4 million acre-feet of delta water. Following this decision, water contractors were told to expect 35% of their normal allocation of State Water Project water for 2008.
- Lead trial counsel in one hundred-million-dollar water law case involving Merced River water and hydro power rights.
- Lead trial counsel in successfully defending multi-million-dollar unfair competition lawsuit brought by pistachio processor against largest nut and fruit grower-processor in California.
- Lead trial counsel in employment lawsuit arising out of claimed unlawful practices in management transition of largest Central California health care provider.
- Lead trial counsel in attorney errors and omissions case involving sixty-five-million-dollar water project and alleged breaches of fiduciary duty and conflicts of interest. Lead trial counsel in contract dispute for largest U.S. frozen Mexican food manufacturer.
- Lead trial counsel in patent infringement and unfair competition suit representing national medical device corporation.

## **HONORS AND AWARDS**

- Top 100 Registry Business Leaders and Professionals 2019 Lifetime Achievement Award in Recognition of Exemplary Accomplishments and Contributions in the Field of Law
- Marquis Who's Who Albert Nelson Marquis Lifetime Achievement Award for Career Longevity and Demonstrated Unwavering Excellence, 2018
- American Board of Trial Advocates Civility Award for Integrity, Professionalism and Civility, 2018
- Top 100 Registry 2018 Professional of the Year in Recognition of Outstanding Efforts and Achievements
- America's Top 100 Attorneys Lifetime Achievement Northern California, 2017
- America's Most Honored Professionals Top 1%, 2016
- Northern California Super Lawyers and Top 100, 2012-Present
- FCBA Witkin Lifetime Achievement Award, 2012
- U.S. Congressional Tribute, 2011
- Los Angeles Daily Journal Top 100 Lawyers, 2008
- Teacher of the Year Award, San Joaquin College of Law, Fresno, where he served as Dean of the Law School, 1980-82; President and Chair of Board of Trustees 1983-1995
- NAACP Image Award
- Central California Legal Services Champion of Justice
- Martindale-Hubbell AV Preeminent 5.0/5.0 legal competence/integrity
- Beta Gamma Sigma (Business Honorary Society)
- Phi Alpha Delta Legal Society (Honorary Member)

## **JUDICIAL EXPERIENCE**

- United States District Court Judge, Eastern District of California, 1991 -2011
  - Judge, United States Court of Appeal for the Ninth Circuit, 1994
- Pro tem Trial and Settlement Conference Judge, Superior Court of California, 1989 - 1991
- Judge Pro Tem, Superior Court of California, County of Fresno, 1988 - 1991

## **LEGAL EXPERIENCE**

- Shareholder, Wanger Jones Helsey PC,
- Deputy District Attorney, Fresno County.
- City Attorney, City of Mendota, 1975 – 1980
- Co-founder, Dean, President and Adjunct Professor of Law, San Joaquin College of Law, 1970 – 1994, 2011

## **PROFESSIONAL LICENSES and ADMISSIONS**

- California State Bar
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California

- United States District Court for the Central District of California
- United States District Court for the Southern District of California
- United States Tax Court

## **PROFESSIONAL AFFILIATIONS and ASSOCIATIONS**

- Fellowship in the American College of Trial Lawyers
- International Academy of Trial Lawyers
- American Board of Trial Advocates (President of San Joaquin Valley Chapter and a National Director)
- Litigation Counsel of America (rank of Centurion) (Emeritus)
- Founder Diplomat of the American Board of Professional Liability Attorneys
- A former Certified Civil Trial Specialist by the National Board of Trial Advocacy
- Founder and President of San Joaquin Valley Inns of Court

## **EDUCATION**

- University of California, LL.B., 1966
- University of Southern California, B.S., 1963
- Colorado School of Mines, 1960

## **MILITARY**

- United States Marine Corps Reserve, 1960 - 1967