

# JAMES O. DEVEREAUX

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PARTNER | BERDING & WEIL LLP

[jdevereaux@berdingweil.com](mailto:jdevereaux@berdingweil.com)



## AREAS OF PRACTICE

Partner James Devereaux represents business entities and their owners, directors and managers, including for-profit and nonprofit entities and community associations. He works with both incorporated and unincorporated organizations, and real estate owners, managers, principals and directors. Mr. Devereaux's business practice emphasizes the representation of clients relating to entity formation, business consultation, representation in transactional and operational matters, contract negotiation and drafting, and other legal, transactional and real estate matters.

Mr. Devereaux also has extensive litigation experience in appellate law and practice, appearing in both state and federal appellate courts. Mr. Devereaux successfully represented the prevailing party in the Supreme Court of the United States in *Burnham v. California Superior Court*, 495 U. S. 694, a landmark Constitutional case, has represented numerous clients in state and federal appellate courts and has filed several briefs *amicus curiae* in the Supreme Court and Courts of Appeal of California, including *Nahrstedt v. Lakeside Village Condominium Association*, 8 Cal. 4th 361; *Aas v. Superior Court*, 24 Cal. 4th 627; and *Lauriedale Associates, Ltd v. Wilson*, 7 Cal. App. 4th 1439.

Mr. Devereaux provides business owners, board members and management with legal opinions and guidance on a wide spectrum of operational issues. He provides interpretations of complex statutory and regulatory provisions, governing documents, contracts and other legal documents, and guides board members in acquitting their fiduciary obligations and in the proper exercise of their prudent business judgment. Mr. Devereaux also negotiates and drafts complex contracts and real estate documents such as association governing documents, commercial leases, easement and license agreements, joint tenancy and tenancy-in-common agreements, purchase and sale agreements, deeds and deeds of trust.

## PROFESSIONAL HISTORY

Partner, Berding & Weil, LLP, 1990 to present: Prior to entering the private practice of law, Mr. Devereaux served as First Assistant Clerk of the Michigan Court of Appeal, and has taught Conflicts of Law at Thomas M. Cooley Law School. He has been practicing law in Northern California since 1981. In addition to practicing before the California courts, Mr. Devereaux has been admitted to practice before the Supreme Court of the United States, the U.S. Courts of Appeals (Sixth and Ninth Circuits) and U.S. District Courts.

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## PARTICIPATION IN PROFESSIONAL, TRADE AND REAL ESTATE ORGANIZATIONS

Mr. Devereaux has lectured extensively and has written numerous articles on legal topics of interest to community associations and managers, real estate professionals and business owners. He has spoken before such groups as the Executive Council of Home Owners (ECHO), including presentations on several occasions at the ECHO Annual Seminar at the Santa Clara Convention Center; and to California chapters of the Community Association Institute (CAI), as well as being a speaker at the Berding & Weil annual Community Association Seminars. He is an active member in the Executive Council of Home Owners (ECHO) and the ECHO Legal Resource Panel, and served as chairperson of the ECHO North Bay Resource Panel. Mr. Devereaux is also a member of the Consumer Attorneys of California and the Association of Business Trial Lawyers.

## EDUCATIONAL HISTORY

Received Juris Doctor in 1966 from the University of Michigan Law School at Ann Arbor.

## BAR MEMBERSHIPS

Member of the State Bar of California and local county bar associations as well as the Business, Litigation and Real Property Sections of the State Bar of California, including the Fair Housing Subsection of the Real Property Section.