

DOUGLAS DENNINGTON

Partner

Land Use and Entitlement

Orange County

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Douglas Dennington specializes in trial and appellate litigation, arbitration, mediation and administrative proceedings, with an emphasis in defense of “accessibility” claims filed under the ADA and/or California Disabled Persons Act, eminent domain, inverse condemnation, regulatory takings, land-use disputes, boundary disputes, and wide variety of other real estate, business and regulatory disputes.

Doug represents a diverse clientele, including individuals, homeowners, small businesses, food chains, franchisors and franchisees, landowners, developers, cities, school districts, water districts, and any number or variety of businesses.

With respect to Doug’s administrative and regulatory law litigation practice, he represents both public agencies and businesses in defense of claims asserted by individuals under Title II and Title III Americans with Disabilities Act (29 U.S.C. §§ 12131-12189 and 12181-12165) the California Disabled Persons Act (Cal. Civ. Code §§ 54 et seq.) and the California Unruh Act (Cal. Civ. Code § 51 et seq.). A list of his representative cases and clients can be provided upon request

With respect to his eminent domain, inverse condemnation and regulatory takings practice, Doug has represented both public agencies, on the one hand, and real estate and business owners, on the other hand. He represented the successful litigant in three published California eminent domain decisions:

- City of San Diego v. Rancho Penasquitos Partnership, et al. (2003) 105 Cal.App.4th 1013
- City of San Diego v. D.R. Horton San Diego Holding Company, Inc. (2005) 126 Cal.App.4th 668
- City of San Diego v. Barratt American, Inc. (2005) 128 Cal.App.4th 917.

He has also achieved success in the inverse condemnation and regulatory takings context, obtaining successful trial court rulings finding inverse condemnation “takings” liability for various “physical occupations” and “temporary regulatory takings” by public entities without “payment of just

Related Services

- [Land Use and Entitlement](#)
- [Government and Regulatory](#)
- [Appellate Practice Group](#)
- [Condemnation and Property Valuation](#)
- [Land Use and Natural Resources](#)
- [Municipal Law General and Special](#)
- [COVID-19 Resources](#)
- [Real Property Litigation](#)

Related Industries

- [Builders and Land Developers](#)
- [Food and Beverage](#)
- [Public Entities and Municipalities](#)
- [Water](#)

Bar & Court Admissions

- State Bar of California
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California

compensation.”

Doug’s real estate litigation practice also includes boundary disputes involving encroachments, adverse possession, prescriptive easements, implied easements, easements by necessity, equitable easements, and other title issues. He has taken several “boundary dispute” cases through trial and appeal. He has also written articles and a practice guide concerning the many legal issues which typically arise in the context of boundary disputes. Doug has also lectured on the subject for Lorman Educational Services.

Areas of Expertise

Real Estate, Business and Public-Agency Litigation

- Defense of Accessibility Claims Under the ADA, Section 504 of the Rehabilitation Act, California Disabled Persons Act and the California Unruh Act
- Eminent Domain
- Inverse Condemnation
- Regulatory Takings
- Writs of Administrative Mandamus
- Declaratory Relief
- Quiet Title
- Prescription and Adverse Possession Disputes
- Disputes Over the Creation, Existence and/or Scope of All Types of Easements including Implied Easements, Easements by Necessity, Recorded Easements, Conservation Easements, and Equitable Easements
- Disputes Concerning the Existence and/or Scope of “Covenants Running with the Land”
- Title Disputes
- Partition Actions
- Subdivision Map Act Disputes
- Real Estate Purchase and Sale Disputes
- Real Estate Valuation Disputes
- Franchisor and Franchisee Disputes
- Business Valuation Disputes

Regulatory and Administrative Law

- California Administrative Procedures Act
- Unlawful Enforcement of Underground Regulations by State Agencies
- Land-Use Entitlement Representation
- Administrative Enforcement of Statutory and Regulatory Schemes by State Agencies
- Representation Concerning State and Local Agency Compliance with Relocation Advisory Assistance and Compensation Benefits for Individuals, Businesses and Farm Operations “Displaced” as a Result of a Public Project
- Property Tax Appeals

Education

- Pepperdine University School of Law (J.D., 1994), magna cum laude
- Recipient American Jurisprudence Award for Contracts II
- Member, Pepperdine Law Review, 1992-1994
- California Polytechnic State University (B.S., 1990), cum laude, Civil Engineering
- Tau Beta Pi, Chi Epsilon, Golden Key Honor Societies

Presentations

- A Primer on ADA Access Requirements and Litigation Involving Commercial Facilities and Places of Public Accommodation, MCLE In-House Series, October 2015
- Public Entity Obligations Under Title II of the ADA in the Absence of Adopted Technical Design Standards, Land Use and Natural Resources Practice Group, Rutan & Tucker, 2014
- Overview of Regulatory Takings, Development Exactions and Precondemnation Damages, Land Use and Natural Resources Practice Group, Rutan & Tucker, 2012
- Boundary Law Issues in California, Lorman Education Services, 2003 and 2004
- Lead Attorney, Mock Eminent Domain Trial Sponsored by International Right-of-Way Association

Publications

- Zip Line Operators Object to New Rules, the Daily Journal, March 2014

Community Affiliations

- Trabuco Canyon Little League
- Former Member, American Society of Civil Engineers

Memberships & Associations

Orange County Bar Association