

Steve Ngo

Partner



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Overview

Steve Ngo is a litigator in Lozano Smith's Walnut Creek office. He has extensive experience representing local governments across the state, covering an array of complex legal disputes. He advises cities, school districts, and community colleges, while active in several of the firm's practice groups, including Litigation, Technology & Innovation, Public Finance, Municipal, and Labor & Employment.

Mr. Ngo is an adept advocate with a record of successfully navigating public agencies and organizations through novel and formidable litigation from inception through appeal. This record has included advice on significant financial disputes; prosecution of disciplinary charges against employees for sexual offenses and sexual harassment; litigation of claims for writ of mandate, administrative mandamus, or injunctive relief; and defense of claims for money damages against local governments. He is also one of the firm's experts in Public Records Act litigation.

Presenter Experience

Mr. Ngo has presented on the Brown Act, effective business practices, open government policies, and labor and employment issues before the California Association of Latino Superintendents and Administrators (CALSA), California Association of School Business Officials (CASBO), the Association of California Community College Administrators (ACCCA), the Alameda County Office of Education, and Santa Clara County Office of Education.

Significant Cases

- In *M.N. v. Morgan Hill Unified School District* (2018) 20 Cal.App.5th 607, Mr. Ngo successfully defeated a petition for writ of administrative mandate, which sought to reverse an expulsion of a student who repeatedly sexually assaulted a classmate, and later prevailed on appeal, obtaining the first published appellate opinion to clarify the evidentiary rules and standard of review for expulsion proceedings. The *M.N.* opinion specifically rejected the notion that sexual battery must be proven by direct evidence of the state of mind of the accused.
- In *Newark Unified School District v. Superior Court* (2015) 245 Cal.App.4th 887, Mr. Ngo successfully obtained appellate writ relief in an opinion where the Court of Appeal held that a public entity may seek the return of and "claw back" documents protected by the attorney-client privilege that are inadvertently disclosed in a response to a Public Records Act request, establishing new precedent on this issue of first impression. After the appellate court proceedings, Mr. Ngo prevailed at trial, obtaining a permanent injunction on behalf of the client district.
- In *Foster v. City of Berkeley, et al.* (N.D. Cal. Nov. 22, 2011) Case No. C 10-3703 SI, 2011 WL 5861266, Mr. Ngo successfully defended a non-profit media organization against unconventional tort and civil rights theories, winning summary judgment and costs against the plaintiff.

Practices

Litigation
Municipal
Labor & Employment
Public Finance
Investigative Services

Education

J.D., University of California, College of the Law,
San Francisco
M.P.P., Georgetown University, McCourt School
of Public Policy
B.A., University of California, Los Angeles

Admissions

California

- Successfully resolved litigation for school district, which alleged that a county failed to properly collect and disburse developer fees to fund construction of public school facilities.
- Successfully resolved audit finding before Education Audit Appeals Panel, saving school district client nearly one million in general fund exposure.

Education

Mr. Ngo earned his Juris Doctor degree from the University of California, College of the Law, San Francisco, where he was elected president of the Associated Students. In law school he clerked for the California Attorney General's Energy Task Force, which investigated conduct by power generators and traders. He earned a Master of Public Policy from Georgetown University and a Bachelor of Arts degree from University of California, Los Angeles. After college, he received the Jesse M. Unruh Assembly Fellowship, serving as staff to the State Assembly Budget Committee. Mr. Ngo has received certification through ATIXA as a participant in Level 1 and Level 3 ATIXA Civil Rights Investigator Trainings.

Community Service

In 2020, Governor Gavin Newsom appointed Mr. Ngo to the California Student Aid Commission, the nation's largest administrator of state financial aid. Mr. Ngo also serves on the Board of Governors for the University of California, College of the Law, San Francisco Alumni Association. He is a member of the Asian American Bar Association of the Bay Area and an active supporter of the Asian Women's Shelter.

Mr. Ngo received the Next Generation Champion Award from Coleman Advocates for Children and Youth and the Policy Innovation Award from the San Francisco Family Support Network for his leadership on the Board of Trustees of the San Francisco Community College District.