

E. Clement Shute Jr. is a founding partner of Shute Mihaly & Weinberger LLP (1980). Prior to that time he was the Assistant Attorney General in charge of the Environment and Consumer Protection Section of the California Attorney General's Office. In that capacity, he was counsel to the San Francisco Bay Conservation and Development Commission and legal advisor to the Governor's Office of Planning and Research, and managed 22 lawyers. He also aided local governments that were sued in inverse condemnation by developers and landowners.

Upon founding the firm, Mr. Shute represented the Town of Tiburon in the landmark decision of the United States Supreme Court upholding open space zoning against claims of inverse condemnation (*Agins v. Town of Tiburon*, 447 U.S. 255 (1980)). Mr. Shute's practice has continued to emphasize this area, the most recent and significant case being *Tahoe Sierra Preservation Council v. Tahoe Regional Planning Agency*, 535 U.S. 302 (2002), where owners of property in the Lake Tahoe Basin claimed that a moratorium intended to provide the Tahoe Regional Planning Agency with time to prepare a plan for the lake was a compensable taking. The United States Supreme Court upheld the moratorium and did not require the payment of compensation.

Mr. Shute has extensive experience with the California Environmental Quality Act. He participated in the early court cases which provided a broad interpretation of the statute and has been involved in advising and litigating CEQA claims since. Most recently he participated in a committee of lawyers advising the Governor's Office of Planning and Research on how to draft guidelines for dealing with climate change in environmental documents. He is also an expert on General Plans. He was legal advisor to the County of Marin which updated its plan in 2007 and has received many awards for its forward looking policies dealing with wetlands, compact urban grown and climate change. Mr. Shute also has special expertise in airport expansion issues, wetland regulation, solid waste regulation, and issues affecting San Francisco Bay and Lake Tahoe.

Mr. Shute received his JD from Boalt Hall School of Law in 1964 and is a member of the bar of the State of California, the United States Supreme Court, the US Ninth Circuit Court of Appeals and several Federal District Courts. He has been named a California Super Lawyer for several years, including 2008. Mr. Shute has received the Peter Behr Award for lifetime achievement in protecting the environment from the Marin Conservation League. He is a member of the California Advisory Board of the Trust for Public Land and is an adjunct professor at Boalt Hall school of Law and Hastings College of the Law.