

## CITY OF OAKLAND PUBLIC ETHICS COMMISSION

### Commissioner Application



Name: Steven M. Selna

Mail: [Redacted]

Day: [Redacted]

Email: [Redacted] City Council District: 2

Are you an Oakland resident?  Yes  No Years of Residency in Oakland: 35

List any City of Oakland Boards or Commissions (including this Commission) on which you currently or have previously served:

None

Please answer yes or no to *all* the following questions:

1. Are you currently employed by the City or have any direct and substantial financial interest in any work, business, or official action by the City?  Yes  No
2. Are you currently or planning to seek election to any other public office, participate in, or contribute to an Oakland municipal campaign?  Yes  No
3. Are you currently or planning to endorse, support, oppose, or work on behalf of any candidate or measure in an Oakland election?  Yes  No
4. Are you an Oakland lobbyist or required to register as a lobbyist, or do you receive gifts or compensation from an Oakland lobbyist?  Yes  No
5. Have you attended a Public Ethics Commission meeting?  Yes  No If yes, when? Attending 11/4 meeting
6. List any languages other than English that you speak fluently. None
7. How did you hear about this vacancy? Twitter

List the names, addresses and telephone numbers of two references:

1. Name: Michael Foster

Address: [Redacted]  
Phone: [Redacted]

2. Name: Juan Walker

Address: [Redacted]  
Phone: [Redacted]

*By signing below, I certify that all of the information included in this application and supporting materials is true to the best of my knowledge. I also understand that this application packet is a public record, subject to public inspection, and that if I proceed to the final interview with the Commission, the packet will be distributed publicly as part of the selection process.*

Signature: [Redacted]

Date: 11/1/19

*See Supplemental Questions on next page →*

## Supplemental Questions

On a separate page, please answer the following four questions: (See attached)

1. **Why do you want to serve on the Public Ethics Commission?**
  
2. **What skills and experience will you bring to the Commission?** (Include any governmental experience, activities with civic and business organizations, neighborhood groups, or any other experience that would contribute to your effectiveness as a Commissioner.)
  
3. **What issues, projects, or goals would you like to pursue while serving on the Commission?**
  
4. **What do you think are the City's most pressing ethics, campaign finance, or transparency challenges?**
  
5. **What else would you like the subcommittee to know as your application is considered?**

Applications are due by 5:00 p.m. on **Friday, November 1, 2019**, and must include the following materials:

1. Signed Application.
2. Answers to the Supplemental Questions
3. Your resume

Applications may be submitted by mail, email or fax to PEC staff:

Public Ethics Commission  
Attn: Whitney Barazoto  
1 Frank Ogawa Plaza, Room 104  
Oakland, CA 94612  
[ethicscommission@oaklandca.gov](mailto:ethicscommission@oaklandca.gov)  
Fax: (510) 238-3315

For questions, please call (510) 238-3593.  
Web: [www.oaklandca.gov/pec](http://www.oaklandca.gov/pec)

## Steven Selna

### Summary

Seasoned professional with expertise in complex civil litigation. Bringing over 25 years of experience in class actions, business disputes and product liability claims. Extensive business leadership and management experience on behalf of a national law firm.

### Skills

- Experienced civil litigator and trial lawyer.
- Former Managing Partner in Am Law 100 law firm.

### Experience

#### Partner

May 2018 to Current

**Alston & Bird LLP** — San Francisco, CA

- Lead counsel for a major pharmaceutical manufacturer in a Judicial Council of California Coordinated Proceeding (*JCCP*) involving more than 18,000 plaintiffs in Los Angeles Superior Court.
- In a published opinion, defeated class certification in a consumer class action in the Central District of California based on Article III standing and Rule 23 requirements. *Webb v. Carter's Inc., et al.*, No. 2:08-cv-07367 (C.D. Cal.)
- In a published opinion, obtained summary judgment in the Central District of California in a product liability failure-to-warn case based on the learned intermediary doctrine. *Thompson v. Janssen Pharmaceuticals Inc.*, No. 2:16-cv-02628 (C.D. Cal.)
- Pro bono representation on behalf of Asylum seekers in removal proceedings before U.S. immigration courts

#### Partner

November 2001 to May 2018

**Drinker Biddle & Reath LLP** — San Francisco, CA

- Managing Partner of Am Law 100 law firm
- Regional Partner in Charge of San Francisco office
- Co-chair of National Diversity Committee
- Vice-chair of litigation practice group
- Significant business tort litigation experience involving claims of breach of contract, violations of Business and Professions Code 17200 and 17500, breach of warranty, fraud, theft of trade secrets, and trade libel.
- Represented companies in national defense of multiple state attorneys general actions alleging violations of state unfair trade practice statutes, Medicaid fraud statutes, and common-law claims

#### Partner

January 1990 to November 2001

**Gordon & Rees LLP** — San Francisco, CA

- Partner in San Francisco-based national law firm, with extensive class action, commercial litigation and product liability litigation experience

#### Associate

September 1987 to May 1990

**Keegan Young & Logan LLP** — San Francisco, CA

### Education and Training

J.D. : Law

University of Pacific - McGeorge School of Law — Sacramento, CA

Bachelor of Arts : Political Science

University of California — Berkeley, CA

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## Supplemental Questions

### 1. Why do you want to serve on the Public Ethics Commission?

I want to serve on the Public Ethics Commission (PEC) because, as an Oakland native, I want to contribute to a process that is dedicated to 1) ensuring the integrity of our City government; and 2) making our elections open and accessible to all citizens. I also believe my personal and professional background would enable me to make a significant contribution to the great work already being done by the PEC.

I would personally be honored to serve on the PEC. I was born at the old Oak Knoll Naval Hospital and raised in the Rockridge section of the city. As a teenager, I was an employee of the City of Oakland Parks and Recreation Department. As a young adult, I taught in the Oakland Public Schools. Today, I live in Crocker Highlands with my wife and 3 children. I have seen a lot of change over the years in our community, much of it for the better. That positive change often began with strong, ethical leadership from our elected public officials. I aspire for the City of Oakland to achieve even greater prosperity. To do so, our government must have the public's faith and trust, which will not happen if it is not being held to the highest standards of integrity and accountability. It will also not happen if the electoral process is not accessible to all its citizens. In addition to my personal connection to Oakland, I see my work leading professional responsibility and diversity initiatives in my law firm as a natural fit for the commission. My on-going pro bono efforts on behalf of young immigrant asylum seekers is also motivated by a similar desire to help ensure inclusivity and justice in our systems of government.

I believe that part of my motivation for applying for a position on the Commission stems from what we currently see taking place at the highest levels of the federal government: routine examples of conflicts of interest; misuse of public office and resources, and corrupt political activities that are eroding the foundations of our democracy. The rule of law is under attack, and "Ethics" seemingly has become an antiquated notion. We are also seeing how challenging it is for our governmental institutions to effectively manage their own conduct, particularly where power and influence often are unconstrained by principles of transparency and fairness.

Even in a community like the City of Oakland, where there is widespread agreement that what is taking place in Washington is unprecedented and wrong, we need to remain vigilant to ensure that such behavior has no place in our local elections and the work of our City government. That means taking all steps necessary to ensure that our electoral process is open, accessible, honest and fair. It means ensuring that the work of our City government is not vulnerable to the undue influence of corporate lobbyists. It means educating those who aspire to public office or to doing business in Oakland about compliance with government integrity laws and the principles that inform them. In doing so, we can make a meaningful difference, and set an example for other communities.

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Unfortunately, experience has told us that we cannot exclusively rely on our elected officials and local governments to police themselves and shed light on wrongdoing. That's why we need a watchdog like the PEC: to ensure that what is occurring at the national level is never allowed to take root here. We cannot afford a further erosion of faith in our public institutions.

## **2) What skills and experience will you bring to the Commission?**

In my professional life, I have worn many administrative hats, including serving as a Managing Partner of a national law firm; running the San Francisco office of that firm; serving as Co-Chair of my firm's National Diversity Committee, as well as Vice-chair of my practice group.

As Diversity Committee Co-Chair, my signature initiative was to re-invigorate our efforts to recruit, retain and advance lawyers with diverse backgrounds. I also organized panels of in-house counsel whose clients had won diversity awards to speak at our firm retreats about the importance of diversity to their companies; as well as prominent lawyers with diverse backgrounds who advised our younger diverse lawyers about how to develop successful practices.

As a Managing Partner, I assumed a leadership role on matters of professional responsibility, establishing mandatory in-house programs on ethics, conflicts of interest and personal accountability. As a firm leader, when pursuing a course of action intended to benefit the institution at large, I saw how a reputation for personal integrity inspired the support of others. I also came to appreciate the value of opposing views and consensus-building.

As for community work, I devote significant professional time to the pro bono representation of young asylum applicants in removal proceedings before U.S. immigration courts, in affiliation with KIND (Kids in Need of Defense). I am also a former board member of the Oakland East Bay Symphony. I have also served on multiple local high school boards. I currently serve on committees of the Bay Area Council, a business policy and trade organization dedicated to better and more affordable housing; and, combatting homelessness in the Bay Area.

## **3. What issues, projects or goals would you like to pursue while serving on the Commission?**

Among the issues I would like to pursue while serving on the Commission are the following:

- a) Campaign finance and public financing reform and ensuring equity in the election process - I find this area to be of great importance. I would like to contribute to a process that makes running for public office more inclusive for all. The PEC has already done good work in this area through the Limited Public Financing program, but more can be done;
- b) Enforcement of ethics, campaign and transparency laws – I feel that aggressively conducting investigations, audits and public hearings in support of the Enforcement Program would play to my professional strengths;

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c) I would be happy to take a leadership role in the PEC's outreach efforts to city officials and people doing business with the City and feel that my professional background would help facilitate this.

I would also be happy to pursue whatever projects the PEC determines to be most in need of attention.

#### **4. What do you think are the City's most pressing ethics, campaign finance, or transparency challenges?**

- a) Campaign finance and public financing reform, and ensuring equity in the election process;
- b) Ethics violations and training – Several council member ethics violations have been reported in recent years. Looking at this in the most constructive light, perhaps our elected officials would benefit from better (and/or more frequent) ethics training. At the other end of the equation, perhaps the penalties for ethics violations should be reviewed to assess whether they afford adequate deterrence;
- c) Disseminating the information, education and training pertaining to a) and b) above.

#### **5. What else would you like the subcommittee to know as your application is considered?**

Fundamentally, I would like to serve on the PEC because as an Oakland native, I can think of no other civic role that is a better match for my aspirations and capabilities. I consider myself very fortunate to have been born and raised in Oakland. My exposure to the City's culture as well as its political and social climate provided me experiences and opportunities that fundamentally shaped who I am today. I have a strong sense of gratitude for that experience. It motivates me to want to continue to give something back to my hometown and be a force of good for others, as my predecessors were for me.