



## Tony Francois

### Law Practice

Tony Francois is experienced in Water and Real Property Law, Land Use and Zoning, Environmental Regulation, Natural Resources Development, Agricultural Law, and Constitutional Law. He has represented homeowners, builders, farmers and ranchers, trade associations, and water districts in administrative, civil, and criminal proceedings before state and federal administrative agencies and state and federal trial and appellate courts. He is a member of the California State Bar and the Northern, Eastern, and Central Districts of California and the Districts of New Mexico and North Dakota, and has litigated cases in federal courts in California, Oregon, Washington, Idaho, Montana, Nevada, Arizona, New Mexico, Colorado, North and South Dakota, Minnesota, Massachusetts, Maryland, South Carolina, and the District of Columbia, as well as the Sixth, Eighth, Ninth, and Tenth Circuit Courts of Appeals. He has appeared before the Supreme Courts of California, Idaho, Nevada, and the United States.

Prior to attending law school, he served as an infantry officer in the United States Army, and was stationed in the former West Germany during the fall of the Berlin Wall.

### Experience

Tony was an Attorney at Pacific Legal Foundation from 2012 to 2021. He was a lobbyist for 10 years, first with California Farm Bureau Federation from 2003 to 2007, and then with KP Public Affairs from 2007 to 2012. He was an attorney at McQuaid, Bedford & Van Zandt in San Francisco from 1999 – 2003.

### Representative Cases

*Robertson v. United States* – unanimous decision by the Supreme Court of the United States, vacating Ninth Circuit decision upholding criminal conviction for violation of the Clean Water Act.

*New Mexico Farm and Livestock Bureau v. U.S. Fish and Wildlife Service* – obtained vacatur of illegally designated critical habitat for jaguars in New Mexico.

*Sackett v. EPA* – ongoing challenge to EPA assertion of Clean Water Act authority over vacant lot in Idaho.

### Contact

Direct: (415) 402-2707  
Fax: (415) 398-5630  
[tfrancois@briscoelaw.net](mailto:tfrancois@briscoelaw.net)

### Education

J.D. with honors from  
University of California  
Hastings College of the Law,  
1996

B.S. in Mathematics with honors  
from the University of San  
Francisco, 1987

### Admissions

United States District Court for  
the Northern, Eastern, and  
Central Districts of California

United States District Court for  
the District of New Mexico

United States District Court for  
the District of North Dakota

Ninth Circuit Court of Appeals

Supreme Court of the United  
States

*California Building Industry Association v. San Jose* – argued before the California Supreme Court in challenge by trade association to law requiring contribution of 15% of newly built houses to city affordable housing program.

*Oregon Cattlemen's Association v. EPA* – obtained injunction from U.S. District Court for the District of Oregon against EPA's 2015 regulations defining “navigable waters” under the Clean Water Act.

*Duarte Nursery v. Army Corps of Engineers/United States v. LaPant* – defended farmers against federal civil enforcement actions under the Clean Water Act in the Eastern District of California.