The best ski CLE in the nation

By Ronald H. Rouda

From February 5-10, 2012, at The Pines Lodge in Beaver Creek, Colorado, lawyers from around the nation gathered to learn about a variety of topics from understanding anesthesia records to persuasive writing, brevity and clarity.

It was a great seminar, great skiing, great lodging, and great collegiality.

Imagine no lift lines, magnificent snowy evenings, and cold sunny days on the slopes, skiing runs starting at the top of “Birds of Prey” to the cruise runs in “Bachelor’s Gulch,” ending up at the magnificent Ritz Carlton for a bite of lunch with colleagues and listening to mountain tunes strummed by a guitarist. It was reality, not just a dream.

After a day of no lift line skiing, it was time to settle back, listen and learn in the catered environment of The Pines Lodge seminar headquarters. It was not just that the speakers were well prepared and inspirational; it was the recognition that the environment was conducive to learning and sharing ideas, strategies and trial tactics.

The seminar presentations were broad and varied. Brice Karsh and Joe Pavlica of High Impact, Inc. sponsored the program, and the committee made sure there was something for everyone, from the 2011 cases you needed to know, to the effective use of high tech to support your story at trial.

It was a particular joy for me to have my family with me. My 4-year-old grandson, Kaden, for the first time in his life, went skiing down the slopes with his mother.

At the end of the seminar, attendees gathered for a wonderful evening of conversation and music at the elegant Splendido Restaurant. I was even asked to play the piano to the applause of the people gathered at this festive setting.

Brevity compels me to end this article about the best seminar program ever produced by Consumer Attorneys Of California, College of Trial Arts and High Impact, Inc.

Now, will we see you there next year?

Skiing with the giants

By Ashleigh Aitken

When you arrive in the quaint airport in Eagle/Vail, Colorado, you feel transported to a different world. Maybe it’s the one-story airport, or the fact that the cool air hits you right off the plane, as jetways have yet to grace this tranquil location. Whatever immediately impacts your senses, it only gets better when you drive along the mountain highways amongst the majestic Rocky Mountains.

It was this setting that greeted the participants of the Beaver Creek Ski Seminar, which took place from February 5-10, 2012 at the Pines Lodge in Beaver Creek. I am not sure how many years the seminar has existed, but I have fond memories of meeting some amazing lawyers as a junior-high student. It has remained one of my favorite trips, as it combines learning from giants of the legal profession, like Ron Rouda, John and Cynthia McGuinn, and my personal mentor, Wylie Aitken (took me years to cultivate that relationship), with pristine skiing conditions and fun social activities with our spouses and children.

The seminar started off with a Super Bowl party in the Aitken suite, hosted by Aitken*Aitken*Cohn and visual media company High Impact, Inc. While the outcome of the game is an unspeakable topic in my home, the party was an amazing kick-off to a great week. For four days, the 30+ participants were able to ski all day, and meet up for an après ski and MCLE. A unique feature to this seminar – the cross-section of plaintiffs lawyers from across the country, including Tennessee (great accents), Colorado (good skiers) and Florida (good tans).

While I could not talk anyone into hosting a Santorum Victory Party (he won the Colorado caucus while we were there and must be the nominee), overall it was a perfect getaway. Please plan to join us next year for a bigger and better seminar in the Rocky Mountains.
Palm Springs Seminar
APRIL 27 - 29, 2012

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Chapter of the Consumer Attorneys of California

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The Consumer Attorneys of Inland Empire (a chapter of CAOC) started the year off with a bang. As the incoming president of the Inland Empire chapter, I am proud to announce that our February 7th What’s New in Tort & Trial Seminar drew a crowd of more than 60 judges and attorneys showing up to hear Christine Spagnoli (Greene, Broillet & Wheeler, LLP) and Jeremy Robinson (Casey Gerry Schenk Francavilla Blatt & Penfield, LLP) break down all the new laws, cases and statutes going into effect this year. The evening started off with its normal cocktail and appetizers social which was graciously hosted by the law firms of Girardi | Keese and Welebir Tierney & Week. The group then discovered exactly why Christine and Jeremy are such fabulous trial lawyers, as the two of them presented the materials in a personable and highly entertaining format. Many attendees stayed well into the evening socializing at the unofficial “after party” which always seems to be held in the hotel lobby bar.

Update on U.S. Airways v. McCutchen

By Arthur Bryant, Executive Director
Public Justice

I was delighted to read Donald de Camara’s article, “Equity Returns to ERISA—U.S. Airways v. McCutchen,” highlighting Public Justice’s precedent-setting ERISA subrogation victory in the Third Circuit. CAOC members should know that Public Justice’s Matt Wessler, who argued McCutcheon, just argued the same issue before the Ninth Circuit in CGI Technologies v. Rose, Nos. 11-35127; 11-35128 (9th Cir. argued Feb. 9, 2012). The briefs and a link to the oral argument are available on our web site at http://www.publicjustice.net/Resources/Cases/CGI-v-Rose.aspx.
San Joaquin County TLA Tort & Trial Seminar
By Lawrence Knapp, Seminar Chair

The San Joaquin County Trial Lawyers Association (a chapter of CAOC) packed the house for What’s New in Tort and Trial on February 9, 2012. This was the first time the full dinner program was presented in Stockton after several successful lunch programs of the popular seminar. The general sentiment last year was to present the 3-hour dinner program instead of the abbreviated lunch program, and as a result Craig Needham, partner at Needham Kepner & Fish LLP in San Jose who co-founded the program, Mike Kelly, partner at Walkup, Melodia, Kelly & Schoenberger and SFTLA’s 2010 Trial Lawyer of the Year, Anne Kepner, also a partner at Needham Kepner & Fish LLP in San Jose, and Thornton Davidson of The ERISA Law Group, LLP, from Fresno made the trek to Stockton for the evening. As usual, the material was well received as everyone in attendance agreed that the opportunity to review the latest cases in the tort field always produces fresh ideas and presents new opportunities to help our clients in the battle against the corporate misinformation machine.

In order to put on the program, two awesome sponsors stepped up to the plate and supported CAOC’s educational efforts with generous donations. In attendance were Creative Legal Funding which specializes in medical care on a lien basis and pre-settlement funding, as well as California Deposition Reporters which provides up-to-date solutions for handling depositions. In addition to the seminar, attendees were provided with a searchable compact disc containing all the material compiled for the program since 2002. As usual, Valley Brew Restaurant provided an excellent banquet hall with accompanying banquet. Thank you to all who participated.

Craig Needham, Mike Kelly, Anne Kepner, Brett Hansbery, Thornton Davidson, Larry Knapp and Dennis Peyton

“What’s New in Tort & Trial” – a strong turnout in Fresno
By Timothy V. Magill, Seminar Chair

The Central California Trial Lawyers Association (a chapter of CAOC) had its annual “What’s New in Tort & Trial” on February 8, 2012. It was held at the Piccadilly Inn near the airport, and with nearly 70 participants, it was one of the largest groups of lawyers in Fresno’s history. We had an excellent sponsor from Creative Legal Funding. The seminar was led by Craig Needham, Michael A. Kelly, Tanya L. Coates, and Thornton L. Davidson. As Craig announced, this is the 29th year he has handled this seminar, and we look forward to his 30th year. We hope we have many more years of this seminar prepared and directed by Craig Needham. We can never thank him enough.

This was the 21st time the “What’s New in Tort & Trial” seminar has been held in Fresno, and I have had the privilege of being involved in every one.

The CD-ROM handed out at the seminar includes all the cases from 2002 to 2010. In addition to Fresno County, this seminar also brings attorneys from the surrounding counties of Kings, Tulare, Madera, and Merced, and at the end of the seminar, our local chapter sends a copy of the syllabus along with the CD-ROM to all the judges in those counties.
On February 28th, the 6th Annual Class Action Seminar was held at the Parc 55 Hotel in San Francisco before a group of over 120 registrants. The speakers consisted of some of the preeminent class action attorneys in California and the seminar was co-moderated by Elizabeth Pritzker of Girard Gibbs, LLP and myself.

Our first speaker, Niall McCarthy, President of CAOC and named partner at Cotchett, Pitre & McCarthy, LLP in Burlingame (also named by the Daily Journal as one of the top 100 lawyers in CA), started the seminar off with an interesting discussion about Current Strategies in Prosecuting Class Action. Mark Milstein, founding partner of Milstein Adelman, LLP in Santa Monica, gave an informative talk about issues that come up with Cy Pres Awards. Paul Bland, a Senior Staff Attorney for Public Justice (formerly Trial Lawyers for Public Justice) and Of Counsel to Chavez Gertler, spoke about the Supreme Court's recent decision in Concepcion which dealt with class action waivers and arbitration. Paul Bland is a nationwide, renowned, legal authority on the arbitration issue. Public Justice has argued and briefed many state and federal court decisions narrowing the scope of this decision; see their website for more information: www.publicjustice.net. Gretchen Nelson, a partner at Kreindler & Kreindler, LLP in Los Angeles, talked about Current Trends in Class Actions Being Filed. Brian Kabateck, President Elect of CAOC and founding partner of Kabateck, Brown & Kellner, LLP in Los Angeles, spoke on Ethical Development of Class Representatives. Brooks Cutter of Kershaw, Cutter & Ratinoff in Sacramento spoke about Common Issues in Class Action Settlements. Phil Gregory of Cotchett, Pitre & McCarthy, LLP in Burlingame and Dan Feinberg of Lewis, Feinberg, Lee, Renaker & Jackson, PC in Oakland spoke about the “Deal from Hell” in a fascinating ERISA case called Neil v. Zell. Mark Chavez of Chavez & Gertler in Mill Valley talked about the Impact of Wal-Mart v. Dukes on certification. He also spoke about a growing trend that we are seeing — whether the courts are weighing the merits on class certification motions. Dan Burke, General Counsel of Gilardi & Co., a co-sponsor of the seminar, spoke about Ethics in Claims Administration, The Importance of Neutrality and Transparancy.

Our fantastic speakers were followed up with a judicial panel consisting of: the Hon. Steven Brick, Alameda County Superior Court Complex Judge; the Hon. Claudia Wilken of the Northern District; and the Hon. James Kleinberg, Santa Clara Superior Court Complex Judge. The judges led a panel discussion and answered questions from the audience including questions about discovery, class action settlements, the impact of Wal-Mart v. Dukes and Concepcion. We thank them for the time they spent educating us on the issues and hearing perspectives from the bench, especially on what they like and don’t like to see in their courtrooms.

The seminar and the following reception were made possible through the generous support of our sponsors: class action administrators Gilardi & Co. (www.gilardi.com) and class action funding through Bank of the West (www.bankofthewest.com), and also through the collaborative efforts of the CAOC College ofTrial Arts and the San Francisco Trial Lawyers Association. Thank you to each of them.

As usual, special thanks is due to SFTLA Executive Director Juliette Bleeker, and CAOC Education Director Lori Sarracino for making this annual seminar a continuing success and for their tireless and dedicated efforts.

Ingrid M. Evans of the Evans Law Firm in San Francisco (www.evanslaw.com), focusing on elder financial and physical abuse, consumer fraud class actions and personal injury cases. Ms. Evans is Parliamentarian and on the Executive Committee for CAOC. She is also on the Board of Governors for the American Association for Justice and Public Justice.
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WWW.CAOC.ORG
Women’s Caucus Report

By Clarice J. Letizia, Women’s Caucus Chair

The CAOC Women’s Caucus has been busy during the first few months of 2012. Our first fundraiser for the Breast Cancer Angels, a non-profit organization in Orange County, was a big success. Thank you to Edie Mermelstein who organized the private screening of the movie, “Hot Coffee.” In addition, our first social event of the year, the mixer, at the Ninth Circuit Court of Appeals Building in San Francisco, cosponsored by the San Francisco Trial Lawyers Association was also a big success. We had a great time networking with old friends and meeting new faces. Thank you to sponsors: Cotchett, Pitre & McCarthy, LLP; Stebner & Associates; Rouda, Feder, Tietjen & McGuinn; The Evans Law Firm; and Smith & McGinty.

I have been traveling to various women’s caucus organizations, to observe and learn, from the well established American Association of Justice (AAJ) Women’s Caucus, to the newly formed Consumer Attorneys of San Diego (CASD) Women’s Caucus, which just held its first event. I attended the AAJ Women’s Caucus events at the AAJ Winter Convention in Phoenix, Arizona, and discovered many new ideas to bring back from the AAJ Women’s Caucus that has been in existence for many years. There is so much to learn from this organization’s wealth of experience.

I also attended the CASD Women’s Caucus very first event. Congratulations to CASD’s newly formed Women’s Caucus. That organization is just getting started and CASD Women’s Caucus had its first social mixer at the home of Diana Khoury in San Diego, on February 23, 2012. What a beautiful event and what a beautiful home! Thank you to Diana Khoury.

Women’s Caucus Networking Reception

Monday, April 30
5:30 - 7:30 pm
Spataro Restaurant
1415 L Street
(at the corner of 14th St)
Sacramento

Thank you to our exclusive reception sponsor: KHORRAMI, LLP

RSVP:
Valerie Shope
916-442-6902 x 115
valerie@caoc.org

Women’s Caucus Training Workshop

Monday, April 30, 2012
2:00 – 5:00pm
(in conjunction with Justice Day)

sponsored by the Women’s Caucus and New Lawyers Division

The Citizen Hotel
926 J Street, Sacramento

Be Inspired and Learn:
How to Testify Effectively
How to Lobby Effectively
Political Fundraising

Guest Speakers:
Niall McCarthy, Brian Kabateck, Christine Spagnoli, Lisa Maki,
Ingrid Evans, Elise Sanguinetti, Nancy Drabble, Nancy Peverini,
Lea Ann Tratten

Space is limited, please RSVP to:
Valerie Shope • (916) 442-6902 x 115 • valerie@caoc.org
Consumer Attorneys of California
Women’s Caucus
and the
San Francisco Trial Lawyers Association
Women’s Caucus Networking Reception
THURSDAY, FEBRUARY 2, 2012

Kavitha Sreeharsha, Jennie Anderson and Lori Andrus
Maryanne Cooper, Miles Cooper and Juliette Bleecker
Anne Marie Murphy, Laurie Klimchock and Niall McCarthy
Matt Sanguinetti, Elise Sanguinetti, Ingrid Evans and Laurie Klimchock
Sharon Vinick and Leslie Levy
Vanessa Lerma and Steve Stein
Clarice Letizia and Ingrid Evans
Sam Hesni, Alexandra Hamilton and Jessica Curiale
Darlene Golladay and Anna Griggs
Mengmeng Zhang and Debra Bogaards
Dana Drusinsky, Amber Lu and Natalie Evans
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NLD Report
By Neil Berman, NLD Chair-Elect

On Saturday, January 28, 2012, NLD Chair John Michael Montevideo opened his home in San Clemente to host the 1st Annual NLD Retreat. About two dozen NLD contributors got together on a beautiful Orange County afternoon to discuss goals and plans for the NLD in 2012 and beyond.

The afternoon began with an introduction by Immediate Past President of CAOC John Montevideo who spoke about the importance of CAOC and the integral role that the NLD will have in ensuring the continued success of the organization. After the 2012 NLD Executive Board and Committee Chairs were introduced, current CAOC President Niall McCarthy addressed the group on CAOC’s agenda for 2012.

A central focus of the afternoon was on how NLD can contribute to the political goals of CAOC and how NLD members can participate in a variety of ways. CAOC President-Elect Brian Kabateck provided a political training seminar and also stressed the importance of NLD members contributing in this important election year.

John Michael Montevideo and Bill Karns also presented the formation of the CAOC New Lawyers Division Political Network. This network will include NLD “TLA/Political Captains” who will act as a communication network from CAOC/NLD to local regions and TLAs. They will inform their local new lawyers about CAOC/NLD events, and political action giving/involvement opportunities. In addition, they will inform local new lawyers about particular political candidate fundraising events and grassroots opportunities.

After a very successful day of both short-term and long range planning for NLD, Immediate Past President of CAOC John Montevideo was kind enough to open up his home for an authentic Italian wood burning pizza party.

New Lawyer Mixer and Upcoming Political Events

On Wednesday, February 29, 2012, the NLD hosted a New Lawyer Mixer at The Standard Hotel in Downtown Los Angeles. The event was sponsored by Panish Shea & Boyle, Maxene Weinberg Agency and Khorrami, LLP. There was a great turnout with more than 100 attendees.

This New Lawyer Mixer was just the first of many great events that NLD will be putting on throughout the year. As part of NLD’s mission of having its members actively engaged in the political arena, the NLD is planning a series of “Political Insiders” events. These events will provide a great opportunity to network and learn intimate details of the California political structure and process. Stay tuned for details on when and where these upcoming “Political Insiders” events will be held.

For more information on NLD events and how to get involved, visit our website at www.caoc.org/NewLawyers, or contact Anna Griggs at 916-442-6902, ext. 104 or newlawyers@caoc.org.
New lawyers from CAOC, CAALA and AAJ enjoy an evening of networking at the Standard Hotel in downtown Los Angeles.
Celebrate our diversity

By Vincent Howard, Diversity Committee Co-Chair

It’s fitting that during February as our nation celebrated Black History month, CAOC finalized the formation of its Diversity Committee. CAOC’s leadership, under the guidance of Past President John Montevideo, realizes the importance of diversity to this organization. Based on this recognition, our newly formed diversity committee, headed by Micha Star Liberty and myself, is on a mission to ensure that diverse groups, whether based on disability, gender, race, ethnicity, religion, sexual orientation, gender identity or gender expression, are included at all levels of our beloved organization – including the top – to change the dynamic, reshape the conversation, and to make sure that the voices of our diverse membership are heard and heeded, not overlooked or ignored. In a state as culturally rich and diverse as California, it is important for CAOC to encourage and foster cultural diversity, as this allows our members to learn from one another. If all of our members were identical in every respect, we would have little to teach and share with one another.

Our organization’s Diversity Committee (or the “DC” as it is affectionately known amongst the members of the group) will serve as the collective consciousness of CAOC’s diverse membership and will ensure that each member has an equal opportunity to fully participate in all that this great organization has to offer.

The ultimate goal of the DC is to provide strong advocacy for our diverse members and to ensure that each member participates and advances in all aspects of CAOC, including leadership, education, membership and all other activities. We also seek to identify and implement strategies that will result in significant and measurable progress toward increasing and acknowledging diversity among the plaintiff’s bar in general, and CAOC in particular.

We can achieve our goals by working together to foster a multicultural setting at our events and meetings, increase communication between CAOC and other minority or specialty bar groups, and raise awareness within our own membership of minority issues. Select members of the DC have already been hard at work trying to reach out to various minority bar groups to form lasting relationships that will ultimately benefit their group as well as CAOC.

Micha and I are excited about the work ahead and we hope that you are excited about it too. We look forward to working with all interested members in achieving these goals. Here is to a prosperous and diverse 2012!

Vincent Howard
Micha Liberty

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* Food Handling Procedures

* Floor Care & Maintenance Procedures
* Merchandising Procedures
* Internal Operation Procedures

* Store Security
* Loss Prevention
* Wrongful Termination

Alex J. Balian, MBA
Babies or chemical companies, Whose side are you on?

By Niall McCarthy, CAOC President

Among the many bills signed into law by Gov. Brown in the last days of 2011 was a little-noticed (except by the big-spending chemical lobby) bill that outlaws the hormone-disrupting chemical bisphenol A (BPA) in the manufacture of baby bottles and sippy cups. Assembly Member Betsy Butler (D-53) championed the Toxin-Free Infants and Toddlers Act (AB 1319) and fought off numerous attacks from the chemical industry and its lobbyists.

The ban pushed through by Butler, CAOC’s former development director, is a long-overdue step in the direction of eventually dealing with the lethal hazards of BPA and other chemicals incorporated in many of the products we use every day. Betsy’s work epitomizes the motto of Martin Luther King, Jr. “The time is always right to do what is right.”

BPA has harmful health effects according to various medical groups. Among the health problems associated with BPA: miscarriages; birth defects, including Down syndrome; cancer (particularly prostate and breast); brain damage; infertility, and more. Few chemicals have been connected to such a wide range of adverse effects at such low doses. The incidence of these defects has dramatically increased for many years.

BPA, originally produced for use as a synthetic hormone in 1936, now goes into everyday products at a rate of six billion pounds per year. It is a major source of revenue for the chemical industry. It is no coincidence that none of the industry-sponsored studies found adverse effects for BPA at low doses, while the government-funded studies did.

Due to California’s vast market, the chemical industry drew a line in the sand for Butler’s bill. They attacked the bill and Betsy in every imaginable way. Despite the overwhelming number of scientific studies decrying the side effects of BPA, chemical industry lobbyists urged our legislators to believe that there is not enough scientific evidence to support a ban on BPA. Assembly Member Butler effectively fought off these lobbyists’ false opinions as well as their efforts to water down the bill. She was successful in getting this important legislation passed.

It takes a strong will and ethical compass to take on the chemical industry, the insurance industry, or Big Oil. Butler has the type of fortitude which is desperately needed in Sacramento.

As you write your bills this month, please donate to Betsy’s campaign. Whether the issue is the environment or the civil justice system, she has always been on the right side. She has earned our support.

www.caoc.org
AAJ Update
By Ingrid M. Evans

Phoenix welcomed the American Association for Justice (AAJ) attendees to one of the largest Winter Conventions in AAJ history! In Phoenix, AAJ raised money for four strong women lawyers running for U.S. Senate. Vice President Joe Biden also made a surprise visit and met with members of AAJ’s Executive Committee. The next AAJ convention will be in Chicago, Illinois from July 28 – 31 (Aug. 1 if you are an AAJ Board member). Register online at www.justiceannualconvention.org.

Just as Consumer Attorneys of California is the statewide trial lawyer organization and protects our clients and practices from tort reform on a state level, AAJ is the national trial lawyer organization and protects consumers and legislation on a federal level. Your support for AAJ is crucial. AAJ is the only national organization dedicated to the protection of 7th Amendment rights and preservation of the civil justice system, working continuously to prevent tort “reforms” from becoming federal law. (AAJ also has an aggressive communications component to counter attacks on civil justice and trial lawyer image, which you can read more about below, in this update.)

AAJ Advocacy

One so-called “reform” stalled by AAJ is H.R. 5 – which was passed out of the House Judiciary and House Energy and Commerce Committees in Washington, D.C. The bill includes caps on damages and limits on attorneys’ fees and would not only affect medical negligence law, but would also apply to nursing home cases, medical device and pharmaceutical cases, and bad faith cases against health insurers. H.R. 5 is ready for consideration by the House of Representatives.

AAJ continues to make progress in the following areas:

• AAJ is aggressively advocating, both in the legislative and regulatory arena, to streamline the Medicare Secondary Payer system. Due to AAJ’s relentless advocacy, the Center for Medicaid and Medicare Services (“CMS”) placed a one-year delay in implementation of Section 111 reporting requirements under the MSP rules for claims involving liability insurance, and AAJ is working with CMS to redraft the MSP rules. AAJ is also vigorously advocating for H.R. 1063, the “Smart Act,” a bipartisan bill that streamlines the MSP system.

• AAJ is diligently working to defeat H.R. 5. Through state’s rights messaging, AAJ has stalled the progress of H.R. 5 in the House. Additionally, AAJ is working with Senate leaders on a preemptive strategy to defeat H.R. 5 or a similar version when it reaches the upper body.

• AAJ is working to ensure that federal deficit reduction is not achieved through
the passage of “tort reform.” When lawmakers become desperate to pass deficit reduction plans, AAJ reminds lawmakers that “tort reforms” are not cost reducers, and ultimately shift the cost of negligence from wrongdoers to injured people and American taxpayers.

- AAJ is advocating for the elimination of mandatory binding arbitration in consumer, employment and civil rights disputes. Further, in light of the Supreme Court’s decision in AT&T v. Concepcion, AAJ is working to ensure that class actions are an effective tool for consumers ripped off by large corporations. This session, the “Arbitration Fairness Act” was introduced in both chambers and AAJ’s hard work is resulting in a growing number of cosponsors.
- AAJ is working to defeat the “Lawsuit Abuse Reduction Act” which would make Rule 11 sanctions mandatory. This bill would negatively impact civil rights and employment discrimination cases. Although the House Judiciary Committee swiftly moved the bill through Committee, the House Republican leadership has not yet moved the bill to the House floor. AAJ is preparing the Senate to reject any efforts to move LARA.
- AAJ remains vigilant as attacks on the civil justice system – such as preemption of state remedies, limits on lawyer fees, loser pays proposals, caps on all kinds of cases, and limits on joint and several liability – continue.

AAJ Communications

Your support of AAJ ensures that AAJ Communications can produce effective research and public education essential to protect the legal rights of Americans in the face of relentless and well-funded corporate interests.

AAJ’s communications team continues to use every opportunity to highlight the issue of forced arbitration. In particular, AAJ went on the offensive to expose private equity firm The Carlyle Group’s attempt to force future shareholders into mandatory, binding arbitration.


Be sure to check www.justice.org/newsroom for all the latest press statements and releases on issues related to civil justice.

AAJ Communications also recently prepared a special report, Do As I Say, Not As I Sue, to expose the hypocrisy of 10 of the U.S. Chamber’s Institute for Legal Reform board members that regularly use the legal system to advance their own agendas, while at the same time advocating for legislation that would close the courthouse doors to anyone who would hold them accountable for their own wrongdoing. This report is free for you to download and use: www.justice.org/cps/rde/xbr/justice/Do_As_I_Say_Not_As_I_Sue_2011.pdf.

Following the release of this new report, Reuters praised AAJ’s “PR Mojo.”

Ingrid M. Evans of the Evans Law Firm in San Francisco (www.evanslaw.com) focuses on elder financial and physical abuse, consumer fraud class actions, qui tam and personal injury cases. Ms. Evans is Parliamentarian and on the Executive Committee of CAOC. She is also on the Board of Governors for the AAJ and Public Justice.
Six CAOC members honored with CLAY Awards
Recognized for excellence by California Lawyer magazine

Six members of Consumer Attorneys of California have been honored with 2012 California Lawyer Attorneys of the Year (CLAY) Awards presented by California Lawyer magazine. According to the magazine, the awards recognize attorneys who “have changed the law, substantially influenced public policy or the profession, or achieved a remarkable victory for a client or for the public” and “have made a profound impact on the law.”

B. Robert Allard of the San Jose firm Corsiglia McMahon & Allard received the CLAY Award in the Public Interest category for his work exposing the sexual abuse of young athletes involved in USA Swimming. Allard filed a series of lawsuits that resulted in more than 75 coaches being accused or convicted of sexual abuse, as well as implementation of guidelines for coaches.

Conal F. Doyle of the Beverly Hills firm Willoughby Doyle received the CLAY Award in the Human Rights category for his work representing the family of a man whose fatal cancer went undiagnosed while he was in state and federal custody. The case has been credited with changing the way government provides healthcare to immigration detainees.

Niall McCarthy and Justin T. Berger of the Burlingame firm Cotchett, Pitre & McCarthy received the CLAY Award in the False Claims category. Their whistleblower suit helped the state recover more than $300 million in illegal overcharges for work performed on patients covered by Medi-Cal, the state’s medical insurance program for the poor.

Shawn A. McMillan of the Law Office of Shawn A. McMillan in San Diego received the CLAY Award in the Family Law category for his work in reuniting a mother with her two daughters after the girls were taken from her home by Orange County Child Protective Services social workers. A jury handed down one of the largest parental rights judgments against a child protective services agency in the U.S.

Gene J. Stonebarger of Stonebarger Law in Folsom received the CLAY Award in the Consumer Rights category for his work in a case involving retailer Williams-Sonoma collecting consumer zip code data at the cash register. A unanimous state Supreme Court ruling, reversing the decisions of two lower courts, has spawned several class actions and prompted legislative action.

The winners of CAOC’s 2011 Consumer Attorney of the Year award – Michael J. Crowley, Christopher J. Healey, W. Timothy Needham and Michael D. Thamer – received the 2011 CLAY Award in the Elder Law category for a groundbreaking case in Humboldt County.

The complete list of CLAY Award winners is available on their website, http://www.callawyer.com/clclayawards.cfm.

Three CAOC members honored by The Recorder
Recognized as 2011 Attorneys of the Year

Three members of Consumer Attorneys of California have been honored as 2011 Attorneys of the Year by The Recorder, the San Francisco-based legal publication.

Michael Alder was recognized for his work on a number of cases, including one that was a finalist for CAOC’s 2011 Consumer Attorney of the Year award. In that case a California Highway Patrol officer was left a quadriplegic after being struck by a vehicle delivering dirt bikes. Alder’s legal team discovered employees of the bike shop had improperly secured the bikes, leading to the tragic chain of events. Alder is the current president of Consumer Attorneys Association of Los Angeles.

Conal Doyle was recognized for his work representing the family of a man whose fatal cancer went undiagnosed while he was in state and federal custody, a case that was also a finalist for CAOC’s Consumer Attorney of the Year honor. Francisco Castaneda made numerous attempts to seek medical attention, but both state and federal officials refused him proper care. The case has been credited with changing the way government provides healthcare to immigration detainees.

Gilbert Purcell was recognized for his work on mesothelioma and tobacco cases, including a case that clarified the statute of limitations for smokers who have received a series of diagnoses for smoking-related illnesses. The California Supreme Court agreed with Purcell that the statute of limitations clock for the longtime smoker he represented did not start until she was diagnosed with cancer, a decision that will allow many more victims of smoking-related disease to seek compensation from tobacco companies.

The complete list of The Recorder’s Attorneys of the Year is available to subscribers on the publication’s website, www. therecorder.com.
CAOC members named in Top 100 Southern California Super Lawyers

In a performance as dominating as any sports dynasty, CAOC members garnered more than a third of the spots among the Top 100 lawyers in Southern California honored by Super Lawyers magazine. A trove of 37 CAOC member-attorneys landed spots on the list, including several perennial all-stars of the trial bar.

**Sharon J. Arkin**, The Arkin Law Firm
**Virginia Keeny**, Hadsell Stormer Keeny
**Lisa M. Maki**, Aitken & Aitken Cohn
**Michelle A. Reinglass**, ADR Office of Michelle A. Reinglass
**Amy Fisch Solomon**, Girardi | Keese
**Christine D. Spagnoli**, Greene Broillet & Wheeler, LLP
**Shirley Watkins**, Michels & Watkins

**David M. deRubertis**, The deRubertis Law Firm
**Gregory L. Dilllon**, Newmeyer & Dillon LLP
**Gary A. Dordick**, Law Offices of Gary A. Dordick
**Steven B. Effres**, Effres & Associates
**Victor L. George**, Law Offices of Victor L. George
**Thomas V. Girardi**, Girardi | Keese
**Browne Greene**, Greene Broillet & Wheeler, LLP
**Steven A. Heimberg**, Heimberg Law Group, LLP
**Daniel Martin Hodes**, Hodes Milman, LLP
**Arash Homampour**, The Homampour Law Firm
**Brian S. Kabateck**, Kabateck Brown Kellner, LLP
**Paul R. Kiesel**, Kiesel Boucher Larson LLP
**Stephen A. Kolodny**, Kolodny & Anteau
**Walter J. Lack**, Engstrom Lipscomb & Lack
**David R. Lira**, Girardi | Keese

**John P. McNicholas**, McNicholas & McNicholas LLP
**Patrick McNicholas**, McNicholas & McNicholas LLP
**Philip Michels**, Michels & Watkins
**David R. Olan**, Olan Law
**Brian J. Panish**, Panish Shea & Boyle, LLP
**Norman Pine**, Pine & Pine
**David M. Ring**, Taylor & Ring
**Jerome L. Ringer**, Ringer & Associates
**Mark P. Robinson Jr.**, Robinson Calcag-nie Robinson Shapiro Davis, Inc.
**Roman M. Silberfeld**, Robins, Kaplan, Miller & Ciresi L.L.P.
**Amy Fisch Solomon**, Girardi | Keese
**Christine D. Spagnoli**, Greene Broillet & Wheeler, LLP
**Dan L. Stormer**, Hadsell Stormer Keeny
**Patrick McNicholas**, McNicholas & McNicholas LLP
**John C. Taylor**, Taylor & Ring
**Gregory R. Vanni**, Thon Beck Vanni Callahan & Powell
**Geoffrey S. Wells**, Greene Broillet & Wheeler, LLP

CAOC members named in Top 50 Women Attorneys in Southern California

A veritable who’s who of CAOC stars topped the list of Super Lawyers’ 50 Top Women Attorneys in Southern California. Among those copping spots were former CAOC presidents Christine Spagnoli and Sharon Arkin, along with executive committee member Lisa Maki and award-winning Amy Fisch Solomon.

**Sharon J. Arkin**, The Arkin Law Firm
**Virginia Keeny**, Hadsell Stormer Keeny
**Richardson & Renick LLP**
**Lisa M. Maki**, Aitken & Aitken Cohn
**Michelle A. Reinglass**, ADR Office of Michelle A. Reinglass
**Amy Fisch Solomon**, Girardi | Keese
**Christine D. Spagnoli**, Greene Broillet & Wheeler, LLP
**Shirley Watkins**, Michels & Watkins

**David M. deRubertis**, The deRubertis Law Firm
**Gregory L. Dilllon**, Newmeyer & Dillon LLP
**Gary A. Dordick**, Law Offices of Gary A. Dordick
**Steven B. Effres**, Effres & Associates
**Victor L. George**, Law Offices of Victor L. George
**Thomas V. Girardi**, Girardi | Keese
**Browne Greene**, Greene Broillet & Wheeler, LLP
**Steven A. Heimberg**, Heimberg Law Group, LLP
**Daniel Martin Hodes**, Hodes Milman, LLP
**Arash Homampour**, The Homampour Law Firm
**Brian S. Kabateck**, Kabateck Brown Kellner, LLP
**Paul R. Kiesel**, Kiesel Boucher Larson LLP
**Stephen A. Kolodny**, Kolodny & Anteau
**Walter J. Lack**, Engstrom Lipscomb & Lack
**David R. Lira**, Girardi | Keese

CAOC members named in Top 50 Orange County Super Lawyers

Eleven members of CAOC have landed on Super Lawyers lists of the Top 50 attorneys in Orange County. It marked one of the strongest performances ever by CAOC member-attorneys, and included such luminaries as former CAOC presidents Wylie Aitken and Mark Robinson.

**Darren Aitken**, Aitken & Aitken Cohn
**Wylie A. Aitken**, Aitken & Aitken Cohn
**Sean M. Burke**, Law Offices of Sean M. Burke, APC

**Brian D. Chase**, Bisnar | Chase, LLP
**Thomas A. Cifarelli**, Cifarelli Law Firm LLP
**Gregory L. Dilllon**, Newmeyer & Dillon LLP
**Daniel Martin Hodes**, Hodes Milman, LLP
**Jeffrey A. Milman**, Hodes Milman, LLP
**Michelle A. Reinglass**, ADR Office of Michelle A. Reinglass
**Mark P. Robinson Jr.**, Robinson Calcag-nie Robinson Shapiro Davis, Inc.
**Eric V. Traut**, The Traut Firm