



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Chase, Ritsema are Consumer Attorneys of the Year Arbogast, Berns earn CAOC's Street Fighter of the Year honor

SACRAMENTO (November 10, 2012) – **Brian Chase** and **Scott Ritsema** of the Newport Beach firm Bisnar | Chase are Consumer Attorneys of California's 2012 Consumer Attorneys of the Year. The announcement was made at the awards dinner Saturday night as part of CAOC's 51st Annual Convention at The Palace Hotel in San Francisco.

The award is given to recognize a plaintiff's lawyer who achieved a significant result in a case that assisted consumers or changed consumer law for the better in California and was finally resolved between May 15, 2011, and May 15, 2012.

David Arbogast of Arbogast Bowen in Los Angeles and **Jeffrey Berns** of Berns Weiss in Woodland Hills were also honored Saturday night as winners of CAOC's Street Fighter of the Year award. That award is for attorneys who have been practicing law for ten years or less or who work at a firm that has no more than five attorneys.

The evening also included an appearance by Gov. Jerry Brown during the pre-dinner cocktail party. CAOC was the first organization to formally back Proposition 30, the governor's tax measure that prevailed in the Nov. 6 election. Attendees at the dinner included Insurance Commissioner Dave Jones and a variety of legislative leaders. Atty. Gen. Kamala Harris gave a lunch keynote address Friday.

Chase and Ritsema were selected as Consumer Attorneys of the Year for their work holding the manufacturer of a defective product accountable for the serious injuries of a woman who was left a paraplegic after a vehicle crash. In *Romine v. Johnson Controls, Inc.*, Bisnar and Chase represented Jaklin Romine, who was properly seat belted when she was rear-ended at a Pasadena intersection while waiting to make a left turn. Her seat collapsed rearward and she was thrown into the back seat, breaking her neck and back. Chase and Ritsema presented evidence that the seat, designed by Johnson Controls, was too weak to withstand foreseeable rear impacts, thus subjecting occupants to catastrophic risks. They also showed the company had been well aware of the dangers and risks of weak seats since the 1990s. Johnson Controls had actually developed a design that was more structurally sound to prevent seats from collapsing in accidents such as this but chose to put profits ahead of people.

Arbogast and Berns worked together to help homeowners who were victimized by Option ARM (adjustable-rate mortgage) loans. The "Pick-a-Payment" Option ARM loan from World Savings Bank (which later merged with Wachovia) disclosed the true interest rate but provided a payment that was based on a 1% interest rate that did not exist. The difference between the payment being made and the amount due at the true interest rate was added to the principal balance each month, meaning the homeowner's debt would actually grow each month. In 2007, Berns and David Arbogast filed a lawsuit arguing that the "Pick-a-Payment" program gave borrowers the false hope of a low-cost low-interest loan and violated the federal Truth-in-Lending Act. The attorneys negotiated a court-supervised loan modification process geared toward keeping homeowners in their home with an affordable payment. While banks were bailed out as the result of these risky lending practices, this case marked the first time homeowners were able to obtain relief.

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Also honored at Saturday's dinner were:

Michael A. Kelly (partner, Walkup, Melodia, Kelly & Schoenberger, San Francisco), winner of the Robert E. Cartwright, Sr., Award, given "in recognition of excellence in trial advocacy and dedication to teaching trial advocacy to fellow lawyers and to the public." Kelly is an outstanding speaker at legal education seminars whose commitment to continuing legal education has been recognized by a number of bar associations.

Kathryn A. Stebner (founder, Stebner & Associates, San Francisco), winner of the Marvin E. Lewis Award, given "in recognition of continued guidance, loyalty and dedication, all of which have been an inspiration to fellow attorneys." A leader in representing victims of elder abuse for more than 20 years, Stebner has been extremely generous in sharing her time, talents and knowledge with CAOC and its members. She filed the first elder abuse lawsuit ever in California in 1987 and is the current president of the San Francisco Trial Lawyers Association.

John A. Montevideo (partner, DiMarco Araujo | Montevideo, Santa Ana), winner of the Edward I. Pollock Award, given "in recognition of many years of dedication, outstanding efforts and effectiveness on behalf of the causes and ideals." In addition to his more than 30 years of excellence as a plaintiffs' attorney, Montevideo has been a warm and encouraging colleague for his fellow members of CAOC and served as president of the association in 2011. He is also a past president of the Orange County Trial Lawyers Association.

Assembly Member Mike Gatto (D-Burbank), named CAOC's 2012 Assembly Member of the Year as the author of AB 1875, a CAOC-supported bill that will protect the health and wellbeing of elderly and ailing plaintiffs by preventing them from being subjected to marathon depositions.

Senate President pro Tempore Darrell Steinberg (D-Sacramento), named CAOC's 2012 Senator of the Year for his staunch support of consumer rights and his leadership role in fighting for adequate funding of California's court system.

The awards banquet also included the installation of CAOC 2013 President Brian Kabateck. A graduate of the University of Southern California and Loyola Law School, Kabateck is the founding partner of Kabateck Brown Kellner LLP in Los Angeles. He has been honored by the Los Angeles Daily Journal as one of California's Top 100 Lawyers three times and is a finalist for this year's Consumer Attorney of the Year award, although as President-Elect he withdrew his name from consideration before the vote to determine the winner.

Among those also receiving awards during the 51st Annual Convention were winners of the CAOC Women's Caucus awards. Nancy Fineman won the Woman Trial Lawyer of the Year, while Leslie Breukner and Elise Sanguenetti shared the Woman Consumer Advocate of the Year prize.

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

For more information:

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