

CAOC 2018 Awards

By J.G. Preston, CAOC Press Secretary

Consumer Attorneys of California honored its attorneys for the year during its 57th Annual Installation and Awards Dinner on Nov. 17, 2018, at the Hyatt Regency San Francisco. The award winners follow.

Consumer Attorney of the Year

Craig M. Peters of Altair Law in San Francisco and David L. Winnett of The Veen Firm in San Francisco are Consumer Attorneys of California's 2018 Consumer Attorneys of the Year for holding Mazda accountable for a defective seatback design that left a California woman a partial paraplegic.



Consumer Attorney of the Year is awarded to a CAOC member or members who significantly advanced the rights or safety of California consumers by achieving a noteworthy result in a case. Eligibility for this year's award was limited to cases that finally resolved between May 15, 2017 and May 15, 2018, with no further legal work to occur, including appeals.

In *Doe v. Mazda Motor of America, Inc., et al.*, Peters and Winnett represented a woman who was seriously injured when the car she was driving was rear-ended by a one-ton pickup truck traveling at 65 miles an hour. The impact caused her seatback to collapse backward, and the headrest and the back of her head were struck by the intrusion of her trunk and back seat from the impact. She suffered a traumatic brain injury, a broken spine and broken ribs, and was left a partial paraplegic with a lifetime of excruciating pain.

The attorneys said the collapsing seatback was a design defect and said a reasonable consumer would not expect the seatback to collapse from a rear end collision at highway speeds. If the seatback held, the victim would have experienced few or no injuries. Mazda argued that a change in velocity of more than 60 mph is impossible to design a seatback for, and no government agency or industry group has required that seatbacks be built to withstand these type of impacts. But this seatback design fails at low speeds, even in an impact with a change in velocity of 20 mph.

A jury agreed that the seatback was defectively designed, compensating the victim for her suffering and medical care. It is hoped that this verdict, along with other recent cases involving failing seatbacks, will have the effect of preventing the deaths or serious injuries of other drivers and passengers. This was a difficult victory against a company, and an industry, that was willing to spend unlimited amounts of money to fight against a simple change that had the potential to save lives.

Street Fighter of the Year

Taylor Rayfield of Greene Broillet & Wheeler in Santa Monica was honored as CAOC's Street Fighter of the Year for winning a settlement that compensated more than two dozen victims of a high school wrestling coach who was hired despite being a known sexual predator.



Eligibility for Street Fighter of the Year is limited to CAOC members who have practiced law for no more than 10 years or work in a firm with no more than five attorneys. Eligibility for this year's award was limited to cases that finally resolved between May 15, 2017 and May 15, 2018, with no further legal work to occur, including appeals.

In *T.H. v. Torrance Unified School District*, Thomas Snider, Rayfield took on a school district that allowed a sexual predator to coach wrestling. Thomas Snider, a longtime Torrance High School computer teacher, was hired to coach the school's wrestling team in 2013, despite past allegations that he had sexually assaulted an 11-year-old boy on a camping trip. As coach, he molested dozens of boys on his team.

Rayfield represented one of these boys, and during the course of her investigation, she uncovered evidence showing that, years before her client was abused, school staff members including the principal were aware of allegations of sexual abuse by Snider. Rather than investigate or alert law enforcement, the school officials complained to Torrance police that the man who made the allegations was harassing them. Rayfield's tenacity and negotiating skills resulted in a settlement compensating her client for the abuse he suffered, and that helped more than two dozen other victims also reach settlements with the school district.

Robert E. Cartwright, Sr., Award

William L. Veen, founder and principal, The Veen Firm, San Francisco, received this honor, which is given each year to a CAOC member "in recognition of excellence in trial advocacy and dedication to teaching trial advocacy to fellow lawyers and to the public." Veen has been a longtime supporter of CAOC's education programs, as a speaker and sponsor, and has been generous in sharing his legal knowledge with fellow consumer attorneys.



Veen worked as a defense attorney early in his career (and served as Lieutenant for the United States Coast Guard Reserve as a Legal Specialist during the Vietnam War), but he found his calling as a consumer attorney and started The Veen Firm in San

Francisco in 1975, representing injured workers and consumers. “This is important work we do,” he said. “It makes me feel good, sort of a combination of Don Quixote and Robin Hood.”

Marvin E. Lewis Award

Timothy G. Blood, managing partner, Blood Hurst & O’Reardon, San Diego, received this annual award given “in recognition of continued guidance, loyalty and dedication, all of which have been an inspiration to fellow attorneys.” Blood has been indispensable in nearly every major political battle CAOC has fought over the past decade. This year, he was part of CAOC’s effort to pass Assembly Bill 375, the California Consumer Privacy Act, that gives consumers the right to seek damages when businesses don’t take adequate steps to protect their personal data.



Blood’s dedication goes beyond work in Sacramento. He is a leader in digging into politics at the local level, and his connections and insights have helped build CAOC’s political program. “CAOC is one of the most significant interest groups in Sacramento because it does incredibly important work in advancing the rights of regular people, giving them the voice they otherwise would not have,” Blood said.

Edward I. Pollock Award

Mary E. Alexander, founder of Mary Alexander & Associates, San Francisco, received the Pollock award, which is given annually to a CAOC member “in recognition of many years of dedication, outstanding efforts and effectiveness on behalf of the causes and ideals of consumer attorneys.”



A past president of both CAOC and the American Association for Justice, Alexander was among the attorneys who fought the lead paint industry for more than 20 years to hold them accountable for poisoning thousands of children. The result was a landmark verdict which held that lead is a public nuisance. And when the lead paint industry threatened to overturn the verdict through a ballot initiative, Alexander led the campaign to keep the initiative off the ballot.

Among her many contributions to CAOC was her term as president in 1996, when the organization was fighting three anti-consumer ballot measures, Propositions 200, 201 and 202. Those would have, among other things, created no-fault auto insurance in California and severely limited contingency fees for plaintiffs attorneys.

Senator of the Year

Hannah-Beth Jackson received the CAOC award as state Senator of the Year for her efforts in office to protect the civil justice system and the rights of California consumers as chair of the California Senate Judiciary Committee.



In 2015 she authored Senate Bill 358, the

California Equal Pay Act, a bill aimed at closing the gender pay gap was described by the Los Angeles Times as “one of the toughest pay equity laws in the nation.” This year, she authored two bills in response to the #MeToo movement that were signed by Gov. Jerry Brown. Senate Bill 1300 provides guidance to the courts on the legal standard for sexual harassment litigation so that it is fairly applied in court to protect victims. The bill also prohibits non-disparagement clauses that prevent victims from speaking out about abuse. Senate Bill 224 expands sexual harassment protections to explicitly prohibit sexual harassment by investors, elected officials, lobbyists, directors and producers.

Assembly Member of the Year

Eloise Gómez Reyes won the CAOC award for Assembly Member of the Year for what was an impactful first term as a state lawmaker. Asm. Reyes serves on the Assembly Judiciary Committee and has been a leader in protecting victims of sexual harassment. Two employee protection bills she authored this year that were sponsored by Consumer Attorneys of California passed the Legislature, only to be vetoed by Gov. Jerry Brown.



Asm. Reyes was one of the authors of Assembly Bill 1870, also known as the SHARE (Stopping Harassment and Reporting Extension) Act, which would have extended the time to file claims of harassment and discrimination under the California Fair Employment and Housing Act from one year to three years. Despite broad support in the Legislature, Gov. Brown also vetoed this bill.

Undeterred, Asm. Reyes has already introduced a new version of her SHARE bill, which will move forward in 2019 as AB 9.

Mike Arias becomes 2019 President

The awards dinner also included the installation of CAOC’s 2019 President Mike Arias, founding and managing partner of Arias Sanguinetti Wang & Torrijos LLP, with offices in Los Angeles, Emeryville, Las Vegas and Montreal. Arias is the immediate past president of Consumer Attorneys Association of Los Angeles and a member of the board of governors of the American Association for Justice.



With CAOC, he organized the annual Trial Lawyers Association Congress, which brings together the current and future leaders and senior staff of every California TLA to foster collegiality.

Women’s Caucus Consumer Advocate of the Year

Also during CAOC’s 57th Annual Convention, the CAOC Women’s Caucus honored Micha Star Liberty with its top annual award. As CAOC’s legislative chair in 2018 and a leader in advocating for women’s issues and diversity, Liberty has testified numerous times before state legislative committees, led CLE programs and fought hard in the courtroom on behalf of victims of abuse and discrimination. ■

