



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Panish, Chang, Bentley, Vanni named CAOC Consumer Attorneys of the Year

Stebner, Fish, McGinty named Street Fighters of the Year at Awards Dinner

SACRAMENTO (Nov. 16, 2014) – **Brian J. Panish** and **Deborah S. Chang** of the Los Angeles firm Panish Shea & Boyle, **Gregory L. Bentley** of the Claremont firm Shernoff Bidart Echeverria Bentley and **Gregory R. Vanni** of the Pasadena firm Thon Beck Vanni Callahan & Powell are Consumer Attorneys of California's 2014 Consumer Attorneys of the Year for their work to improve the safety of vehicles that run on compressed natural gas. The announcement was made Saturday night at the awards dinner as part of CAOC's 53rd Annual Convention at The Palace Hotel in San Francisco.

Kathryn Stebner of the San Francisco firm Stebner & Associates, **Kirsten M. Fish** of the San Jose firm Needham Kepner Fish & Rickard and **Valerie McGinty** of the San Francisco firm Smith & McGinty were also honored Saturday night as CAOC's Street Fighters of the Year for their representation of an 88-year-old woman who contracted herpes when she was raped at a skilled nursing facility. The attorneys had to defeat an unjust arbitration clause in the nursing home contract in order to win justice for their client.

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 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. To be considered for either award the case must have finally resolved between May 15, 2013 and May 15, 2014, with no further legal work to occur, including appeals.

In *Solorio v. Lincoln Composites, et al.*, Panish, Chang, Bentley and Vanni represented Jose Solorio, who lost his right leg and suffered other serious injuries when two compressed natural gas (CNG) vessels in his delivery van exploded while being filled in March 2009. The catastrophic ruptures occurring within the vessels' service life called into question the safety of the existing standards, and the design, manufacturing, and testing processes for these all-plastic vessels in CNG vehicles and in future hydrogen vehicles. The case brought national attention to the issue of regulations and safety — and an investigation was launched by the National Highway Traffic Safety Administration (NHTSA) and NASA's White Sands Testing Facility. The handling attorneys conducted their own testing and analysis through experts from Lawrence Livermore National Laboratory, the Aerospace Corporation and others. The attorneys also provided funding for the investigation in the interest of public safety at a cost of nearly \$2 million. The matter settled for a confidential amount and created an unprecedented database for NHTSA and NASA that identifies the conditions and flaws that lead to failure and can be used to save lives in the future.

In *Young v. Horizon West, Inc.*, Stebner, Fish and McGinty represented Marilyn Young, who was 88 years old and recovering from a stroke at a Horizon West skilled nursing facility in Monterey when she was sexually assaulted and contracted genital herpes. When Young sued, Horizon West moved to force the case to arbitration based on an agreement that her daughter had signed upon admission. Fish and Stebner defeated that motion, and when Horizon West appealed, a process that usually takes upwards of two years, McGinty utilized a little-known strategy and was able to speed up the process based on Young's age. As a result Young was still alive when the court issued its decision in her favor, and the

case was settled shortly afterwards. The appeal produced a published decision that clarified what had been a murky area: the ability of an agent (such as Young's daughter) to bind a principal (such as Young) to an arbitration agreement. Because this case presented a perfect example of how dangerous arbitration agreements can be in nursing home contracts, Stebner and Fish worked with California Advocates for Nursing Home Reform to write and produce a public service announcement video featuring Young and her daughter. The video urges the elderly and their families to refuse to agree to arbitration provisions when entering a nursing home and will help other California seniors avoid lengthy legal battles regarding nursing home arbitration agreements.

Also honored at Saturday's dinner were:

Christine D. Spagnoli (partner, Greene Broillet & Wheeler, Santa Monica), 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." One of California's top trial lawyers, Spagnoli served as CAOC's president in 2009 and has been a very active participant in CAOC's continuing education programs and has been generous with her time and talents in behalf of fellow consumer attorneys.

Brian S. Kabateck (founder and managing partner, Kabateck Brown Kellner, Los Angeles), 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." CAOC's president in 2013, Kabateck has given countless hours to CAOC activities, chaired the campaign fundraising committee for Proposition 46 and has played a key role in the effort to restore adequate funding to California's courts.

Thomas V. Girardi (co-founder, Girardi | Keese, Los Angeles), 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." With nearly fifty years of experience representing victims of corporate wrongdoing, Girardi is recognized as one of the nation's top consumer attorneys and was named to the California State Bar Trial Lawyer Hall of Fame in 2003.

The awards dinner also included the installation of CAOC's 2015 President **Brian D. Chase**, senior partner at Bisnar | Chase Personal Injury Attorneys, Newport Beach. Winner of the Consumer Attorney of the Year award in 2012, Chase has successfully taken on corporate giants in representing victims of auto defects and dangerous products.

Also during CAOC's 53rd Annual Convention, the CAOC Women's Caucus honored **Helen E. Zukin**, partner with Kiesel Law of Beverly Hills, with its Consumer Advocate Award for her outstanding contributions to the legal profession. Zukin has consistently offered guidance to CAOC's many female members and extended opportunities for them to advance into leadership positions.

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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