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The Fragility of Being

By
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Recently the San Diego legal community lost a true friend. Judge J. Michael Bollman has been laid to rest, but many have been profoundly impacted by his death and the circumstances leading to it. Frequently, I find myself reflecting on my experiences with Judge Bollman. Often, when I think of him, I am also reflecting on my life, my career, my clients and the fellowship of the San Diego legal community. As plaintiff lawyers, we have all seen throughout our careers how life can change in a New York minute. We have all represented people whose lives were in balance one day and spiraling out of control the next due to someone's negligence or their exposure to a defective product. It never occurred to me that Judge Bollman would one day be one of these people.

Many of my clients did meet Judge Bollman. I will always remember his settlement conferences. I always hoped to get the first settlement conference of the day, because then I knew I would have at least one half hour of his precious time for my case alone. Once that first half hour was over, we all know how it went. Judge Bollman and his wonderful staff, the ever friendly and devoted Lee and his gracious and accommodating bailiff Kirk, would shuttle us in and out as often as we needed. I will always remember Judge Bollman sitting behind his desk, with that serious look on his face, the serious look which masked his huge heart. I will remember him eating his lunch, at any time of day, while he busily worked to try to resolve our cases. I remember his opening lines which were usually along the lines of "What's it gonna take?" "What do you really need?" He had so many lawyers and judges to serve, and so relatively little time.

Some cases he could resolve; some he couldn't. Sometimes Judge Bollman thought I was unreasonable in my expectations; other times he was disappointed he could not get the other side to step up. But he was always kind. He was always respectful. He was always anxious to help. When I think of Judge Bollman, I remember times when I asked him to push further than he thought he could and the times I insisted he go back to the other side and not take no for an answer. Despite the apparent futility, he always kept at it as long as the parties were still there, simply because he knew it was important to me and my client.

When I think of Judge Bollman, I don't think of the cases that he could not settle. I think of the times he stayed after hours to help complete a fragile deal because he knew it otherwise would not survive the light of day. I think of the Judge Bollman who worked on numerous cases at once, but

knew the facts of each case cold. When I think of Judge Bollman, I think of the “you’ve got a great lawyer” speech he gave to each of our clients. I think of a judge who truly wanted the lawyers before him to look good in their clients’ eyes -- a judge who treated the lawyers in his courtroom with dignity. When I think of Judge Bollman, I think of a man who had a tough job to do, but who never lost his patience. I think of a judge who always handled his position with dedication and class.

And then I think of the Judge Bollman whose control over his life was in great measure destroyed by the single act of another individual. This is the part that is so gut wrenching. I can’t even count the number of times I have sat with clients and explained our justice system. You know the discussion. How many times we have all explained that, if it could, the system would just put their physical and spiritual beings back to where they were before they were injured . . . but it can’t. And so all we as lawyers can do is obtain the compensation that the system provides... Those sentiments, while surely true, seem so inadequate when the enormity of human suffering is squarely before us. And so, as I think of Judge Bollman, his suffering, his pain, his sadness and loss of hope for a better future, I think of my career and the clients I am privileged to serve. I reflect on the awesome responsibility the privilege brings with it. And I renew my commitment on a daily basis to fight for them with every ounce of strength I have. I re-commit to always doing all I can to truly understand the depth of their loss. I commit to developing an even deeper understanding of the extent to which their heartache permeates their lives. And I commit to doing all I can to provide them with hope for a future that is better than today.

When I think of Judge Bollman, I realize that his career was only a small part of who he was. He was a teacher, a great friend to so many, a huge sports enthusiast and a man who loved his family more than anything, and so much more. When I think of Judge Bollman, I think of his family and then I think of mine. And then I think of my friends, my dear law partners and all of the CASD warriors out there who are fighting for justice every day. When I think of Judge Bollman, I think of the courage of our overworked judges who are tasked with making life altering decisions on a daily basis. I think of all the injured victims we’ve been able to help and those we are still fighting for. I think of how we really do make a difference in peoples’ lives.

When I think of Judge Bollman, I pray for him, his family and for all of us. And mostly, when I think of Judge Bollman, I think of how sad I am that he suffered so greatly, how sad I am that we couldn’t help him, and how much I miss him.