NEW VISION
2009 SAN DIEGO COUNTY BAR ASSOCIATION PRESIDENT

Jerrilyn Malana
Resolution pivots on the skills of the mediator, who must know the law, understand human nature, and be able to visualize original solutions to complex situations. Most of all, a mediator must be confidently and gently persistent.

Steve Kruis – all of the above.
You deserve expert financial representation.

You have the right to a bank that understands the complex financial needs of attorneys and law firms. A financial ally to guide your banking with a personal touch. Whether it’s establishing IOLTAs and client trust accounts, arranging a line of credit to smooth cash flow between cases, or managing employee benefits, you deserve a bank that gives you the proper financial representation.

Call 1-888-818-6060 to schedule a meeting with a Business Banking Specialist.

unionbank.com/attorneys

This is not a commitment to lend. Financing subject to credit and any applicable collateral approval. Other restrictions may apply. Financing available to businesses located in California, Oregon, and Washington. Terms and conditions subject to change.

©2008 Union Bank of California, N.A. Member FDIC.
FEATURES

22 Breaking Away after the Bar
Taking the trip of a lifetime is one response to the rigors of taking the bar exam.
By Genevieve Suzuki

30 The Welsh Inn of Court at 25
The San Diego legal institution celebrates a quarter-century of existence.
By Wendy Patrick Mazzarella

32 Ringing in the New
Introducing Jerrilyn Malana, the San Diego County Bar Association’s new president.
By James Talley

36 When E-Mail Explodes
The volume of electronic communication threatens to overwhelm the legal system.
By Ken Withers

42 Having a CARE about Bankruptcy
The Credit Abuse Resistance Education program aims to reduce bankruptcy cases and increase financial savvy in young adults.
By Wendy Dimpfl

FEATURE DEPARTMENTS

20 Profile
The Association of Corporate Counsel provides collegial services for its members, who discuss its benefits.
By Dean Schiffman

24 Civility, Integrity and Professionalism
In the fourth in a series examining the standards of our profession, five attorneys gather to share their in-house and outside-counsel experiences and views of the trends toward—and away from—civility.
By Alidad Vakili

DEPARTMENTS

6 Perspective
The author mentors her second “little sister” through the Hermanitas Program.
By Marissa Bejarano

8 President’s Page: Year in Review
Looking back at the SDCBA accomplishments of 2008.
By Heather Rosing

10 Ethics
Just what is a lawyer to do with a smoking gun?
By Michael Crowley

14 Briefly
Deputy Attorney General Rita Hanscom is always on the run.
By Alice Solovay

16 Et Al.
Appointments, awards and the comings and goings of local lawyers and judges.
By Wendy Patrick Mazzarella

18 Order
The county offers a bounty of small bites and other delights.
By Krista Cabrera and Gil Cabrera

46 MCLE Questions

48 Photo Gallery

56 Sustaining Members

58 Rewind
Delving further into Mr. Wright, the justice court and 50-year marks.
By George Brewster Jr.

60 Advertisers’ Index

61 Directory of Experts and Consultants

62 Closing
Photos that capture a slice of the local legal life.
STRENGTH IN NUMBERS

Call 1-800-282-9786 today to speak to a specialist.
Sisterly Support

AFTER volunteering as a San Diego Police cadet during high school and college, there was no doubt in my mind that I wanted to attend law school and become a prosecutor. Fortunately, I had a support system at home and in the community to help me achieve those goals. Today, I’m proud to be a deputy attorney general with the California Department of Justice.

Unlike the support I had growing up, many preteens and teens in San Diego don’t have a support system to help them achieve educational and professional goals. This is an acute issue plaguing first-generation teenage daughters of Latino immigrants, exacerbated by Latinas having the highest high-school dropout and teen pregnancy rates. Latinas also face unique obstacles: language barriers; lack of understanding the higher-education application system and post-grad requirements; and minimal standardized testing experience.

I am confident that the small amount of time I take each week to mentor Kimberly will have a positive influence on her life.

For three years, as director of MANA de San Diego’s Hermanitas Program, I and numerous volunteers have worked to provide such a support system. Hermanitas (Spanish for “little sisters”) is a national initiative focused on promoting higher education among Latinas. This goal is achieved through a one-on-one mentoring program, which meets monthly and exposes the girls and mentors to different careers.

I’ve mentored two girls from National City—my current mentee, Kimberly Aguayo, for five years, every year a rewarding experience. I met her when she was in seventh grade, certain she wanted a career in law enforcement. Since that time, she has been in the ROTC program and was able to meet Brigadier General Angela Salinas. She was one of 10 girls in the program to attend a National Leadership Institute in Washington, D.C. Since then, Kimberly has decided that law enforcement may not be for her and is now pursuing volunteer opportunities at Paradise Valley Hospital and taking medical-related classes. No matter what field Kimberly decides on, I am committed to helping her achieve her goal.

I am confident that the small amount of time I take out of my week to mentor Kimberly will have a positive influence on her life. As a result of my commitment, she is now pursuing volunteer opportunities at Paradise Valley Hospital and taking medical-related classes. No matter what field Kimberly decides on, I am committed to helping her achieve her goal.

Marissa Bejarano is a deputy attorney general with the California Department of Justice. She can be reached at marissa.bejarano@doj.ca.gov.
Ross, Dixon & Bell, LLP will become Troutman Sanders LLP as of January 1, 2009. Lawyer contact: Michael Whitton, 619.235.4040

San Diego knows Ross, Dixon & Bell for its substantial experience in commercial litigation and legal counseling.

On January 1, 2009, the firm will add to its nationally recognized capabilities by merging with Troutman Sanders LLP in order to offer clients the combined knowledge of more than 750 lawyers in 50 practice areas and an expanded footprint of 15 offices worldwide.

>> Learn more at troutmansanders.com or rdblaw.com.

Ross, Dixon & Bell, LLP will become Troutman Sanders LLP as of January 1, 2009. Lawyer contact: Michael Whitton, 619.235.4040
A Fabulous Year in Review

2008 was a year of great accomplishments for our organization, the San Diego County Bar Association. I am so proud to have worked with so many remarkable attorneys and leaders in our legal community on our initiatives and events. As I always say, “Together we can do great things!”

So what did we actually accomplish (you must be asking)? How did we further the mission of the organization? Ah, so much to say, not enough space allotted! But I’ll try my best…

One of our biggest accomplishments was the success of our Civility, Integrity and Professionalism Campaign. All year long, a committee of dedicated attorneys and judges worked hard to spread the word about the importance and advantages of conducting oneself in accordance with the highest standards of professionalism. We kicked off the campaign in April with a fun Celebration of Civility event, which was well attended by the bench and Bar. We rolled out the newly revised and expanded Attorney Code of Conduct that evening and featured a video that recognized acts of civility by our members.

We continued the year by speaking to numerous groups about civility in the profession and writing a series of articles in this magazine and in Bar Report. In August, we introduced a document titled “Guidelines for Effective and Professional Advocacy,” and in November we held the first Jay Wheeler Seminar, titled “Be Civil, Grow Rich: The Benefits of Civility, Integrity and Professionalism in the Practice of Law.”

But we did more than just talk about civility! In January, we welcomed our new executive director, Ellen Miller, who, along with her amazing staff, reorganized the building, worked on the development of the SDCBA’s new Web site (coming soon!) and streamlined our communications strategy to our members. In addition to putting on more than 210 hours of CLE programming, we hosted numerous unique educational programs throughout the year, such as the second annual Dialogue on Diversity, the City Attorney Candidate Debate, a Speakers Bureau event titled “Judicial Integrity” and a forum with State Bar President Jeff Bleich. We celebrated the 50th anniversary of Law Day with a week full of events in May. We had more than 60 different sections and committees of the Bar throw dozens of exciting events and meetings. We partnered with other local bar associations such as Lawyers Club, La Raza Lawyers, the South Bay Bar Association, the American Business Trial Lawyers and the Tom Homann Law Association, on events and initiatives. The list goes on!

Many of these successes are also a direct result of the hard work of our board of directors: President-Elect Jerri Malana; past president Jill Burkhardt; vice presidents Pat Hosey, Michelle Mitchell, Russ Kohn and Charlie Kim; treasurer Howard Wayne; secretary Stacy Fode; YNLD representative Gita Varughese; and other members Dan Link, Dan Holsenback, Liza Suwczinsky, Tim Richardson, Marvin Mizell, Elizabeth Balfour, John Gomez and Tom Buchenau. My fellow board members make fun of my constant use of the word “fabulous,” but there is no better word to describe them in their roles as leaders and friends.

Finally, one of our proudest accomplishments was the expansion of our Community Service Committee and efforts. Our members spent the year generously donating their time to the betterment of our community, through programs such as HOME (Home Owners Mobile Education) Clinics, Habitat for Humanity, FaceLift, Children at Risk, Lawyer in the Library, Ask-A-Lawyer and the Civil Service Members Relief Act panel. We also established a local Wills for Heroes program, which does free estate planning for our brave local first responders.

Next year, Jerri will be kicking off a campaign that reinforces the importance of the legal community giving back. The positive momentum we have created this year will continue and further flourish under Jerri’s guidance and leadership.

Every day I sit back and think about how lucky I am to practice law in such an amazing legal community, and what a great organization we have built together. Thank you for a truly unforgettable year as SDCBA president!
Introducing a better way to weigh and win your case.

Questions asked and answered with Case Evaluator on Westlaw®. Case Evaluator helps you accurately evaluate the legal merits and monetary value of your potential case – then gives you powerful tools to help you efficiently obtain the optimal outcome. You describe your client’s case, and Case Evaluator generates a custom report that lays out the settlement you can expect; the actual briefs, pleadings, and other documents filed in similar cases so you can see how they were argued; and the most effective experts for your situation. All contained in one custom report collected from premium Westlaw content. For more details call our Reference Attorneys at 1-800-207-9378 (WEST).
A Question of Ethics
Just what is a lawyer to do with a smoking gun?

You are a brand-new attorney and get your first job at the Law Office of Aaron Burr. You agree to go with your new employer early on the morning of July 11, 1804, across the Hudson River to the cliffs of Weehawken, New Jersey, where there is to be a meeting with Burr’s legal rival, Alexander Hamilton.

While you are rowing across the river through the fog, Burr says you may have to represent him because this is not going to be an ordinary meeting but rather a duel. Having studied your criminal law, you know you are crossing to New Jersey because dueling is illegal in New York, punishable by death; although illegal in New Jersey also, the penalty isn’t as tough.

The duel occurs, with Burr mortally shooting Hamilton and then fleeing to South Carolina. After dropping his dueling pistol on the ground, Burr asks you, while looking toward the river, “Don’t you think you should get rid of the gun?” You don’t have a chance to answer him as he is fleeing, but he later sends you a letter stating that he didn’t intend to shoot Hamilton. He said he was aiming over his head, the unwritten dueling custom at the time, but something must have been wrong with the sight on the gun.

What to do about the dueling pistol? Barring your prosecution for aiding and abetting a crime, perhaps you could at least prevent an ethical lapse. The pistol, of course, is evidence of a crime. You remember that California Penal Code section 135 makes it a misdemeanor to willfully destroy or conceal evidence.1

So it is not in your best interest, if you want to remain a lawyer, to get rid of the gun. Additionally, even though Burr’s incriminating question to you about the gun may be privileged (assuming you could show his statement was made in confidence and the communication was for legal services or advice; see Cal. Evid. Code § 951), the physical evidence—the gun itself—is not covered by any privilege. People v. Lee (1970), 3 Cal. App. 3d 514, 526: “A defendant in a criminal case may not permanently sequester physical evidence such as a weapon or other article used in the perpetration of a crime by delivering it to his attorney.” Id.

You are nonplused about whether to take the gun with you or just leave it on the Weehawken cliff. California law provides some consequences if you take it. The prosecutor may be allowed to comment on where you found the gun if you move it. See People v. Meredith (1981), 29 Cal. 3d 682, 686, stating: “We conclude that an observation by defense counsel or his investigator, which is the product of a privileged communication, may not be admitted unless the defense by altering or removing physical evidence has precluded the prosecution from making that same observation.” Id.

You decide it’s not a good idea to leave the gun, and you take it with you. As the nation mourns the loss of one of its founders, the criminal investigation begins, and you still have the gun. What to do? First, you should consult some seasoned criminal defense practitioners about your ethical and perhaps criminal considerations. We know from People v. Lee, supra, that you cannot hold on to the gun indefinitely. Two interesting issues arise, however, neither definitively answered by the California courts. How do you turn over the gun without breaching your duty of confidentiality? And could you keep the gun for a reasonable time to test it?2

First, you must turn over the gun in a manner that preserves as much as possible of the attorney-client privi-
This notion comes from the seminal case of State v. Olwell (1964), 64 Wn.2d 828 (394 P.2d 681, 16 A.L.R.3d 1021), which was relied upon and quoted with approval, including the holding of the evidence for a reasonable time, by the Lee court. 3 Cal.App.3d at 526.

Having taken the gun, you could be required to testify where you found it. But you could also hold it for a reasonable time to test it for Burr’s theory about its defectiveness and then produce it anonymously or through a third party. You may not have a job when Burr returns from being on the run, but you should preserve your right to practice law.

You must turn over the gun in a manner that preserves as much as possible of the attorney-client privilege.

Michael Crowley is a criminal defense attorney who can be reached at mlcrowley@usa.net.

1 Since you are reading this in San Diego Lawyer, this article focuses on California law, even though if you’d made the wrong move you might have been prosecuted in New York and New Jersey as Aaron Burr was (although never convicted of any crime for the duel).

2 Retesting of evidence and the potential comment upon the results has become a hotbed issue in California criminal cases. See People v. Varghese (2008), 162 Cal. App. 4th 1084, upholding the right of the prosecution to be present at a scientific testing because of the lack of sample quantity, and People v. Zamudio (2008), 43 Cal. 4th 327, 352-356, upholding the right of the prosecutor to comment to the jury on a sample being provided to the defense for testing over a claim of work-product privilege. See also People v. Cooper (1991), 53 Cal. 3d 771.
Fragomen is the world’s leading global corporate immigration law firm. For more than 50 years, we have focused solely on delivering strategic immigration solutions to our clients. Our service areas include:

Temporary Work Visas ~ Intra-Company Transfers ~ Professionals & Investors ~ Entertainment and Sports Professionals
NAFTA Visas ~ Labor Certifications ~ Family Related Petitions ~ Outbound Global Immigration
Consular Processing ~ Employer Sanctions (I-9) ~ Immigration Policy Development

Gary Perl, Partner
gperl@fragomen.com

Fragomen, Del Rey, Bernsen & Loewy, LLP
11238 El Camino Real, Suite 100
San Diego, CA 92130
Phone: 1 858 793 1600
www.fragomen.com
What are some of your recent athletic awards?
I became a world champion at the 2008 World Masters Indoor Championships in France, winning the gold medal in the pentathlon, which consists of hurdles, long jump, shot put, high jump and 800-meter race. I won a silver in the pole vault. At the 2008 U.S. Masters Indoor Nationals in Boston, I won gold medals in the 60-meter dash, 200-meter dash, pole vault, hurdles and high jump. At the 2008 U.S. Nationals in Spokane, I won gold medals in the 200-meter dash and high jump. In 2006 I won a gold medal and set a new masters world record for the 50-54 age group in the women’s decathlon.

How do you reconcile the demands of your profession, your athletic pursuits and your family life?
My family has top priority, and the balance of my time is divided between work and training. I consider my job “forced rest,” when I sit and engage my brain while my body recovers. If I didn’t have this job, I would probably overtrain and have more injuries.

What do you gain from athletic conditioning and/or competition that keeps you performing at such an intense level?
I enjoy having people tell me I don’t look my age. And the guys in my office are envious of my collection of gold medals.

At what point did you decide to enter athletic competitions?
My law school, Boston College, was on the route of the Boston Marathon. I ran the marathon a few times but was never very good at it. I’m not really a distance runner; I’m much better at events requiring speed. I learned about masters track and field when I was 47 and began competing, first in pole vault and then sprints.

What equipment is required?
I now own eight poles. They’re all different sizes and flex, so I start with a shorter pole and then switch to longer as I build up speed and vault higher. The pole vault is my favorite event and the hardest to master; it also takes the most energy, so I can’t vault more than once a week. I have at least a dozen pairs of shoes. Nearly every event has specific shoes.

What’s a typical stay-in-shape exercise week?
I go to the gym weekdays during lunch. I ride the stationary bike for 15 minutes to get my heart rate up to 150+ for several minutes, lift weights, do exercises and stretch. I try to swim once a week. I ride my bike once a week. I go to the track three times a week during track season.

How does your training schedule change for an upcoming competition?
I work out several times a week with weights. I go to the track at least three times a week to sprint. I try to pole vault at least once a week and try to do the other field events several times a month to maintain my technique. The distances I run vary depending on what I’m training for. I don’t usually run more than 100 meters (in one burst) unless it’s two months before the track season starts. In those two months I will start sprinting up hills and running 200s and 300s on the track. I never run distance. I never run miles. Distance destroys speed.

Is there any relation between the competitiveness required in athletic competition and in law?
Absolutely. I set goals for myself at work the same way I do in sports. It’s more fun that way.

Alice Solovay practices law in Ocean Beach and can be reached at alice@solovay.net.
CAREER: Licensed in 1947 as a California bail bondsman; no one's been at it longer.

NICKNAME: His nickname was given him by himself via an Oceanside police officer who noticed his license plate was BBK, and the cop said; “Hey does that stand for Bail Bond King?”

EARLY DAYS: Born on June 26, 1923, in Glendale, California. Served in the Navy during World War II and received the Purple Heart when his ship sank at Guadalcanal.

FAMILY: Beverly, his wife of 40 years, died in 2003; two grown kids. His father was a Los Angeles, Hollywood and Fallbrook (where he owned an avocado ranch) lawyer whose clients included Shirley Temple, Errol Flynn, Walter Pidgeon, 'Bugsy' Siegal and Mickey Cohen.

PASSION: Golf. Once had a 9 handicap; supports countless golf tournaments in the legal community. His other passion is work, where at age 82 he still works six days a week, and loves every minute of it. Never takes a vacation.

PETS: Ace, a Golden Retriever, and two cats, Heidi and Tiger.

ADMires: Former President Ronald Reagan, whom he met at the Hotel del Coronado.

ASPIRATIONS: Ran for Mayor of San Diego in 1967 against Frank Curran.

THE PROFESSION: "It's fascinating. You meet some characters. I'm one myself. I relate to them."

http://www.kingstahlmanbail.com/
Moving on Up, Out and Over

APPOINTMENTS: Bob Longstreth of DLA Piper was appointed to the Superior Court. • New judges from the district attorney’s office include Dwayne Moring, Evan Kirvin, Blaine Bowman, Polly Shamoon, Carlos Armour and Robert Kearney. Also appointed were Ana Espana, formerly a deputy public defender, and Sim Von Kalinowski, formerly a deputy city attorney.

COURTS: Superior Court Presiding Judge Kenneth So has been named chair of the Trial Court Presiding Judges Advisory Committee of the Judicial Council of California. California Supreme Court Chief Justice Ronald George appointed So to the one-year term. The Judicial Council is responsible for ensuring the consistent, independent, impartial and accessible administration of justice in California’s state courts.

ELECTIONS: Thomas Penfield, a partner at Casey Gerry Schenk Francavilla Blatt & Penfield, has been elected president-elect of the North County Bar Association. He also teaches jury trial skills as an adjunct professor at the University of San Diego School of Law. • Pauline Getz was elected chairman of the Poway Chamber of Commerce and president-elect of the Rotary Club of Poway. • Deputy Attorney General Jodi Cleesattle was elected to a second term as president of the San Diego chapter of the Society of Professional Journalists.

ON THE MOVE: Sherry Thompson was promoted to assistant chief of the South Bay branch of the office of the district attorney. She is a past president of the Earl B. Gilliam Bar Association. • Bruce Bailey, who’s practiced for 37 years, joined the San Diego city attorney’s office to oversee the city’s lawsuit against San Diego Gas & Electric.

Wendy Patrick Mazzarella is a San Diego County deputy district attorney. She can be reached at wendy.mazzarella@sdcda.org.

HONORS: Administrative Law Judge Vallera Johnson has received the Mentor Award for Diversity Leadership from California Western School of Law “in recognition of her work on behalf of students of color, particularly women.” Judge Johnson received the County Bar’s 2005 award for Outstanding Jurist and the 2008 Thurgood Marshall Legal Professional of the Year Award from the Earl B. Gilliam Bar Association. Judge Johnson founded the annual Women of Color in Law Luncheon. • Jose Orozco, a third-year law student and president of the California Western Student Bar Association, received the Student Award for Diversity Leadership. San Diego County public defender Steven Carroll delivered the keynote address at the event. • Cameron Jay Rains, a partner at DLA Piper, received the Robert Breitbard Award from the San Diego International Sports Council, for his work on bringing the 2008 U.S. Open to San Diego. “Jay was the driving force behind bringing the U.S. Open . . . to our community, and its impact will be felt for decades,” said David Stecher, chairman of the SDISC, adding that Rains’ “vision embraced the importance of integrating sports and business to enhance our local economy.”
What’s the best surfing spot for a California lawyer?

A:

California Forms of Pleading and Practice. It’s the place to be for attorneys who need to deal with all the complexities of California law.

As a California lawyer, you know that the waters aren’t always clear. With so many laws on the books, and emerging areas of law popping up all the time, you need the kind of research tool that makes you smarter, stronger, tougher and better. With California Forms of Pleading and Practice, you’re up-to-date and ahead of the curve.

With so much more than just forms, it provides today’s critical analysis from the most authoritative practitioners in their fields. You’ll find checklists, forms, legal background and research guides all integrated into one convenient source. With more updates than the competition, you’ll not only know your facts cold, but get better coverage of new topics.

Also experience the confidence of relying on the California Official Reports, from LexisNexis; the Official Publisher. www.lexisnexis.com/carightsolution
Bites and Imbibing
Covering the culinary county, from small bites to off-the-menu daily delights

SMALL BITES
We love tapas. Maybe it’s because we honeymooned in Spain, or perhaps we just love the idea of sharing food, trying a variety of items and not feeling overstuffed at the end of the meal. Apparently many people feel this way, as small-bites restaurants are popping up all over town. Here are three of our favorites.

Bite
1417 University Avenue, San Diego, CA 92103, 619-299-BITE (2483)
The vibe is urban; the food is great. We especially like the caramelized-onion puff-pastry tart with Nicoise olives. Portions are on the large side for tapas, but the prices don’t reflect that, making this place a great bargain.

Apertivo
3926 30th Street, San Diego, CA 92104, 619-297-7799
Italian tapas? It may sound strange, but it works. Get the affumicato (smoked mozzarella, prosciutto, chopped sweet onion) with cappellini—just trust us. The chicken Marsala is excellent too, as is the most affordable and tasty lamb osso buco in town. The open space doesn’t offer much to absorb sound, which makes for a festive, bustling atmosphere.

Tapas Picasso Spanish Restaurante
3923 Fourth Avenue, San Diego, CA 92103, 619-294-3061
Traditional tapas in Hillcrest at this little hole-in-the-wall with nice servers, very good sangria and a delicious cilantro salad dressing. The classic tapas are also quite good.

A LONGTIME HIDDEN GEM
9550 Waples Street, Suite 115, San Diego, CA 92121, 858-450-9557
Since 1988, the WineSellar & Brasserie has offered an amazing wine shop and one of the finest restaurants in the Golden Triangle. The concept is similar to most such combinations—well-priced, high-quality food and an opportunity to leave with many bottles of wine (usually some that were sampled in the restaurant). We call WineSellar hidden because you might never stumble across it, in the middle of a commercial area and inside a building that looks like it houses office space.

It’s a fine option for a business or personal lunch or dinner. We recently visited for lunch and had some great food. We recommend the organic corn soup ($9), which includes wild mushrooms and Chantilly crème, and the pan-roasted pheasant ($19), served with Swiss chard, glazed root vegetables, potato gratin and Bordelaise sauce—truly one of the best pheasant dishes we’ve tried, not gamey at all. For wine, take your server’s advice; they are all quite knowledgeable about wine/food pairings.

After your meal, walk through the wine shop and find what you just drank, or work with the staff to pick out some nice everyday or special-occasion wines. Be careful, though; we usually find ourselves spending way more than planned.

INSIDE TIP
One of our favorite Bankers Hill restaurants, Avenue 5 (2760 Fifth Avenue, 619-542-0394), offers foie gras, although you’ll never see it on the menu. Chef Colin MacLaggan loves the ability to share a different take daily on foie gras but, like most chefs in San Diego, keeps it unlisted. ~

Krista Cabrera is an attorney with Wilson, Petty, Kosmo & Turner and can be reached at kcabrera@wpkt.com. Gil Cabrera is an attorney and principal at The Cabrera Firm and can be reached at gil@cabrerafirm.com.
San Diego Resolution Experts

JAMS has a national reputation, regional focus and local solutions to all your ADR needs, including Mediators, Arbitrators & Special Masters

HON. THOMAS ASHWORTH III (RET.)
LINDA C. FRITZ, ESQ.
HON. J. RICHARD HADEN (RET.)
HON. WILLIAM J. HOWATT, JR. (RET.)

HON. ROBERT E. MAY (RET.)
HON. KEVIN W. MIDLAM (RET.)
HON. THOMAS R. MURPHY (RET.)

HON. WILLIAM C. PATE (RET.)
JOHN M. SEITMAN, ESQ.
HON. HOWARD B. WIENER (RET.)
HON. RAYMOND F. ZVETINA (RET.)

JAMS SAN DIEGO RESOLUTION CENTER
401 “B” Street
Suite 2100
San Diego, CA 92101

619.236.1848
www.jamsadr.com
200 Full-Time Neutrals
Resolution Centers Nationwide
In-House Attorneys Reach Out

The Association of Corporate Counsel provides collegial services for its members

The Association of Corporate Counsel (ACC) serves the professional needs of attorneys who practice in the legal departments of corporations and private-sector organizations worldwide by promoting the common interests of its members, contributing to their continuing education and providing a voice on issues of national importance. The International ACC Organization has 24,197 members, 10,453 local organizations, 76 countries and 48 regional chapters.

Founded in 1992, the San Diego chapter is among the more active chapters, boasting approximately 600 in-house counsel members. ACC San Diego has been honored five times as Chapter of the Year, including 2008. The chapter also values its relationship with each of its sponsors: Fish & Richardson; Morrison Foerster; Latham & Watkins; DLA Piper; Heller Ehrmann; Luce Forward; Pillsbury; LexisNexis; Foley & Lardner; Mintz Levin; Paul Hastings; Paul Plevin Sullivan & Connaughton; Sonnenschein; Cooley Godward Kronish; Exclusively Legal; Fragomen; Littler; Procopio; Seltzer Caplan McMahon Vitek; Sheppard Mullin; Carlton DiSante & Freudenberger; McKenna Long & Aldridge; Robert Half Legal; Townsend and Townsend and Crew; ALC Legal Technologies; AON; Knobbe Martens; Wilson Petty Kosmo & Turner; Merrill Legal Solutions; Allen Matkins; Anacomp; Jones Day; Goodwin Proctor; Kirby Noon Lance & Hoge; and Prosearch.

**OFFICERS**

President: Elizabeth B. Daniels, Chief Legal Counsel, SIMNSA Health Plan
Vice President/President Elect: Darragh Davis, Vice President, General Counsel and Corporate Secretary, Petco
Immediate Past President: Steven Spector, Senior Vice President, General Counsel and Corporate Secretary, ARENA Pharmaceuticals
Secretary: Elizabeth Reed, Vice President – Legal Affairs and Corporate Secretary, Anadys Pharmaceuticals
Treasurer: Tim Collins, Vice President – Risk Management and General Counsel, ARS National Services
Executive Director: Jon Hellings, Esq.

**EVENTS**

Monthly Brown Bag MCLE presentations, annual General Counsel Roundtable and All-Day MCLE, Black and White Ball, Night at the Padres and MCLE, Family Fun Day, Day at the Races, Mini-MBA for the JD, Fall Wine Social, Paralegal Institute

**CONTACT INFORMATION**

Executive Director Jon Hellings, 619-758-0795, ACCA-SD@cox.net

“I am proud to participate in an association noted for the combined collegiality and professional achievement of its individual members. Our members contribute such wit that our board meetings and programs invariably include a few belly laughs. In sum, ACC-SD helps make in-house practice fun!”

Elizabeth Daniels
Chief Legal Counsel, SIMNSA Health Plan

“I walked into my first ACC meeting more than six years ago and thought it was for some kind of 12-step program. I have been coming back ever since. Today I am on the board, treasurer and program committee chair. There is no telling where I will go if I keep coming back.”

Timothy M. Collins
Vice President of Risk Management and General Counsel, ARS National Services
“When I arrived in San Diego from Silicon Valley, I immediately turned to ACC to build a local professional network and expose myself to local outside counsel. I have been impressed by the commitment to the in-house legal community.”

Christopher W. Ekren
Senior Vice President and Deputy General Counsel, Sony Electronics, Law Department

“ACC has been valuable to my growth as an in-house counsel, providing me with access to colleagues who have been there and done that. As part of the Chinese Law Committee, I have often worked with American colleagues to help their companies maneuver through the many gray areas of the law in that country.”

Randy Berholz
Vice President, General Counsel and Secretary, ACON Laboratories

“Due to the numerous templates and resource documents made available electronically and its network of individuals who are readily available to assist you, the ACC is an invaluable resource for the legal community.”

Jodie Brokowski
General Counsel, Children’s Specialists of San Diego, Physician Management Group

“ACC is a collegial organization of in-house counsel who support, share and network with each other, as well as working with outside counsel to help them understand what we, the clients, are looking for in legal representation. ACC is uniquely positioned to serve the professional needs of individual attorneys, as well as represent us as a group.”

William B. Sailer
Senior Vice President, Legal Counsel, Qualcomm

“I joined ACC in 1984. What appealed to me was its unique structure. The Washington, D.C. headquarters carries out advocacy activities and enters into partnering arrangements with other professional associations. ACC also has local chapters that make it possible for members to attend CLE classes, do networking and attend social events, all without the need to leave town.”

Dan Hapke
Legal Counsel, San Diego Habitat for Humanity

“ACC is a great organization where you not only meet attorneys you want to work with but also attorneys you want to be friends with.”

Rebecca J. Walsh
Vice President and General Counsel, Catalina Restaurant Group

“It has been a great way to meet interesting people in the legal community in San Diego. Plus, it has been a nice way to share lawyer jokes.”

Janine Sarti
General Counsel, Palomar Pomerado Health
After three stressful years in law school, one would think a graduate deserved a break. Alas, that hard labor usually precedes a couple of even more intense months of studying for the California bar exam. What’s a recent bar-taker to do? Many post-bar law school graduates are packing their bags and going on the trip of a lifetime.

“Traveling is always an investment in yourself,” says Thomas Jefferson graduate Anna Alaburda. “It is important to reward yourself with a big trip after all that hard work.” After taking the bar in July, she went on an extended vacation to Greece, Ireland, Germany and Italy. Although she eventually had to return to San Diego to search for full-time employment, the memories buoy her spirit. “The whole time in Santorini and Ios was just so much fun,” she says.

Similar inspiration drove California Western graduate Lauren Ponsford to book a month’s vacation with buddy Jessica Munday, who also took the California bar exam in July. They went on an extended vacation to Greece, Hungary, Slovenia, Austria, Germany and Italy. Although she eventually had to return to San Diego to search for full-time employment, the memories buoy her spirit. “The whole time in Santorini and Ios was just so much fun,” she says.

Married post-bar graduates use the vacation as a reward for their spouses too. Rebecca Church went with her husband, Tyler, for a week to Puerto Vallarta. “I owed it to my husband to spend some quality time with him since I had been spending more time in the library than with him,” says Church, now judicial law clerk to U.S. Magistrate Judge Ruben B. Brooks.

Her favorite memory of the trip: an excursion to a tropical forest in the Sierra Madres where they zip-lined across more than 2 miles of canopy. “We were more than 100 feet off the ground, flying through the air. It was truly exhilarating,” she says.

Benjamin Morris used his post-bar trip to Montego Bay to reconnect with his wife, Crystalin. “We had a wonderful time climbing Dunn’s River Falls in Ocho Rios, Jamaica. It was a beautiful hike through a tropical forest that included time to splash in cool, clear pools along the way,” he says.

For Laura Lamb, a post-bar trip and the most important meal of the day led to a career. Now an estate planning, trust administration and probate attorney at Showley & Thompson, LLP, she successfully netted a job on a cruise with her mom to Mexico. After joining the only table that wasn’t full at breakfast, Lamb met a fraternity brother of her future boss, Lon Showley.

“[He] told me to contact [Showley] and to tell him hello. When I got back, I looked up Mr. Showley’s name on the State Bar’s Web site and requested an informational interview. We went to lunch, and two weeks later, Mr. Showley asked if I was interested in working for his firm. Three years later, I am still working at Showley & Thompson.”

Despite having found her job in such serendipitous fashion, Lamb does not regard post-bar trips as a must. “They can cause you to incur more debt,” she cautions. Nevertheless, with her own experience, she is a believer in golden opportunities: “Life is a mystery, and you never know what could be waiting around the corner.”

Although Morris agrees that not everyone needs to take an extravagant trip, he says something out of the ordinary should be a reward. After all, he adds, “Who knows how much vacation is realistically possible during the first year of working as a lawyer?”

Genevieve Suzuki is a law clerk at Koeller, Nebeker, Carlson & Haluck. She can be reached at suzukigen@gmail.com.
The San Diego County Bar Association’s 100 PERCENT CLUB is a special category of membership that indicates an outstanding commitment to the work done through SDCBA programs and services in the legal profession and the community. These firms (five or more lawyers) are members of the 100 PERCENT CLUB, having 100 percent of their lawyers as members of the SDCBA.
Bringing Civility to the Table
Five attorneys gather for a roundtable talk about the need for cornerstones of the CIP campaign

As part of the San Diego County Bar Association’s Civility, Integrity and Professionalism campaign, San Diego Lawyer invited five attorneys to a roundtable discussion on civility and professionalism in the law. The panel, composed of in-house and outside counsel, represented a wide range of practice areas and a wealth of experience as attorneys, leaders and mentors. The participants: Michael Attanasio, a partner with Cooley Godward Kronish LLP; William Boggs, a partner with DLA Piper; Javade Chaudhri, General Counsel for Sempra Energy; Darragh Davis, General Counsel for Petco Animal Supplies and President-Elect of the San Diego chapter of American Corporate Counsel; and Kenneth Fitzgerald, a partner with Latham & Watkins LLP (which hosted the roundtable session). Sherry Bahrambeygui, a managing member of the Price Group, LLC and a partner with Hosey & Bahrambeygui LLP, acted as moderator for the discussion.

Sherry Bahrambeygui: Have you seen a trend in terms of the general concept of civility, integrity and professionalism in our profession?

William Boggs: We have seen a decline, and I think one of the reasons we are having this roundtable is to address exactly what the problem is, what the causes of the problem are and maybe what some of the solutions are. Thinking back to when I started practicing in the ’70s, people considered it a service profession, not so much a business, and there were no L.A. Law or Boston Legal shows or Michael Clayton movies diminishing the public’s perception of the profession.

Bahrambeygui: I think the general consensus is we feel we are headed in the wrong direction, and the goal is obviously to turn the tide. Do you find it is generally easier to maintain the level of professionalism you believe is appropriate when representing a company that has in-house counsel?

Michael Attanasio: Yes. The degree of sophistication does come into play there, and often, as we will hear from panelists who are in-house counsel, they have a substantial level of experience that dates back to other law firms and the same types of issues that outside counsel deal with every day. This makes the process of explaining certain tactics to employ, or certain tactics that shouldn’t be attempted, an easier process than trying to explain them to a client who doesn’t have that experience and may be looking at things only from a strategic business standpoint without reference to the legal framework or professionalism.

Bahrambeygui: Do you come across occasions where you are getting pressured by your in-house counsel to up the ante or to engage in litigation tactics that you believe are not up to par with what you believe the profession should uphold? And if so, how do you deal with that?
Kenneth Fitzgerald: Well, I have found that in-house counsel who’ve worked as litigators are the easiest clients to deal with, because they have been in the position we have all been in: where you have needed a favor from opposing counsel or you have had a very busy schedule, and you have got schedule conflicts, and you need some help from the other side. Or they understand that everything you do and everything you communicate is not only directed to your immediate audience, it is ultimately directed, potentially, to a jury or to a court — and because they understand that, I have found it is rare that I will be asked to do something not in keeping with the values of civility and integrity and professionalism.

Bahrambeygui: Does in-house counsel often times provide somewhat of a buffer between outside corporate counsel and the ultimate client, the corporation, to take the heat if your client is telling you, “I want all guns blazing,” and “Don’t hold back”? Is that part of in-house counsel’s role, in terms of trying to enable corporate counsel to litigate in a professional manner?

Darragh Davis: I think there are a couple of roles served there. One is interpreter of the advice in a way that the client can understand, appreciate and want to follow it, and also as a diplomat to some extent, if the advice may at the outset sound unpopular.

Javade Chaudhri: I agree. From a management perspective, we have to wear two or three different hats. For example, in addition to serving as the general counsel, I am part of our six-person management committee that addresses the corporate strategic and management challenges. We try to achieve certain goals in an efficient, effective and, I hasten to add, ethical way, and we all know there are sometimes short-term goals or wins that can be achieved, but at what cost, and so many of us will never actually go there. Nasty litigation tactics can be such short-term advantages.

I learned my philosophy of the practice from some incredibly wonderful people when I first started practice in Washington, D.C., in 1980. We would transact business in various third-world countries where, if you wanted...
to, you could go rip off the local people, because they were not as sophisticated as the overseas investors. But our philosophy was that if you rip somebody off, it would come back to bite you, because we were in a relationship we hoped would last an eternity. Relationships require civility, trust and fairness. The only way to obtain the trust of the people sitting across the table was to make them appreciate that we saw this as a long-term partnership, where we wanted a reasonable rate of return consistent with the added risk of being in Mongolia or Uganda, not an effort to extract some short-term benefit.

Bahrambeygi: Those of us who are sitting around this table may have self-selected our perspective on what should be done with the profession, what has been happening to the profession and what standards we should hold ourselves to. I think we can all agree there are benefits to maintaining high levels of professionalism that outweigh any kind of advantage you may gain in litigation—if we look in the long run—but let’s talk about some reality, as well. Is there anyone here who hasn’t dealt with an attorney whose sheer rudeness, obstreperousness and aggressiveness hasn’t caused you to want to somehow get him or her out of your life?

Fitzgerald: I don’t think I have ever seen that play out. I have never seen rudeness and obnoxiousness and difficulty by opposing counsel get a real advantage. If anything, it is either neutral or it backfires. One of the things I sometimes have to tell clients when I have a real jerk on the other side is “Just let them hang themselves; let them be jerks.”

Bahrambeygi: On the topic of discovery disputes, I’d like to ask if you have seen an escalation of that, by virtue of technology and the e-mail communication flood, and how that has affected disputes, increase in disputes or other issues in discovery.

Attanasio: I think that across the board, the phenomenon of e-mail for all of our communications has created more informality, less consideration about how one communicates, and certainly it is true in the context of dealing with opposing counsel, who is coming at this from a sharp-elbows perspective to begin with. The ability to use e-mail and other rapid forms of communication deteriorates the civility, deteriorates professionalism and creates opportunities for nastiness that may not have been as prevalent when one had to take the time to actually draft a letter, perhaps get help from someone to finalize the letter and send it off. I have seen the immediateness of e-mail after a telephone call or another event create many communications that did not live up to what we ought to be striving for, in terms of the profession.

Boggs: I totally agree with Mike about the negative impact e-mail has had on civility and professionalism, and it goes even further. It is a means of communication that is causing many people to not talk to each other. It is much easier to just quickly send that e-mail, and then all the bad things he was describing happen because of the sloppiness, informality and the emotion that gets into that. We see it all the time: People say things in e-mail they would not say to the person directly.

“I would start with the premise that the practice of our profession inherently involves a mix of ideals and pragmatism.”
—Darragh Davis
Bahrambeygui: Do you believe there is a generational divide, in terms of the standards to which lawyers hold themselves in our current professional community—older lawyers versus younger lawyers, more recent graduates, partners? Do you see a trend in that regard, either from an in-house counsel’s perspective as looking at a plaintiff’s counsel that may be a newer lawyer or one that is less experienced?

Chaudhri: I believe it’s a more complex or multidimensional issue, and things have changed. But I have to come back to something Bill said about starting to practice in the ’70s. I started in the ’80s, and as Bill was saying, there was a sense among lawyers that it was an honorable profession. And although we might have these sometimes less than ideal and often quite adversarial interactions, whether it was litigation or a transaction, ultimately you are trying to be part of the solution to a problem, and you are doing something for the greater good of society.

Boggs: I view it as one of the challenges we have, because I agree that the younger generation just entering the legal profession may not view the profession with the same amount of respect. There is less formality in the way they dress. There is less formality in the way they communicate. They observe less loyalty in the profession. We have become a business. Lawyers move from place to place.

That isn’t the cause of the problem we identified earlier—which is less civility, less professionalism, ethically challenged lawyers and clients—but it is making solving the problem maybe more difficult. We have observed that the problem began to manifest itself certainly by the ’80s, well into the ’90s, and it is kind of rampant now, resulting in numerous efforts to address the problem. For example, as a result of the work of a number of committees, in the last 20 years 47 states have adopted more than 150 sets of professionalism, civility, standards and guidelines. That hasn’t solved the problem, or we wouldn’t be sitting here today.

Bahrambeygui: I want to ask you to imagine yourselves as doctors, and your patient is the legal profession in San Diego. The patient has been diagnosed with symptoms of unprofessionalism, incivility, obstreperousness and maybe a secondary diagnosis of lack of ethics. I would like to hear what your prescription would be for that patient.

Attanasio: With respect to our responsibility, the big-firm responsibility, we need to continue to lay the seeds with the younger lawyers who don’t get to court
enough, who don’t see enough of what it really means to be in this profession. They will see that and interact with the judges and more experienced, older lawyers, and hopefully those seeds will be sown.

Boggs: We are going to get the behavior that we reward, and we, as a profession, need to continue to reward good behavior. In San Diego, we do that through the Dan Broderick Award for professionalism, civility and ethics and effective lawyering, and that’s just a fabulous local reward to tell the public and the Bar and practicing attorneys, “This is the kind of lawyering that we prize and we want.” Within the corporations, they need to reward and set the tone from the CEO down, not just within the legal department. That would be my prescription: to have society, the profession and the law firms set the tone for the kind of behavior we want to see, by rewarding it.

Davis: I would start with the premise that the practice of our profession inherently involves a mix of ideals and pragmatism. I would then approach all the major known rainmakers in town and beyond, those who have the biggest books of business, and I would ask them to make it known publicly that they make civility, integrity and professionalism a criteria of referring business elsewhere when they must refer, when they have a conflict—ask them to commit to that, provide examples of those principled behaviors that impress them and their clients generally, and make all this known to younger attorneys who need not only the...
philosophic impetus but also the pragmatic, economic impetus to display these behaviors.

Chaudhri: It seems to me we cannot look at this thing just in the narrow confines of San Diego by definition, because we are just a piece of a larger puzzle. If there were better role models all around, that would have a beneficial effect. In the meantime, one of the specific things that a large number of general counsels, including myself, around the country take very seriously is that we select and perpetuate our relationships with outside counsel based on their attitude about inclusiveness or diversity. I am not looking for quotas or goals but the general attitude on inclusiveness of a particular law firm. The second is their attitude to civic-mindedness, including pro bono work. I believe civility and professionalism are implicit to that concept.

Fitzgerald: I would just say, “Celebrate civility.” The more examples we have where we put the people who embody these values on a pedestal and we celebrate them, that gives more education and inspiration to people than we can accomplish on a day-to-day basis with our busy schedules.

This marks the first of a two-part roundtable discussion series on the topic of civility, integrity and professionalism. Next month, we explore the perspective of the bench, as the SDCBA’s Campaign on Civility, Integrity and Professionalism continues. Judges are on the front line when it comes to witnessing the qualities of lawyers. In the upcoming issue, we will hear from a distinguished panel of members of the federal and state benches and get an inside view of their thoughts and beliefs on this topic.

Alidad Vakili is an associate in the corporate department of Bell, Boyd & Lloyd LLP and can be reached at avakili@bellboyd.com.

San Diego Lawyer wishes to thank Hutchings Court Reporters, LLC, court reporter Janette Dukic and general counsel Jeffrey Koller for their assistance in preparing a transcript of the Civility, Integrity and Professionalism roundtable discussion. Thanks also go to Latham & Watkins LLP for hosting the event.
In September 1983, Chief Justice Warren Burger established a committee that became the American Inns of Court, designed to encourage civility, competence and professionalism in the practice of law. In December 1983, a group of judges and lawyers met to discuss founding San Diego’s first American Inn of Court. They were inspired by the willingness of their colleagues to share knowledge and encouraged by the younger lawyers’ desire to learn.

From this spirited discussion among Judges William Enright and Howard Turrentine, along with attorneys Gary Bailey, Craig Higgs and Robert Steiner, the concept of the Welsh Inn was born. In contrast to the then-existing San Diego Inn of Court, which provided detailed hands-on training for beginning lawyers, the Welsh Inn would focus on lawyers with trial experience and utilize demonstration, not lecture. Instead of inviting law students, the Welsh Inn would involve local law-school deans as advisors, to receive advice relating to the schools but keep the focus on providing access to skilled senior practitioners and judges.

From the outset, the Welsh Inn encouraged solo practitioners and young lawyers from smaller firms to join for the quality of mentoring and training then available only through large firms. It aimed to balance membership by limiting the amount of lawyers who could join from one firm. The Inn sought to diversify further by reaching out to trial lawyers from public agencies and prosecutorial offices, to balance criminal and civil practice. In judicial membership, a cross-section was sought from federal, state and appellate courts.

Judge Louis Welsh became namesake because of his leadership in the San Diego Inns of Court and his excellence as a trial lawyer. Judge Enright was chosen as presiding officer. Bailey was designated “Headmaster” and tasked with curriculum and team assignments, Higgs was responsible for membership, and Steiner became secretary.

The committee met again to establish the original membership of Masters, senior trial lawyers selected for proven trial skills and ability to communicate those skills. In March 1984, the initial Masters’ lunch was held with a membership of 23 trial lawyers, five judges and six advisors—four judges and two law-school deans, Sheldon Krantz of University of San Diego and Ernest Friesen of California Western School of Law.

By the next meeting in May, the Inn was officially organized, with a plan to invite approximately 20 young trial lawyers to participate as new members (called Associates) for the next two years, with half the vacancies filled every other year. More-experienced trial lawyers would be invited to serve as Barris-
An integral part of the program from inception was not only to present effective demonstrations but to have a social hour afterward so members could engage in further discussion and get to know one another on a personal level.

An important element of the Inn was its requirement that each team get together at least once a month. The objective was that everyone should participate, to prepare the group’s program and to discuss topics of interest to members. These small group meetings continue to be a very important part of the Inn experience.

An integral part of the program was not only to present effective demonstrations but to have a social hour afterward.

All Inn alumni were invited to the annual dinner, typically held every January and including an excellent guest speaker. This is now a joint Inn dinner with all five Inns in San Diego. The Welsh Inn has participated in the yearly national meetings, which have included a dinner in the great hall of the United States Supreme Court.

Judge Enright had the vision to see what the Inn could do and could become, and he led with dedication and enthusiasm. He continued to actively participate in the Inn. His leadership shows in the long list of enthusiastic alumni who still participate. An Inn formed later took his name as its own.

Later this month, the Louis M. Welsh Inn of Court will celebrate its 25th year with a special dinner meeting. Active members, former Masters and special guests will gather to recognize this landmark occasion, as it continues to carry out the vision and mission established in 1983.

Wendy Patrick Mazzarella is a San Diego County deputy district attorney. She can be reached at wendy.mazzarella@sdcda.org.
Ringing in the Now

JERRILYN MALANA, the San Diego County Bar Association’s new president, offers an emphasis on community service.

BY JAMES TALLEY
PHOTOGRAPHS BY LAUREN RADACK
It all started with a field trip to a courthouse during a business law course. Jerrilyn Malana, who will be installed December 5 as the San Diego County Bar Association’s third consecutive female president (and its first of Asian Pacific American heritage), began thinking about law as a career during that MBA course. But her path toward this achievement has also been marked by a motif of service. No surprise, then, that she has chosen “community service” and “lawyers giving back” as the theme of her presidency.

“Giving back to the community can be one of the most rewarding experiences in your career,” says Jerri. “When attorneys engage in community service activities or meet their pro bono obligation of 50 hours per year, they become better community citizens, and the community at large will benefit. It will also serve to enhance the overall reputation of the legal profession. It’s a win-win situation.”

Community service is a passion for Jerri, which is perhaps rooted in her early successes and the draw of careers working with people.

Jerri was born in Vallejo, California, to immigrant parents, and she is the middle of three children. Her mother was originally from Japan, and her father was originally from the Philippines. Jerri was raised in the Paradise Hills area of Southeast San Diego; later, her family moved to Chula Vista, where she attended Castle Park High School, was a varsity cheerleader, graduated with honors and was voted “most likely to succeed.”

With the idea of becoming a doctor, Jerri attended UCSD and majored in psychology and minored in biology. After receiving her B.A. in 1986, she worked as a research assistant at the V.A. Hospital and UC Medical School performing drug studies. In one of her most memorable jobs, Jerri worked as a research assistant in the vision lab at the Salk Institute.

In 1989, her life and career path took a decided turn when she relocated to Honolulu and entered Chaminade University’s MBA program. On a field trip to the courthouse as part of her business law class, Jerri observed a civil court hearing and met with a judge. During this course, she first thought about law as a career. However, law school was a bit far-fetched at the time as she was working full-time in the human resources department for InterPacific Hawaii Retail Group while pursuing her MBA degree.

In 1992, armed with her MBA, Jerri moved back to San Diego and took a job in human resources at a local financial institution. Her experience in human resources naturally exposed her to employment law matters, and this further sparked her interest in a legal career. Her supervisor, Ina Mozer, recognized her potential and encouraged her to become an attorney. Jerri followed this advice and enrolled at California Western School of Law in 1995.

She says her career in human resources helped her transition to community service and her journey to become the leader of the San Diego County Bar Association.
smoothly into employment law: “My experience in human resources gave me the opportunity to hone my communication and interpersonal skills. It has also made me a more effective listener and prepared me for crisis and conflict management. Conducting employee training sessions also helped me to develop public speaking skills.”

Those skills came in handy in law school as well, where she was the executive editor of the *Law Review,* and she served as a judicial extern to Senior Circuit Judge David R. Thompson with the Ninth Circuit Court of Appeals. She completed law school in two and a half years, graduating magna cum laude in January 1998.

Jerri worked as a summer associate in the San Diego office of Littler Mendelson, PC, a national employment and labor law firm. After passing the Bar exam, Jerri worked as a federal law clerk for U.S. Magistrate Judge Louisa Porter in the U.S. District Court. She returned to Littler as an associate in fall 1999, and she was elevated to shareholder in early 2005. Today, Jerri continues to represent Fortune 500 clients and local San Diego businesses in all types of employment-related litigation involving claims of discrimination, wrongful termination, harassment and wage and hour violations, as well as wage and hour class actions. Given her human resources background, Jerri describes employment law as “a perfect fit.”

Jerri sits on Littler’s national Diversity Council and is a former co-chair of the council. She proudly states, “At Littler, diversity is not viewed as a goal but rather as a core cultural value that is an integral ingredient of the firm’s continued success.”

She feels a special commitment to increase diversity in the legal profession while on the SDCBA Board of Directors. Jerri has chaired its Diversity Outreach Initiative for the past two years, and she is active with the SDCBA’s Ethnic Relations & Diversity Committee.

“As the voice of San Diego’s legal community,” she says, “the SDCBA plays a critical leadership role with regard to issues of diversity and inclusion in the legal profession. One of the 10 goals of the SDCBA is to promote diversity within the legal profession. The State Bar of California’s Diversity Pipeline Task Force report highlighted that California is rich with diversity, with 53 percent of our population comprised of persons of color, but only 17 percent of California attorneys are persons of color. Clearly, there is still much work for us to do based on this wide disparity. Greater diversity in our legal profession will foster greater public trust and confidence in the legal system, which goes directly to the heart of access and fairness in our justice system.”

Jerri devotes significant volunteer time to community and Bar organizations, as well as mentoring law students and new attorneys. She currently serves on the board of the San Diego Opera. She is also a member of the San Diego Downtown Breakfast Rotary Club, a service organization comprised of philanthropic business professionals with the motto of “service above self.” Jerri is a former board member of several organizations, including the Union of Pan Asian Communities, San Diego Asian Film Foundation, National Asian Pacific American Bar Association, and Filipino American Lawyers of San Diego. She is also a past president of Pan Asian Lawyers of San Diego. She remains active with each of these organizations, as well as Lawyers Club.

Jerri was awarded the State Bar of California’s 2005 Wiley Manuel Award for pro bono legal services and was elected to the
Q&A WITH JERRI MALANA

SAN DIEGO LAWYER: You have established a reputation of expertise in your practice of employment law, backed up with an ethic of passionate and enthusiastic hard work. What can your fellow SDCBA Board members and the membership expect in your presidential leadership style?

JERRI MALANA: Much of the same, as I think I’m pretty transparent. We’re a team on the board, and while I will take the laboring oar, I will expect the other board members to do their part as well. Teamwork is key. Strength, focus and integrity are the characteristics I hope will shine through in my term.

SDL: Tell us about your experience as president-elect and the SDCBA’s outreach efforts.

JM: It’s been an absolutely terrific year working with President Heather Rosing. Heather has Herculean energy and has been an excellent role model. I’m grateful that she included me in meetings and discussions throughout the year, because it has given me the ability to “hit the ground running” in December.

Through Heather’s leadership, the SDCBA has continued to strengthen its relationship with specialty and regional bars and other organizations in the community. Together with our Young/New Lawyers Division, the SDCBA has reached out to many bar and legal organizations in San Diego to open communications and collaborate on many important projects. This year, we co-sponsored multiple CLE programs and events with specialty and regional bar associations. We also partnered with state and national organizations including the Association of Corporate Counsel, California Women Lawyers, California Minority Counsel Program and Minority Corporate Counsel Association. During my year as president, I will work with the SDCBA Board and staff to continue the momentum of collaboration in the community.

SDL: Has your volunteer work enhanced your legal career?

JM: Yes, absolutely. My volunteer work in the community gives me great joy and satisfaction and helps to keep me sane in my high-pressure litigation job. Community work helps to keep things in perspective, and it reminds me of what’s really important in life. On the other hand, my participation in various bar associations over the years has helped me to develop leadership skills, increase my personal network and meet various mentors. The networking is key for client development.

I’m grateful to my law firm, Littler Mendelson, for supporting me in all my extracurricular activities.

SDL: A year from now, what will you want to look back on as your greatest achievements as SDCBA president?

JM: I’d like to see increased collaboration between the legal community and the community at large through the SDCBA’s community service initiative in 2009. I’d also like to see more attorneys integrate the spirit of volunteerism in their lives. Finally, I hope to serve as a role model for other diverse attorneys to inspire them to take leadership positions within the SDCBA.

Fellows of the American Bar Foundation, an honorary organization of attorneys, judges and law professors whose careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession. In November 2007, the National Asian Pacific American Bar Association presented Jerri with its highest honor, the Trailblazer Award.

Plaintiff’s attorney Josh Gruenberg, who has opposed Jerri in several cases over the last 10 years, says her professionalism and integrity are at the highest level and states that she is a pleasure to work with. She is an extremely tough opponent, he says, because she is always prepared and is as knowledgeable in employment law as any lawyer he has ever faced, but is also very dangerous because she is so personable. As Gruenberg explains it, while Jerri is a top lawyer with the preeminent labor and employment law defense firm in California, she never conveys the attitude or arrogance of a big-firm lawyer. He says he tells all of his clients going into depositions that “the defense attorney is not your friend”—but regarding Jerri, this warning is a waste of time because his clients end up liking her anyway.

Jerri comments, “It all comes down to civility and professionalism. Nothing positive is gained with an arrogant attitude, and my roots as a young kid growing up in Southeast San Diego keep my ego in check.”

Retired Superior Court Judge Patricia Cowett remembers Jerri as always extremely well prepared and a very compelling advocate, but also a model of civility in dealing with the court and opposing counsel. She credits Jerri with having a unique combination of maturity and sensitivity, and with being a persuasive speaker and a good listener at the same time.

Gruenberg and Judge Cowett agree that Jerri will make a terrific Bar president because she brings so much passion and enthusiasm to the practice of law and community service. Gruenberg sums it up by emphasizing that “Jerri is hard to say no to. You don’t want to let her down because you know she will work as hard or harder than you will.”

Clearly, the San Diego County Bar Association’s dynamic new president will lead and motivate by example. Welcome aboard, Jerri! ✤

James Talley is with Galyean Talley & Wood and can be reached at jwtalley@sbcglobal.net.
When E-Mail EXPLODES

BY KEN WITHERS

The volume of electronic communication such as e-mail threatens to overwhelm the legal system, in far-reaching financial and social effects as well as in quantity.

Last June, National Public Radio’s Morning Edition featured a special series of reports on the social burdens of e-mail. Ari Shapiro, NPR’s Washington, D.C.–based legal correspondent, called me to get examples of legal liability associated with e-mail, which I was happy to provide. Today, e-mail files have become a favorite target for lawyers and government investigators hunting for the proverbial “smoking gun” in more routine and far less high-profile litigation. But when Mr. Shapiro asked me in an interview aired on June 18, 2008, what I thought the greatest impact of e-mail was on the civil justice system and the legal profession, I didn’t dwell on the potential legal liability that the content of any particular e-mail message might carry. My concern was the vast resources that must be spent to locate, preserve and review e-mail for production because, as NPR reports, “Daily e-mail volume is now at 210 billion a day worldwide and increasing.”

The central problem with e-mail, as I see it, is not the smoking gun. It is the smoke.

“Today, a young person graduating from law school and joining a large firm in one of our major cities can look forward to perhaps three or four years of doing nothing but sitting in front of a computer screen reviewing e-mail and other electronic documents for litigation,” I said. This vision of purgatory created something of a stir, including an e-mail (appropriately enough) from a law-firm recruiter who blamed me—with tongue in cheek, I hope—for destroying the morale of her summer clerks. But I am not the first person to note that the ascendancy of e-discovery coincides with reports of a decline in civility and self-esteem in the legal profession.

Jason Baron and George Paul paint a vivid picture of what this information explosion means in the context of litigation: “Probably close to 100 billion e-mails are sent daily, with approximately 30 billion...”
er’ (junior lawyer, legal assistant or contract professional) is able to review an average of 50 e-mails, including attachments, per hour. Without employing any automated computer process to generate potentially responsive documents, the review effort for this litigation would take 100 people, working 10 hours a day, seven days a week, 52 weeks a year, more than 54 years to complete. And the cost of such a review, at an assumed average billing of $100/hour, would be $2 billion. Even, however, if present-day search methods are used to initially reduce the e-mail universe to 1 percent of its size (i.e., 10 million documents out of one billion), the case would still cost $20 million for a first-pass review conducted by 100 people over 28 weeks, without accounting for any additional privilege review.”5

While simply “doing the math,” as Baron and Paul have, results in scenarios that sound absurd, recent reported cases bear out their numbers. For example, all parties in the ongoing Intel microprocessor antitrust litigation agree that it may be the “largest electronic production in history” with Intel’s production of “somewhere in the neighborhood of a pile 137 miles high.”6 Closer to home, in Qualcomm Inc. v. Broadcom Corp., Qualcomm’s supplemental post-trial production last summer of 21 employees’ e-mails responsive to one particular issue resulted in 46,000 messages, totaling 300,000 printed pages.7

The legal profession is ill-equipped to handle this information explosion. Traditional document-review practices completely break down under the weight of volume and the pressures of deadlines and budget. But the consequences go far beyond missed deadlines and budget overruns, as bad as those may be. The information explosion threatens the legal profession and the administration of justice itself.

Earlier this year, United States Magistrate Judge Louisa Porter addressed a two-day meeting of 150 lawyers, legal assistants and a sprinkling of state and federal judges in San Diego. In her keynote address, Judge Porter remarked on the changes in legal culture that have given rise to the “litigators,” a class of trial lawyers who seldom, if ever, actually try cases.8 They conduct discovery and related pre-trial activities in the more than 90 percent of cases that never reach the courtroom on the merits. They seldom communicate with opposing counsel, except by court filings or correspondence “obviously written to attempt to impress a judge later.” As the volume of e-discovery increases and trench-warfare mentality takes over, these litigators lose touch with the goals of the litigation, the long-term interests of clients and even with each other.

Judge Porter compared this litigation culture to the Yanomamo people of the Brazilian and Venezuelan Amazon region, who had virtually no contact with the outside world until they were studied by anthropologists in the 1960s. The Yanomamo culture existed for thousands of years and was characterized by ritualized violence between competing villages. The violence escalated in four predictable levels. First would be a confrontation between two men of different villages, at a distance, consisting of posturing and shouting accusations and threats. The second stage involved brandishing of 10- to 12-foot-long poles by the opposing sides, which were pounded on the ground and used to make threatening advances and gestures. The third level involved the two combat-
ants using the poles to ritualistically bash each other over the head, resulting in severe injuries that were both badges of honor and grounds for further animosity against the opposing village.

The fourth, and thankfully rarest, stage of violence involved the villages themselves. One village would invite visitors of the opposing village to a “feast” at which the hosts would ploy the visitors for several days with an overabundance of food, the local brew and a hypnotic drug called topo. Once the visitors were sufficiently comatose, the hosts would slaughter them.

Judge Porter posed the obvious questions: How could this be ritualistic? How could the fourth level of violence occur more than once, if everyone knew the outcome? Why were the Yanomamo not possessed of any other form of conflict resolution? And what does this have to do with our litigation culture? She analogized the levels of violence with the familiar rituals of litigation. First the lawyers stand at a distance and shout threats, then they pound the ground with pleadings and motions, then engage in head-bashing at discovery conferences and finally threaten trial, where they hope to feed each other information until one or the other succumbs. There ought to be a better way.

Judge Porter’s message echoed comments made a year earlier by U.S. Supreme Court Justice Stephen Breyer. On March 27, 2007, a panel discussion on the impact of e-discovery, moderated by Harvard Law School professor Arthur Miller, was held at Georgetown University Law Center in Washington, D.C. Justice Breyer, after hearing from lawyers and businesspeople about the costs of e-discovery attributable to the “data deluge,” lamented, “If it really costs millions … then you’re going to drive out of the litigation system a lot of people who ought to be there. They’ll go arbitration … They will go somewhere where they will write their own discovery rules, and I think that is unfortunate in many ways.”

Panelist Richard Braman, executive director of nonprofit The Sedona Conference®, noted that law school needs to teach cooperative practices. “Students need to be told that there’s a time for adversarialness,” he said. “That’s [in] the courtroom. And there’s a time when you need to cooperate and collaborate with your adversary to get the facts on the table about which you’re going to litigate.”

Although several other panel members dismissed this concept as “utopian,” Braman pressed his case by drafting a “Cooperation Proclamation.” He circulated an initial draft to several state and federal judges and members of a working group on electronic document retention and production, some of the most experienced and tested lawyers in the electronic discovery arena, during spring 2008. “I want to challenge those at the Data Deluge Summit who dismissed the idea as utopian,” Braman said, “and push for change where change is needed to keep the civil justice system functioning.”

Braman’s idea has resonated with judges, many of whom have publicly endorsed the proclamation, including Judge Porter. But the proclamation goes beyond simply exhorting lawyers to cooperate. It proposes the creation of “toolkits”—resource libraries of forms, checklists, best practices, model case-management orders.
Students need to be told that there’s a time for adversarialness,” Richard Braman said. “That’s [in] the courtroom. And there’s a time when you need to cooperate and collaborate with your adversary to get the facts on the table about which you’re going to litigate.”

Although the idea of cooperative discovery might seem utopian to some lawyers and legal scholars, it is not outside the mainstream of discovery reform efforts of the past two decades. Starting with the amendments to the Federal Rules of Civil Procedure in 1993 and continuing through the 2000 and 2006 amendments, emphasis has been placed on reducing the opportunities for gamesmanship and contention in the discovery process. Rule 26(a)(1), first introduced in 1993 and made uniform throughout the federal court system in 2000, requires proactive “initial disclosure” of core information by all parties, without a formal request from opposing parties. This rule was amended in 2006 to explicitly include reference to “electronically stored information.” Also in 1993, Rule 26(f) was amended to mandate a conference of the parties to frame a discovery plan before formal discovery could begin. Like Rule 26(a)(1), this rule was made uniform in 2000 and amended to include explicit reference to “electronically stored information” in 2006.

While mandatory initial disclosure and the “meet and confer” requirement can be useful mechanisms for expediting discovery, reducing costs and avoiding conflict, many lawyers and judges—and many clients, who pay the bills—would like to go further. Looking at the examples of arbitration and mediation, with streamlined processes, flexible rules and informal methods of dispute resolution, they question why discovery should be an adversarial, rules-based process at all. If the goal of discovery is to uncover facts to be used during settlement conferences or at trial, why not cooperate in the discovery process and utilize advocacy and persuasion skills to argue the interpretation of the facts and the application of the facts to the law? Doesn’t an attorney’s duty of advocacy and loyalty to the client include getting the best result at reasonable cost, within a reasonable timeframe, with respect to the court, opposing counsel and the civil jus-
Independent, Effective, Fair, Over 30 Years Experience
- Mediation
- Arbitration
- Special Reference

Geary D. Cortes
Judge of the Superior Court, Retired

Symphony Towers
Phone (619) 515-3475
750 B Street
Fax (619) 687-3100
Suite 2000
E-mail: judgecortes@san.rr.com
San Diego, CA 92101-8175
www.judgecortes.com

SAN DIEGO - ORANGE COUNTY - LOS ANGELES

---

**CHOOSE A BETTER & MORE SUCCESSFUL EXPERT WITNESS**

- **EXPERT WITNESS DIRECTORY—CALL TODAY FOR YOUR FREE COPY**
- **APPROVED MCLE PROVIDER FOR ATTORNEYS AND LAW FIRMS**
- **ANNUAL EXPERT WITNESS CONFERENCE: COMING FEBRUARY 2009**
- **NATIONAL ASSOCIATION OF PROFESSIONAL CONSULTANTS PROVIDING FORENSIC SERVICES: LOS ANGELES, ORANGE COUNTY, SACRAMENTO, SAN DIEGO, SAN FRANCISCO, DALLAS, CHICAGO, PHOENIX**
- **VISIT WWW.FORENSIC.ORG FOR IMMEDIATE ACCESS TO HUNDREDS OF FORENSIC EXPERTS IN ALL DISCIPLINES**

---

**Ken Withers is director of judicial education and content, The Sedona Conference®, in Phoenix, Arizona. He can be reached at kwithers@sedona.net.**

---

8 To encourage open and candid discussion, The Sedona Conference® rules (“What is said in Sedona stays in Sedona”) prohibit reporters and bloggers from quoting panelists and participants directly. However, Judge Porter provided me with a copy of her speaking notes and permission to paraphrase them, for which I am very grateful.
Ringler Associates
SAN DIEGO • LAS VEGAS

The FIRST NAME In
STRUCTURED SETTLEMENTS

Congratulates MICHAEL GOLDSTEIN, Esq. of the
Law Offices of MICHAEL GOLDSTEIN
On Structuring $1,000,000.00 ($2,282,700.00 in
Tax-Free Expected Future Benefits) for His Client

Manuel R. Valdez CSSC
MRValdez@ringlerassociates.com
CA Insurance License 0623820

Manny J. Valdez CSSC
MValdez@ringlerassociates.com
CA Insurance License 0C76457

1230 Columbia Street, Suite 970, San Diego, CA 92101
877-231-3334 • 619-231-3334 • Fax 619-231-3335

www.ringlerassociates.com

UC San Diego Extension
Ethics Seminar

Earn 4 MCLE hours in Ethics, including 1 hour of Elimination of Bias.

Designed for attorneys and paralegals, this seminar will provide you with the latest case law and information on the hottest topics in the ethics arena. Topics will include:

• Confidentiality
• Conflicts
• Unauthorized practice of law
• Major pitfalls for attorneys and paralegals

When: Saturday, January 24, 2009, 8:30 a.m. – 1:00 p.m.
Where: UCSD Extension, 6925 Lusk Blvd., San Diego
Cost: $95 (includes breakfast and materials; parking is free)
Section ID: 068734

For more information: Julia Dunlap | (858) 882-8008 | jdunlap@ucsd.edu

Sign up today! | (858) 534-3400 | extension.ucsd.edu/law
With the growing trend of using credit...
Credit Abuse Resistance Education
of San Diego and Imperial counties because, as he stresses, “The lack of financial literacy among young people is astounding.”

A typical CARE presentation to students includes a *Balancing Act* video and an interactive PowerPoint lesson with a true/false session, followed by a pop quiz that tests the students’ newly gained knowledge of credit responsibility. One advantage to paying close attention is the chance to win Suze Orman’s *The Money Book for the Young, Fabulous and Broke*, which is awarded to each student who correctly answers. A question-and-answer session concludes the brief but fundamental presentation.

“Bankruptcy professionals who see what debtors go through when they have to file for bankruptcy know debt can be avoided by simple education,” says Kathryn Catherwood.

To date, Judge Hargrove says, there has been an annual average of 10 CARE presentations for the past three years—mostly to schools in the San Diego Unified School District. His goal is to have them implemented into other school districts in the county. He’s found that graduating high school seniors seem to gain the most from the presentations, although in the past, they have been given at local colleges, junior high schools and even to classes of sixth graders.

According to Judge Hargrove, high school students are generally so focused on achieving decent grades and high test scores necessary for college admission that they are not aware of one of the most important challenges in their adult lives—their FICO scores. He says it’s a real eye-opener to students that a credit score can have a positive or detrimental impact on their ability to buy a house or even to obtain employment. Essentially, it can affect the rest of their lives.

Presentations on becoming financial savvy are not necessarily limited to schools; they can be beneficial for individuals and groups of all ages and types. In fact, CARE presentations have been given to the U.S. Marine Corps, the Armed Services YMCA, the Balboa Navy Medical Center, the San Diego Rotary Club, the Kiwanis Club, the Mothers and Daughters Club Assisting Philanthropies and the San Diego County Bar Association.

CARE presenter Kathryn Catherwood is a San Diego attorney who practices commercial litigation with an expertise in bankruptcy for Duane Morris, LLP. She participates in the program because she believes it is important for attorneys to give back to their community.

“Bankruptcy professionals who see what debtors go through when they have to file for bankruptcy know debt can be avoided by simple education,” says Catherwood, who encourages local practitioners in San Diego, even those outside of the bankruptcy arena, to donate a small part of their day to give a CARE presentation that inevitably will have a valuable impact on our children’s future.

Another CARE presenter is Gary Holt, who has his own bankruptcy practice in San Diego and has been a part of the program since Judge Hargrove brought it to town. Holt’s family taught him at a young age about how to use credit and how to use it wisely. He recognizes that not every child has the opportunity to learn from concerned parents, and he believes economically disadvantaged areas are places where children can benefit the most from the CARE presentations.

Holt and Catherwood both say that the feedback from students is very encouraging and that students seem to learn a great deal from the presentations. “They say things like they never knew inter-

---

**Keeping Debt in Control**

**CARE’s top 10 financial tips for reducing debt:**

1. Create a budget.
2. Open a savings account.
3. Look for ways to save money.
4. Use cash or a debit card, instead of a credit card.
5. Avoid credit-card debt.
6. Pay your bills on time.
7. Pay off any debt as soon as possible.
8. Avoid impulse online shopping, multiple retail-store charge accounts, car loans longer than three years, payday loan establishments, etc.
10. Remember the consequences of abusing credit cards and other debt.
est would be so high," says Holt, "or that if you only make the minimum payment, it will take at least 10 years to pay off a credit card."

Catherwood says, “One thing that struck me the most when giving presentations is how interested students are in learning about credit and avoiding getting into trouble.” She adds that an amazing number of intelligent questions come from the students during the Q&A session, proving a certain level of interest in the presentation.

Years ago, teachers taught financial literacy in schools; however, the option to take a similar class today has been “squeezed out of the curriculum,” says Judge Hargrove. As a member of San Diego’s Financial Literacy Task Force since its creation in 2005, he believes a course in financial literacy is equally as important as basic subjects and has discussed making the subject mandatory with the California superintendent of schools. Judge Hargrove’s dream may soon become a reality—an initiative that will make financial literacy a required course for all high school seniors is in the works.

Judge Hargrove wants to see CARE continue to grow through San Diego and Imperial County schools. He urges local attorneys and judges to become involved with the program and describes school counselors, administrators and economics teachers as very receptive to receiving information about the CARE presentations. Members of the legal community who are interested in the CARE program and giving a presentation should contact Bobbi Cawdrey at the San Diego Bankruptcy Court at Bobbi_Cawdrey@casb.uscourts.gov.

Wendy Dimpfl is a student at Thomas Jefferson School of Law and is law student editor of San Diego Lawyer magazine. She can be reached at dimpflwl@tjsl.edu.
1. It is estimated that more than 200 billion e-mails are sent daily in the United States.  

   True  [ ]  False  [ ]

2. All parties in the ongoing Intel microprocessor antitrust litigation agree that it may represent the largest electronic document production in history.  

   True  [ ]  False  [ ]

3. The Sedona Conference® is a nonprofit, nonpartisan legal think tank composed of state and federal judges from throughout the United States.  

   True  [ ]  False  [ ]

4. In phase two ritualized violence of the Yanomamo culture, combatant villagers use 10- to 12-foot-long poles to bash one another over the head.  

   True  [ ]  False  [ ]

5. Approximately 30 billion e-mails are either created or received by federal government agencies annually.  

   True  [ ]  False  [ ]

6. Magistrate Judge Louisa Porter likened the levels of violence exhibited by the Yanomamo culture to our system’s familiar rituals of litigation.  

   True  [ ]  False  [ ]

7. According to the author, the central problem with e-mail messages has to do with the vast resources required to find “the smoking gun” hidden within these and other forms of electronically stored information.  

   True  [ ]  False  [ ]

8. Supplemental post-trial production of 21 Qualcomm employees’ e-mails in 2008 resulted in 46,000 messages comprised in 300,000 printed pages.  

   True  [ ]  False  [ ]

9. According to Harvard Law School professor Arthur Miller, the tragedy of the “data deluge” is that it forces so many people out of the traditional litigation system and into other forms of conflict resolution such as mediation or arbitration.  

   True  [ ]  False  [ ]

10. Although the concept of cooperative discovery might seem utopian to some legal experts, it is not outside the mainstream of recent discovery reform efforts.  

    True  [ ]  False  [ ]

11. Rule 26(f) and 26(a)(1) of the Federal Rules of Civil Procedure were both amended in 1993 to include references to “electronically stored information.”  

    True  [ ]  False  [ ]

12. The “Cooperation Proclamation” drafted by several elite members of The Sedona Conference® proposes the creation of “toolkits” that can be used to facilitate and enhance cooperation.  

    True  [ ]  False  [ ]

13. The legal system is not prepared to handle discovery of the tremendous volume of electronically stored information, due to the time and expense involved in traditional document review practices.  

    True  [ ]  False  [ ]

14. Tepo is a hypnotic beverage prepared by indigenous people of the Brazilian and Venezuelan Amazon region that was served to opposing villagers at “feasts” in an effort to inebriate the opposition.  

    True  [ ]  False  [ ]

15. Because the role of discovery is to uncover facts to be used during settlement conferences or at trial, it is important to maintain strict rules, standardized procedures and structured processes that govern how the discovery and exchange of electronically stored information takes place.  

    True  [ ]  False  [ ]

16. Reports indicate that the decline in civility and self-esteem in the legal profession coincides with the ascendancy of e-discovery.  

    True  [ ]  False  [ ]

17. Magistrate Judge Louisa Porter has suggested that recent changes in legal culture have given rise to a new class of trial lawyers who conduct discovery and related pretrial activities but seldom, if ever, actually try cases.  

    True  [ ]  False  [ ]

18. According to U.S. Supreme Court Justice Stephen Breyer, law schools need to teach “cooperative practice” techniques that encourage collaboration with colleagues and adversaries to get facts on the table in litigation matters.  

    True  [ ]  False  [ ]

19. The information explosion threatens not only the legal profession but also the administration of justice itself.  

    True  [ ]  False  [ ]

20. It is estimated that 80 percent of the cases filed in the federal court system never reach the courtroom, based on the merits of each case.  

    True  [ ]  False  [ ]
JAMES H. MAYER, ESQ.

MEDIATION SERVICES

AREAS OF EXPERTISE
- General Commercial and Business
- Real Estate
- Corporate and Securities
- Employment
- Personal Injury
- Construction
- Environmental

EXPERIENCE
- 13 years as a Mediator
- 40 years as an Attorney
- Retired Partner, Pillsbury Madison & Sutro LLP
- Formerly with Bates Edwards/Endispute Mediation
- Serves on San Diego Superior Court and NASD Mediation Panels

Honors Graduate of Dartmouth College and Harvard Law School
Rear Admiral, USNR (retired)

7924 Ivanhoe Ave.
La Jolla, CA
858-551-5525
fax 858-551-5554

Solutions. Savings. Satisfaction.
An Evening at the Kirby’s

MIKE AND CARLA KIRBY opened their home on October 3 for the San Diego County Bar Foundation’s annual charity benefit, Evening at the Kirby’s. More than 250 people attended and enjoyed an evening with friends and colleagues while supporting the Bar Foundation’s mission of providing access to justice for all. For more information on the San Diego County Bar Foundation, visit www.sdcba.org/bf/.
Decades of success in Trial, Arbitration and Settlement. If you need a hand or just want to discuss a case, we are here to help.

Practice emphasis in:
- Eminent Domain/Inverse Condemnation
- Insurance Bad Faith
- Business Litigation
- Construction Defects
- Medical Malpractice
- Personal Injury
- Product Liability
- Wrongful Death

Former Managing Partner of Thorsnes Bartolotta McGuire.

Referrals always welcome, appreciated and rewarded as allowed by law.

655 W. Broadway, Suite 900, San Diego, CA 92101
(619) 291-1222
daral@mazzarellalaw.com
www.mazzarellalaw.com

Smart, Aggressive Representation at your Disposal

REAL PROPERTY DISPUTE RESOLUTION SERVICE

“ONE MAN’S WORD IS NO MAN’S WORD; WE SHOULD QUIETLY HEAR BOTH SIDES.” [Goethe]

CAN’T FIND REAL PROPERTY EXPERTISE FOR A.D.R.? NOW YOU CAN! USE A PRACTICING, AV-RATED (FOR 30 YEARS), SAN DIEGO REAL PROPERTY LAW SPECIALIST TO ASSIST IN THE RESOLUTION OF YOUR CLIENTS’ REAL PROPERTY DISAGREEMENTS.

GARY STEPHENSON
525 B STREET, SUITE 1500
SAN DIEGO, CA 92101
gary@rpadr.com
www.rpadr.com
gary@garystephensonlaw.com
www.garystephensonlaw.com
(619) 235-6389 (O)
(619) 858-4719 (F)
(619) 972-7000 (C)

FLEXIBLE DAYS AND HOURS
(including evenings and weekends)

SPECIALIZING FOR
36 YEARS IN REAL PROPERTY LAW ONLY

PANELIST IN 38+ C.E.B.
REAL PROPERTY LAW PROGRAMS
THE SAN DIEGO VOLUNTEER LAWYER PROGRAM celebrated 25 years of dedication to providing pro bono legal service. The Justice for All Awards Dinner on September 18 at the Westin Gaslamp Quarter hotel honored the recipients of the 2008 Pro Bono Service Awards: Charles McIntire, Aaron Arnzen and Heller Ehrman.
RINGLER ASSOCIATES®
The FIRST NAME In STRUCTURED SETTLEMENTS
SAN DIEGO
CONGRATULATES

JOHN GOMEZ, Esq. | STEVEN C. VOSSELLER, Esq.
of THE GOMEZ LAW FIRM | of The LOO Steven C. Vosseller

On Structuring $3,015,752.00 ($10,681,461.16 in Tax-Free Expected Future Benefits) for Their Clients During the Past Year

Manuel R. Valdez CSSC
MRValdez@ringlerassociates.com
CA Insurance License 0623820

Manny J. Valdez CSSC
MJValdez@ringlerassociates.com
CA Insurance License 0C76457

1230 Columbia Street, Suite 970, San Diego, CA 92101
877-231-3334 • 619-231-3334 • Fax 619-231-3335

www.ringlerassociates.com

DAVID B. MOON, JR.
Judge of the Superior Court, Retired

PRIVATE DISPUTE RESOLUTION

Mediation – Arbitration – Settlement Conferences
Discovery and Special Master References

General and Complex Civil Litigation including:
Probate • Trusts and Wills • Real Estate • Eminent Domain • Personal Injury
Professional Malpractice • Contracts • Construction Defect • Commercial Disputes
General Business • Insurance/Coverage • Employment Law

• Superior Court Judge 23 years
  – Independent Civil Calendar 5 years
  – Probate Judge 5 years
• Instructor, Civil Mediation, National Judicial College
• Private Dispute Resolution since 2001

www.judge davidmoon.com • Email: dbm@judgedavidmoon.com
Available throughout San Diego and Orange Counties

P. O. BOX 972
RANCHO SANTA FE
CALIFORNIA 92067
(858) 759-6119
FAX: (858) 759-6127
Law Student Welcome Reception

ON SEPTEMBER 16, the San Diego County Bar Association hosted a special networking mixer for all current law students. The event provided law students with a unique opportunity to meet and network with SDCBA members as well as members of San Diego’s judicial community.
MORE THAN 100 LAWYERS and judges hit the links at the San Diego County Bar Association’s annual golf tournament, October 3 at Riverwalk Golf Club. First place in the tourney went to Steffan Gibbs and the team from All-Pro Bail Bonds. An awards ceremony and a dinner followed the tournament.

Legal Nurse Betty was the tournament sponsor. Other sponsors included Lexis Nexis, ELT Insurance Services, King Stahlman Bail Bonds, Peterson Reporting, Video & Litigation Services, Hutchings Court Reporting, Knox Attorney Services, Ace Parking, Thorsnes Bartolotta McGuire, Ringler Associates and Davidson Attorneys.

For more photos from the golf tournament, visit SDCBA’s Web site: www.sdcba.org/golf/photos/.
La Raza Lawyers

THE SAN DIEGO LA RAZA LAWYERS ASSOCIATION held its 29th annual Scholarship and Awards Dinner on October 18 at the San Diego Mission Bay Hilton Hotel.

PHOTO GALLERY [events]


PHOTOGRAPHS BY BARRY CARLTON
THE KOREAN AMERICAN BAR ASSOCIATION OF SAN DIEGO (KABA-SD), in conjunction with the Korean American Coalition of San Diego, hosted its Inaugural Dinner and Installation of Officers on September 19. The event was held at the Japanese Friendship Garden in Balboa Park.

Founding director of the San Diego Asian Film Festival and former news anchor Lee Ann Kim acted as emcee for the evening. The evening featured keynote speaker Angela Oh, a nationally recognized attorney, community leader, professor and author.
SUSTAINING MEMBERS
The San Diego County Bar Association gratefully acknowledges its Sustaining Donation Members.

PATRON MEMBERS
Marc D. Adelman
Robert Caplan
Ezekiel E. Cortez
John G. Davies
Shawn Anthony Doan
William O. Dougherty
James P. Frantz
Louis E. Goebel
Charles F. Gorder Sr.
Stephen M. Hogan
A. Jason Kerckhoff
Genaro Lara
Harold O. McNeil
Gerald S. Mulder
William E. Nelson
David Baxter Norris
James Ellis Schneider
W. Davis Smith
Kenneth H. Stone
Thomas J. Warwick Jr.

FRIEND MEMBERS
Edward J. Babbitt
Candace Bremond
Linda Cianciolo
Vivian V. Doering
Darlene A. Dornan
David B. Dugan
Ann C. Durham
Peter L. Fagan
Charles W. Froehlich Jr.
Tina M. Fryar
Marc B. Geller

William C. George
Charles N. Guthrie
Paul Hofflund
George G. Hurst
Robert L. James
Jay W. Jeffcoat
David J. Karlin
E. Ludlow Keeney Jr.
Garrison (Bud) Klueck
Russell S. Kohn
Arthur E. Levy
Philip P. Linsley
Steven R. Liss
R. Anthony Mahavier
William A. Markham
Carla Nasoff
Peggy S. Onstott
Kristi E. Pfister
Susan E.H. Ragsdale
Pamela J. Scholefield
Maria C. Severson
Lewis H. Silverberg
Yolanda Tabb-Gammill
Alan Wiener
Bonnie J. Wilson
Jeffrey A. Wydra
Lisa R. Zonder

Who is this prominent member of San Diego’s legal community?

Please submit answers by November 24 to mkruming@aol.com. Your name will be entered to win a luncheon for two at Dobson’s Bar & Restaurant in downtown San Diego. Thanks to everyone who entered the September drawing with the photograph of civil litigator Harvey Levine.

EXPERT APPEAL.

More than 25 years’ appellate experience in areas such as contract disputes, insurance and indemnity issues, wrongful termination, bankruptcy, intellectual property, personal injury, constitutional rights, and family law. Duke University School of Law. Former president of the San Diego County Bar Association and of California Women Lawyers.

(619) 233-4100  |  www.shlaw.com
ELEVENTH ANNUAL GALA

An evening at the Kirby’s Sponsors

We would like to acknowledge and thank our sponsors for their generosity.

A special thanks to Mike & Carla Kirby for the use of their home.

Host Sponsors
Anonymous
David & Elizabeth Balfour
Edye Bauer
Maryly & Peter Benzian
Matthew C. Bernstein
Theresa Brehi
Debora Bullat
Robert Chakerian
James Cleary
Mica “Mitch” Danzig
Hon. Cindy Davis
Jeff Davis
Bonnie Durmanis
Joe & Colleen Ergastolo
Allan & Yorjdis Frostrom
Brian P. Funk
James & Angela Gilpin
John Giust
Fred Hernandez
Jim & Gale Hill
Pat Hasey & Sherry Bahrambeygui
Peter & Doris Hughes
Chris Humphreys & Susie Yoo
Craig & Heather Hunsaker
Jeff & Johanna Isaacs
Carl A. Kukkon, III
Lance Kurata
Jerriyn T. Malana
Monty A. McIntyre
Eileen M. Miller
Colin & Alexis Murray
David Norris
Dan Pascucci
Whitney Price
Tim & Cathy Richardson
Heather Rosing & Scott Carr
David Salisbury
Jim & Sally Sandler
Andrew Skale
James & Joyce Spiervak
Todd Stevens
Pedro F. Suazo
Justice & Mrs. Ted Todd
Briana Wagner
Teresa Warren
Howard Wayne

Event Sponsors
ALC Legal Technologies
Ethan & Laura Boyer
Bring & Company, Inc.
Brodshatter, Wallace, Spoon & Yip
Meredith Brown & Bill Burns
John & Jeannie Bucher
John Bucher Real Estate Company
California Western School of Law
Dowling & Yanke, LLC
England Ponticello & St.Clair
Exclusively Legal
C. Hugh Friedman & Lynn Schenk
General Dynamics NASSCO
The Gomez Law Firm
JAMS – The Resolution Experts
Randy & Liza Kay
Latham & Watkins LLP
Levine, Steinberg, Miller & Huver
Merrill Legal Solutions
Paul, Plevin, Sullivan & Connaughton LLP
Peterson Reporting, Video & Litigation Services
Petit Kohn Inggrassia & Lutz PC
Kristi & Dick Pfister
Procopio, Cory, Hargreaves & Savitch LLP
Manuel Valdez and Manny Valdez of Ringler Assoc.
Eddie & Amy Rodriguez
Nancy Stagg & Charles Bethel
University of San Diego School of Law
Williams Lea

Supporters
David Anderson
Aramark Refreshments
Cleaves & Associates Court Reporters
Judge David M. Gill
Mr. & Mrs. Howard Harris
Getting It Wright, Courting Justice and Nifty 50s

Delving a little further into the history of one Mr. Wright, the justice court and a few things that have been around half a century

ITEM 1: LEROY WRIGHT
I wrote about the two Wrights (May/June) but was much too short in my discussion of Leroy Wright. After all, he was a bar president (1951) and a founder of DICTA magazine (the precursor to San Diego Lawyer), and his old Colonial Williamsburg–style Fifth Avenue building, housing Glenn & Wright, was used by the San Diego County Bar Association for its headquarters for many years, until the Bar moved into its present quarters, the old University Club. During my early days on DICTA staff, we met irregularly in the Fifth Avenue building, frequently raiding leftover food and drink from Bar Board meetings. Wright's partner, Eugene Glenn, was also a bar president (1946) and described him as a “lawyer’s lawyer.” Thought you should know a little more about him.

ITEM 2: AL FULKERSON
Some time ago, I had the pleasure of meeting with Al Fulkerson, a fourth-generation San Diego native and longtime attorney. He retired in 1997 after 45 years of active practice, including many years as a deputy district attorney. He came over to discuss the old justice court, which ceased to exist in the 1970s. California’s constitution of 1849 created district, county, probate and justice courts, and Fulkerson says the justice courts were meant to “mediate and resolve the minor human conflicts.”

The justice court handled misdemeanor and civil matters, and the judges elected to these courts were not necessarily lawyers. Unlike our more centralized court system today, justice courts were spread all over the county, and the judges for each court were elected by that community. Fulkerson feels this close community tie brought great respect to the justice court and was “a problem-solving system.” The later creation of small-claims courts for limited civil matters, and the municipal court for minor civil and criminal matters, dropped the gavel on justice courts.

Of course, in 1998, the trial courts of the county unified into the single trial court of the Superior Court of San Diego County. A “restorative justice court” was launched by the Superior Court in 2002, designed to repair damage to neighborhoods caused by minor crimes, through community-service oriented sentencing. Everything old is new again.

Fulkerson had a copy of a 1928 letter from San Diego Superior Court Judge Shelley Higgins (previously San Diego’s city attorney), addressed to Cora Austin, Fulkerson’s grandmother. The letter thanked Ms. Austin for her service as a juror and in particular for “the wonderful floral offerings to the court.” Higgins, by the way, left the bench after two years and joined Fred Lindley’s law firm. Fred’s daughter, Mary, was married for 43 years to Leroy Wright. See above item.

ITEM 3: 50 YEARS IN THE MAKING
The main law library building was dedicated on October 7, 1958, and one of its best-known lecture series is named after Fred Lindley. This year saw the 50th anniversary of Law Day (May 1, 1958) as well, and the founding of the American Board of Trial Advocacy. This is also the 50th for NASA, the smurfs and the peace sign. That’s it for 2008; all systems go for 2009.

George Brewster is a senior deputy county counsel for the county of San Diego. He can be reached at sandbrew@aol.com.
Judicate West is Proud to Feature Many of San Diego’s Most Respected and Talented Neutrals

ADDITIONAL TALENTED AND RESPECTED SAN DIEGO NEUTRALS AVAILABLE AT JUDICATE WEST INCLUDE....

James E. Chodzko, Esq.
Ronald F. Frazier, Esq.
Thomas E. Gniatkowski, Esq.
Hon. Arthur W. Jones, Ret.
Hon. Gerald Lewis, Ret.
Hon. David Moon, Ret.
Hon. Alice D. Sullivan, Ret.
Maureen Summers, Esq.

JUDICATE WEST
Alternative Dispute Resolution
Results Beyond Dispute™

FOR MORE INFORMATION ON THESE NEUTRALS, PLEASE CALL (619) 814-1966 OR VISIT OUR WEBSITE AT WWW.JUDICATEWEST.ORG

DOWNTOWN LOS ANGELES • LONG BEACH • SAN DIEGO • SANTA ANA • WEST LOS ANGELES

Thomas E. Sharkey, Esq.
Mediator Arbitrator Discovery Referee Special Master

More than 45 years as an active trial lawyer in state and federal courts in a wide variety of cases
Twenty years experience as a mediator and arbitrator
Expertise in the following areas:

- Aviation
- Business/Commercial
- Complex Litigation
- Construction Defect
- Employment Law
- Insurance/Coverage/Bad Faith
- Intellectual Property
- Personal Injury/Wrongful Death
- Product Liability
- Professional Malpractice
- Real Estate
- Securities/Investment Disputes

San Diego Orange Los Angeles Riverside San Bernardino Imperial

(619) 814-1966
To schedule, contact: Mark Kaufman
Case Administrator
Judicate West
402 West Broadway, Suite 2000
San Diego, California 92101

Private Dispute Resolution from a Name You Know and a Reputation You Trust
ADVERTISERS’ INDEX

ADR Services 11
Ahern Insurance 5
Asher Mediation 39
Barker, Koumas & Olmsted 38
Berman & Riedel, LLP 63
Bond Services of California 45
David Cameron Carr 31
CastleLyons 61
Hon. Geary Cortes 40
Eyewitness Expert Testimony 61
Field and Test Engineering 28
First Pacific Bank 31
Forensic Expert Witness 40
Forensis Group, Inc. 12
Fragomen, Del Rey, Bernsen & Loewy 13
Craig Higgs 27, 29
JAMS 19
John Bucher Real Estate 64
Judicate West 59
King Stahlman 15
Kruis Mediation 2
Lawyer Referral Information Services 28
LexisNexis 17
Lit Econ LLP 47
James Mayer 47
Law Offices of Daral B. Mazzarella, APC 49
Hon. David B. Moon 51
National Conflict Resolution Center 45
Ringler Associates 41, 47, 51
Thomas Sharkey 59
Stephenson Law Office 49
Sullivan Hill Lewin Rez & Engle 56
The San Diego County Bar Foundation 57
Thomson West 9
Troutman Sanders 7
UCSD Extension 41
Union Bank 3
EYEWITNESS EXPERT TESTIMONY: 39 years of forensic psychology experience with pretrial consultations and frequent court testimony regarding factors known to influence the validity of eyewitness report. Pretrial consultation can include choosing foils for live lineups and selecting jurors. Trial testimony includes charts to explain the results of scientific research demonstrating factors known to influence eyewitness identification accuracy. Thomas R. MacSpeiden, Ph.D., 619-291-4808, Fax 619-291-4426; e-mail: macspeidenphd@nethere.com

REAL ESTATE EXPERT WITNESS SERVICES: 37 years of experience in the residential development industry. Substantial entitlement, land development and homebuilding résumé. MBA from USC, California Contractor’s and Broker’s licenses. Areas of expertise include: joint venture and partnership disputes, due diligence evaluation, entitlement issues, homebuilder and broker disputes, and standard of care issues, to name a few. Please refer to Web site for more information, www.castlelyons.net, or contact Michael K. Ryan, President, at 619-787-5988.
Attorney Peter Lynch (left) of Cozen O’Connor is a retired lieutenant colonel in the U.S. Marine Corps Reserves who spent almost a year re-energizing the broken Iraqi criminal justice system in Al Anbar Province. Earlier this year he was awarded the Bronze Star at Camp Pendleton for his service. He can be reached at plynch@cozen.com.
Ever wonder where San Diego’s finest Attorneys refer their complex elder abuse cases?

BERMAN & RIEDELM LLP
ATTORNEYS AT LAW

In 2007, Berman & Riedel, LLP, teamed up with some of San Diego’s finest attorneys to achieve remarkable results in handling several complex elder abuse/neglect cases:

2007 Attorney Referred Elder Abuse/Neglect Case Results:

$1,125,000.00 – Long Term Care Facility Mismanagement Resulting in Patient Deaths
$ 500,000.00 – Reckless Neglect Resulting in Multiple Falls/Broken Hip/Wrongful Death
$ 400,000.00 – Severe Neglect Resulting in Dehydration/Malnutrition/Infection/Wrongful Death
$ 379,100.00 – Reckless Neglect Resulting in Formation of Contractures/Decubitus Ulcers
$ 225,000.00 – Fracture Injury Resulting from SNF’s Failure to Properly Care Plan Resident
$ 200,000.00 – Failure to Supervise Developmentally Disabled Resident/Sexual Abuse

Other Notable Elder Abuse/Neglect Cases Resolved in 2007:

$1,706,000.00 – Severe Neglect Resulting in Decubitus Ulcers (Pressure Sores)/Below-the-Knee Amputation/Wrongful Death
$ 700,000.00 – Reckless Failure of SNF to Monitor Patient’s Post-Op Infection/Wrongful Death
$ 600,000.00 – Failure to Provide SNF Resident with Prescribed Medications/Wrongful Death
$ 225,000.00 – Broken Hip Resulting from SNF’s Failure to Properly Care Plan Resident
$ 201,250.00 – Failure of RCFE to Report Dehydration/Malnutrition/Infection Bed Sores

Berman & Riedel, LLP, handles wrongful death and serious personal injury cases against Skilled Nursing Facilities, Residential Care Facilities for the Elderly, Assisted Living Facilities and In-Home Geriatric Care Providers, all throughout the State of California.

Also accepting referrals in the areas of serious personal injury, wrongful death, construction site accidents, automobile/motorcycle accidents, product liability, burn cases and slip-and-fall accidents.

Please call for a free consultation

(858) 350-8855
www.preventelderabuse.com

All Referral Fees paid consistent with California Rule of Professional Conduct 2-200
LAWYERS REPRESENTING LAWYERS.
RAISING THE BAR IN LEASE NEGOTIATIONS FOR OVER 20 YEARS.

La Bella & McNamara, LLP • Hecht, Solberg, Sullivan, Hill, Lewin, Rez & Engel • Winger, Brubaker & Goodwin, LLP • Levine, Steinberg, Miller & Huver • Neil, Dymott, Frank, Harrington, McFall, APLC • Andersen, Mann & Hilbert, LLP
Stephenson, Worley, Garratt, Schwartz, Garcia • Krause, Kalfayan, Benink & Slavens, LLP
White & Oliver, APC • San Diego County Bar Association • Ehrman, White & McAuliffe, LLP
Greco & Traficante • Copeland & Tierman • Balestreri, Pendleton & Potocki • Law Offices of Virginia C. Nelson
McKenna & Cuneo • Gentes & Garcia • English & Gloven, APC • Law Offices of Peter J. Hughes, APC
Cleary & Sevilla, LLP • Law Offices of Virginia C. Nelson
La Bella & McNamara, LLP • Hecht, Solberg, Sullivan, Hill, Lewin, Rez & Engel • Winger, Brubaker & Goodwin, LLP • Levine, Steinberg, Miller & Huver • Neil, Dymott, Frank, Harrington, McFall, APLC • Andersen, Mann & Hilbert, LLP
Stephenson, Worley, Garratt, Schwartz, Garcia • Krause, Kalfayan, Benink & Slavens, LLP
White & Oliver, APC • San Diego County Bar Association • Ehrman, White & McAuliffe, LLP
Greco & Traficante • Copeland & Tierman • Balestreri, Pendleton & Potocki • Law Offices of Virginia C. Nelson
McKenna & Cuneo • Gentes & Garcia • English & Gloven, APC • Law Offices of Peter J. Hughes, APC

JOHN BUCHER
REAL ESTATE COMPANY

Tenant Representation for the Legal Profession.

1010 2nd Ave., Suite 1830, San Diego

619.235.9940 www.johnbucher.com