



CITATIONS

NOVEMBER - TWO THOUSAND FOUR

VCBA MISSION STATEMENT

To promote legal excellence, high ethical standards and professional conduct in the practice of law;

To improve access to legal services for all people in Ventura County; and

To work to improve the administration of justice.

LESSONS FROM A MASTER: JAMES MATTHEW FARLEY

By Carmen Ramirez

Page 4



PHILIP GARRETT PANITZ

PANDA L. KROLL

WENDY C. LASCHER

PATRICIA KOCHER

MICHAEL A. VELTHOEN

STEVE HENDERSON

<u>ONE SOAPBOX OUT OF TWELVE ISN'T TOO BAD</u>	3
<u>ATTORNEY TO HOST "ART AND THE LAW" RECEPTION</u>	6
<u>A LEGAL BLOG THE OLD-FASHIONED WAY</u>	8
<u>MY HUSBAND HAS A MISTRESS</u>	12
<u>NOTED ETHICS SPEAKER AT SCHOLARSHIP EVENT</u>	13
<u>EAR TO THE WALL</u>	15
<u>EXEC'S DOT...DOT...DOT</u>	18

EULUA ACCOUNTING

One Soapbox Out of Twelve Isn't Too Bad

By Philip Garrett Panitz



The United States Tax Court handed down a decision today. No big deal, they do that practically every day. Except today's decision was in a case I tried back in April, and our victory saved

our taxpayer probably \$3 million. Every once in awhile, you get to pick up the phone as an attorney and make somebody very, very happy. Today was one of those days.

I won't bore you with the details, except to say that the IRS felt that this taxpayer was overcompensated. By attempting to recharacterize distributions to him as dividends, it would have taken away his corporation's salary deduction, the result being tax at the corporate level. We were fighting over \$1 million, but the the decision would have affected later tax periods if we had lost.

As attorneys, we love those days that our clients appreciate what we do. My client definitely let me know how appreciative he was, and those few rays of sunshine will last during times that I accomplish similar results but am met with the clients' standard refrain: "But of course we won. It was the right result. The Judge got it." Typically, when we win a case the client assumes he or she was right and is vindicated, but when we lose it is because the attorneys blew the case.

So now that I am basking in the glow of victory, and actually thinking about legal matters rather than that three-foot putt I missed last Saturday, I will climb on a soapbox. It is something I generally loathe to do, so feel free to skip the next few paragraphs.

What Happens to California Taxpayers

This state desperately needs a tax court. My taxpayer, when wronged by the IRS, had the opportunity to contest the "deficiency" prior to paying a penny. In the federal system, the right to go to the United States Tax Court is a given whenever the IRS disputes the way you treat an item on your tax return.

Unlike my taxpayer, California residents so wronged face a daunting gauntlet. The

tale of horror applies to both the Franchise Tax Board (state income taxes) and the State Board of Equalization (state sales tax). First, the taxpayer must meet with audit supervisors to contest the change to their return. This results in a rescission to the audit revision about as often as the Boston Red Sox or the Chicago Cubs win a World Series (for the non-baseball literate – not in our lifetime).

The taxpayer must then request a hearing before an attorney from the government agency, who is supposed to act as a neutral arbitrator. This is a very interesting concept, considering that the attorney who is supposed to act as a neutral is being paid by the same government agency that is arguing

This state desperately needs a tax court.

against the taxpayer. I explain this as the Fox Guarding the Henhouse stage. Needless to say, the fox usually rules against the poor hen.

The next stage is an appearance before the five elected officials comprising the Board of Equalization. For an SBE case, these elected officials are sitting in judgment on the people who work for them. For FTB cases, there is still a sort of sinister nepotism between agencies, and the results are not generally favorable for taxpayers. I tell my taxpayers that this is commonly referred to as the Kangaroo Court phase.

Neutral Forum, Nonexpert Decisionmakers

Those three steps are each required to "exhaust administrative remedies" before the fourth stage, a refund lawsuit in Superior Court. Those of you still paying attention at this point should focus on the word "refund." To finally reach a neutral forum, the taxpayer must first pay the deficiency requested by the government. From a due process standpoint, and here I firmly plant both feet on my soapbox, this system stinks. Taxpayers are routinely put out of business in this state because their government

determines that they owe money, without the ability to contest the liability prior to paying it. And they don't even get the privilege of paying the tax until they've exhausted their administrative remedies which drains them dry in legal fees and with little hope of convincing the government that they are wrong.

In addition, even if the taxpayer can afford to go all the way to Superior Court, most judges have no clue about taxes or tax law. No offense to our judiciary, but I have had judges tell me that the entire tax case is "Greek" to them. One judge even said from the bench that he felt like he was being asked to interpret a contract written in Swahili. I sympathize with these judges. Tax is a specialized enough area of law that it needs a judge with special skills. The government tends to capitalize on this confusion by attempting to paint every taxpayer as a tax "cheat" when it is arguing before a state judge. Intimating that all taxpayers except the one before the court play by their rules to a judge who has no clue what everyone is arguing about tends to give the government the benefit of the doubt.

California Is Out of Step

Amazingly, most states have state tax courts. Indiana, Oregon, Minnesota, Arizona and numerous others have completely autonomous state tax courts akin to the Federal system. How can California be so far behind in providing taxpayers fundamental due process?

The usual response is that a state tax court system is too expensive. I think not having a state tax court system is too expensive, in terms of the drain on business and the flight of businesses out of our state. As businesses leave, so do jobs. Our tax base shrinks. You get the picture.

I will step down from my soapbox now, but I will make sure to leave it in place for future presidents to use at their discretion. In my glorious retirement from the presidency, next year I will resume my lobbying activities for this worthy goal. I'll be the guy sitting at the supermarket asking you to sign a petition, so please have pity.

Phil Panitz is a tax lawyer, and the President of VCBA

LESSONS FROM A MASTER: JAMES MATTHEW FARLEY

By Carmen Ramirez

Jim Farley will receive the 2004 Ben E. Nordman Community Service Award at the Annual Meeting of the Ventura County Bar Association on November 13.

Now 70, Jim has practiced law for 37 years. He is an icon in the Ventura County legal community, and at Our Lady of the Assumption Catholic Church in Ventura, where he is a permanent Deacon. Jim has been married to Mary Ellen Farley for 41 years. He is the proud father of two daughters: Shannon, whom he says suffers from "wanderlust," is currently in Costa Rica, working at an "eco lodge." Mary Kathleen, now married, is just beginning a teaching career.

Jim has been a law school teacher and a volunteer in many non-profit organizations over the years. One of his current activities is as a board member with Project Understanding, a non-profit group that provides support, shelter and training for homeless individuals and families throughout Ventura County.

Nancy Barnes has been Jim's secretary and friend for 30 years. She says she has learned that Jim practices what he preaches. For example, he believes and lives the beliefs that: Everyone deserves a chance, and then a second chance; there is good in every person; and compassion is necessary in this life. Jim has this quality in abundance. He has been an example for many, including his clients, helping them to get over a difficult situation or tragedy, and showing the way to relief. Finally, says Nancy, she has learned that work can be fun.

Jim's Defense Practice

Why did Jim choose criminal defense? He says "I just don't like big guys dumping on the little guys. The government can be oppressive and someone like me has to keep it under control. Many people equate the defense attorney with the accused. The public complains that 'the criminal defense attorney is trying to get his client off.' People don't understand that this is not improper, but absolutely necessary to make sure that the system is kept in balance and that the presumption of innocence is preserved."

Jim works out of his office in Ventura with his partner of many years, Chuck Cassy, and shares space with attorney Kay Duffy. He calls his office, the "Public Defender's Office West." He is a member of the Conflict Defense Associates, known as CDA. He says, "Our job is to 'police the police.'"

How did James Matthew Farley get to be one of the most effective and respected criminal defense attorneys in our community?

Jim Farley believes that everyone deserves a chance, and then a second chance; there is good in every person; and compassion is necessary in this life.

The Beginnings



Jim was born in Albany, New York, in 1934, of an Italian-American mother and an Irish-American father. He says he is becoming more Italian as the years go by. After moving to Los Angeles in the 60's, he graduated from Southwestern University School of Law in 1967. His first job was as an associate for a title company; for the first six months of practice, he reviewed trust documents. Towards the end of that time, he was ready to seek mental health counseling, he quips. But a stroke of luck presented him with his first criminal case in private practice. He found it challenging

and exciting. And the client paid him, to top it off.

His first court experience in Ventura County led to the move here. While representing a client in a criminal matter, he sought and received an order that prevented the prosecution from speaking to a witness. He then found out that the prosecution violated the order and interviewed the witness. He went in to get judicial relief from Judge Bert Henson. His performance was spotted by then- Public Defender Richard Irwin, who offered him a job on the spot. Jim accepted and was working at the Public Defender's Office two weeks later. He opened his own practice two years later.

In the early years, Jim appeared before several excellent jurists: Judges Lewis, Shaw, Blanford, McGrath, Cooper and Storch. According to Jim, Judge Larry Storch was especially wonderful.

Deacon Farley

The first time I saw Jim Farley was as he gave a sermon at Mass at Our Lady of the Assumption Church in Ventura many years ago. His strong voice intelligently called upon the parishioners to consider their daily lives and between obligations and to live with the light of justice, mercy, and compassion towards their fellow human beings. I was impressed. I found out that he was an attorney. Jim became a friend. Over the years, Jim performed the baptism of my nephew, Paul, and the wedding ceremony of my sister, Elisa, and her husband Rob. Jim has performed many weddings, baptisms and graveside services. He became a Deacon in 1979, as soon as he found out that the Diocese was beginning a Deacon program. Why? He simply wanted to serve in that strictly volunteer capacity. "It's been rewarding."

Role of the Defense Lawyer

In the past few weeks, Jim gave a sermon about his work as a criminal defense attorney. Knowing that many of those listening did not really appreciate or approve of his work, he told the parishioners that even those not arrested or convicted of a crime may be just

as guilty as the one who does wind up in the courtroom. "When you have murder in your



heart or you covet something that cannot be yours, you are no different than the person who is facing the judge."

Jim is known for the numerous times he has defended death penalty cases. "The government just does not have the right to kill anyone... it's a terrible thing to hear a jury give the verdict of death." He admires the work of appellate attorneys who are the only ones standing between the defendant and the full crushing, weight of the government trying to kill their client. But, "it's the best thing that you can do, to try to save a person's life."

And what does he think about the current practice of law? "It's disappointing to see a lack of ethics among some attorneys. There's overcharging and a failure to be fair to the client and do what was promised. Some attorneys are trying to make a quick buck. A big part of the problem is that attorneys see themselves as business people rather than as professionals performing an important role in this society. We lawyers are held to a higher standard of responsibility to the public, much more than a business person.

Being a lawyer is the most noble thing you can do in life if you practice it professionally, ethically and honestly... And, the only thing you have of value as a lawyer is your word. And lawyers should not lose their pride in that one can truly help people when you are part of this profession."

Attorney Jay Johnson, while he was a young prosecutor, met Jim on the opposite side of the courtroom. Jay says, "The only two people I have ever known in my life who truly practiced the Christian ethic were my grandfather and Jim Farley."

Jim Farley's professional career, still going strong, and his personal successes over the years, show a life and career well lived. Jim Farley is indeed a very worthy recipient of the Ben E. Nordman Award for Community Service.

Carmen Ramirez is a past president of VCBA.

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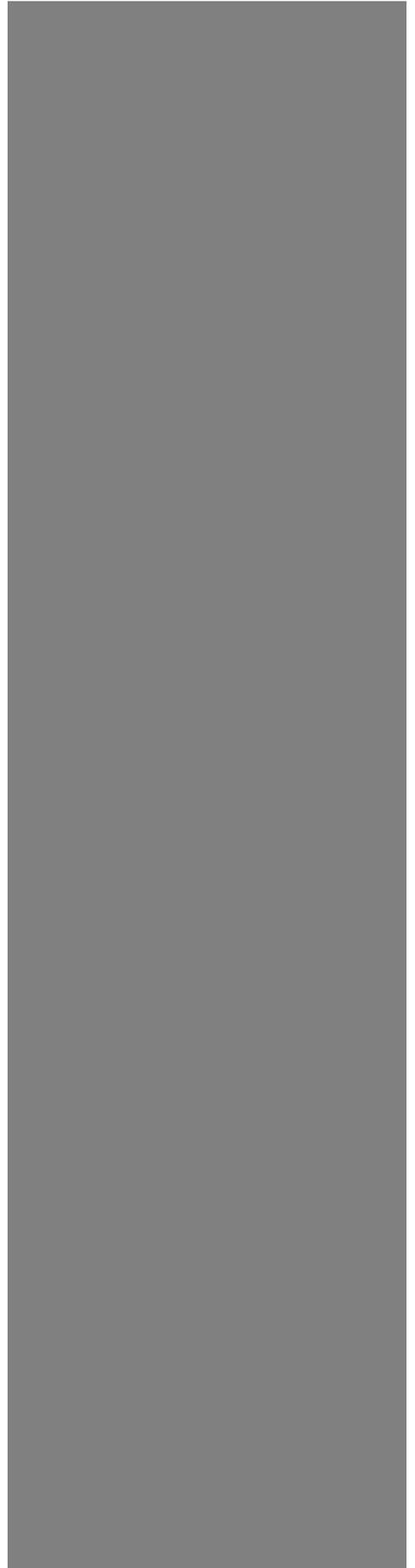
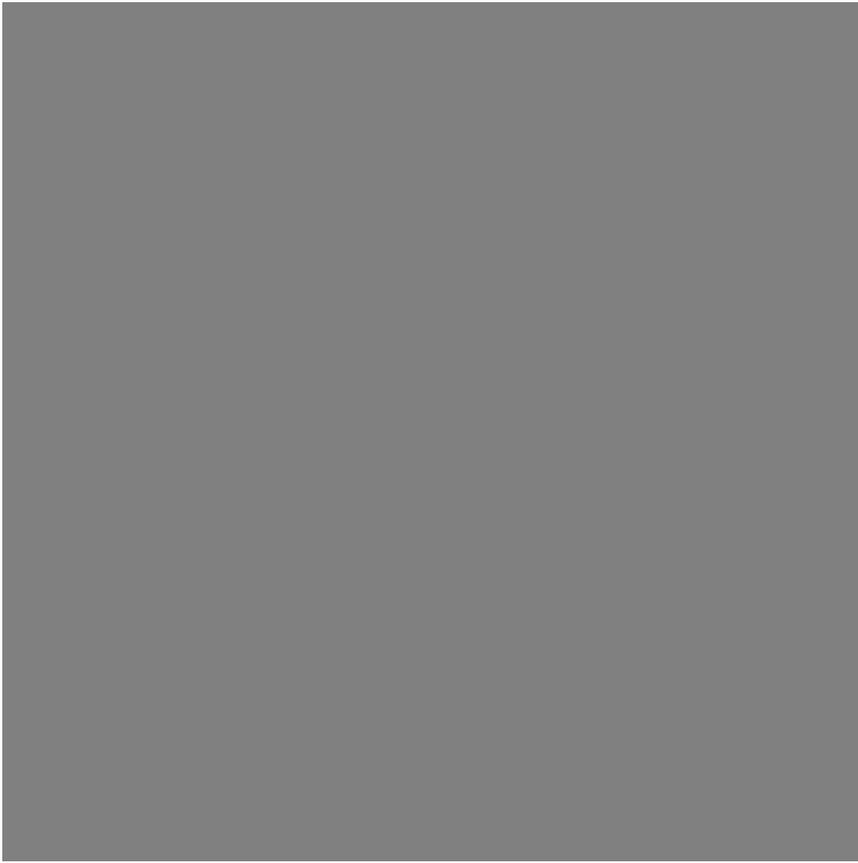
ATTORNEY TO HOST “ART AND THE LAW” RECEPTION

Local attorney Panda Kroll, M.F.A., recently taught courses in Art History and in Business Law at Cal State University Channel Islands. First Amendment law and intellectual property are the most obvious intersections of art and law. Panda suggests, however, that the practicing both art and law requires creativity and the ability to think outside the box. After all, it was a lawyer who first saw “shadows” (“penumbras”) emanating from the Bill of Rights (Justice William O. Douglas in his 1965 Supreme Court opinion, *Griswold v. Connecticut*).

Panda has shown her monotypes in the past at the Santa Barbara College of Law, the County Building, and Studio Channel Islands Arts Center. This month she hosts a reception for her show entitled “The Bestiary,” images made with a printing technique known as “multiple drop.” This involves transferring transparent inks from a hard surface onto a sheet of 100% cotton rag paper by running both through a press multiple times, once for each color. Panda’s work shows best around Halloween, because her prints feature playful “monsters” such as a squid, a bat, an armadillo, and even a flea (title: “Have a lousy day”).

The reception takes place Friday, November 12, from 5:30-7:00 p.m. at 646 County Square Drive, home of the Ventura County Arts Council and, coincidentally, of staff members from the District Attorney’s Office. Carmen Ramirez, outgoing President of the Studio Channel Islands Art Center, will lead a discussion about Art and the Law. Carmen is also a generous contributor to many local visual and dramatic arts organizations, including Teatro de las Americas.

For more information, contact Panda Kroll at 856-1611.



LASCHER AT LARGE - A legal blog the old-fashioned way.

By Wendy Lascher

Have We Come to This?

I know courts are busy, but I was shocked to read Ventura's Family Law Rule 9.10 (B). It says, with this exact punctuation: "If either party, or counsel wishes the court to review the pleadings prior to the date of the hearing, that request must be made to the courtroom clerk, or to the judicial secretary two court days prior to the hearing." Until I made an appearance in Courtroom 41 a few months ago, I assumed that the whole purpose of filing a pleading was for a judge to read it.

Great Openings

A good piece of writing needs a hook. Everyone can place these: "It was the best of times, it was the worst of times..." "As Gregor Samsa awoke one morning from uneasy dreams he found himself transformed in his bed into a gigantic insect." "Call me Ishmael" (modern readers might also recognize, "Captain Ahab was neither my first husband nor my last...")

Judicial opinions are no different. Consider a recent Eighth Circuit decision that begins: "We consider here another case of human mutilation caused by a chitterling cleaning machine . . ."

Plain English?

Even if that opening line doesn't make you want to read the opinion, at least you know what it's about. You can't say the same about some statutes. Though our Legislature has officially declared the importance of clear writing when it comes to administrative regulations (see, Gov't. Code §11340), it does not hold itself to the same standard. Consider Government Code §75026, "explaining" judicial pensions:

Except as provided in Section 75029, no judge shall be eligible to retire under Section 75025 if he or she has not received a salary from which contributions for the Judges' Retirement Fund have been deducted for a period or periods aggregating at least 10 years unless, prior to the effective date of his or her retirement, he or she has paid into the Judges' Retirement Fund a sum equal to the contributions which would have been deducted from his or her salary during the period of 10 years immediately preceding the effective date

of his or her retirement if he or she had received a salary subject to deduction of contributions for the Judges' Retirement Fund during all of that period, excluding any time within the 10-year period during which contributions for the Judges' Retirement Fund were actually deducted from his or her salary, any time in that period in respect to which he or she has made payment under Section 75029, and any time in that period which is included in the computation of his or her service under Section 75031.

That, my friends, is a 184-word sentence.

Speaking of long things, I loved the reaction of a fellow appellate lawyer to the suggestion of fudging on the word-count limitation for appellate briefs by omitting spaces in case cites:

It doesn't seem to me like a big thing overall. Jamming citations together would not seem to make much difference in the total word count, even when a whole bunch are cited.

The Good Old Days

Decades before GPS and Mapquest, my grandfather taught me a jingle to find my way across downtown LA (from east to west):

In *Los Angeles*, from *Main* you *Spring* to *Broadway*, climb the *Hill* to *Olive*. Oh, wouldn't it be *Grand* to *Hope* to pick a *Flower* on *Figueroa*?

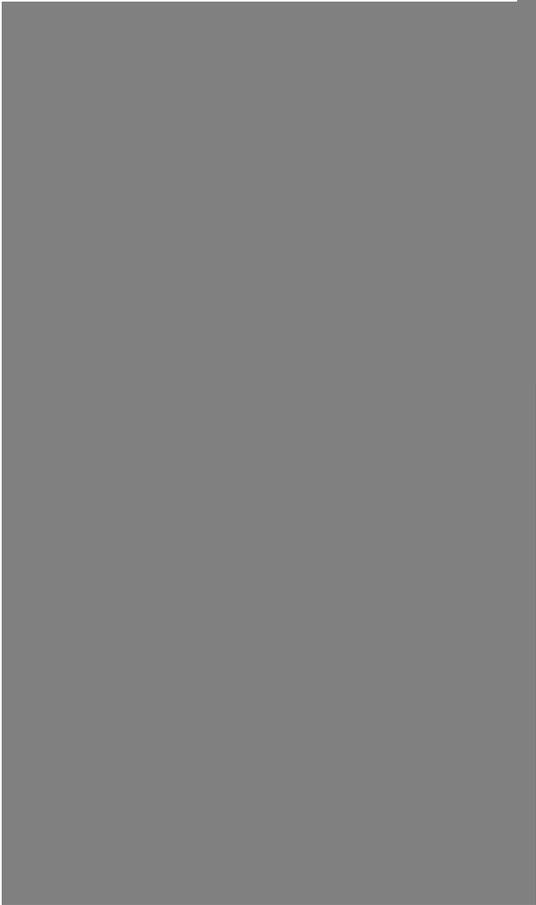
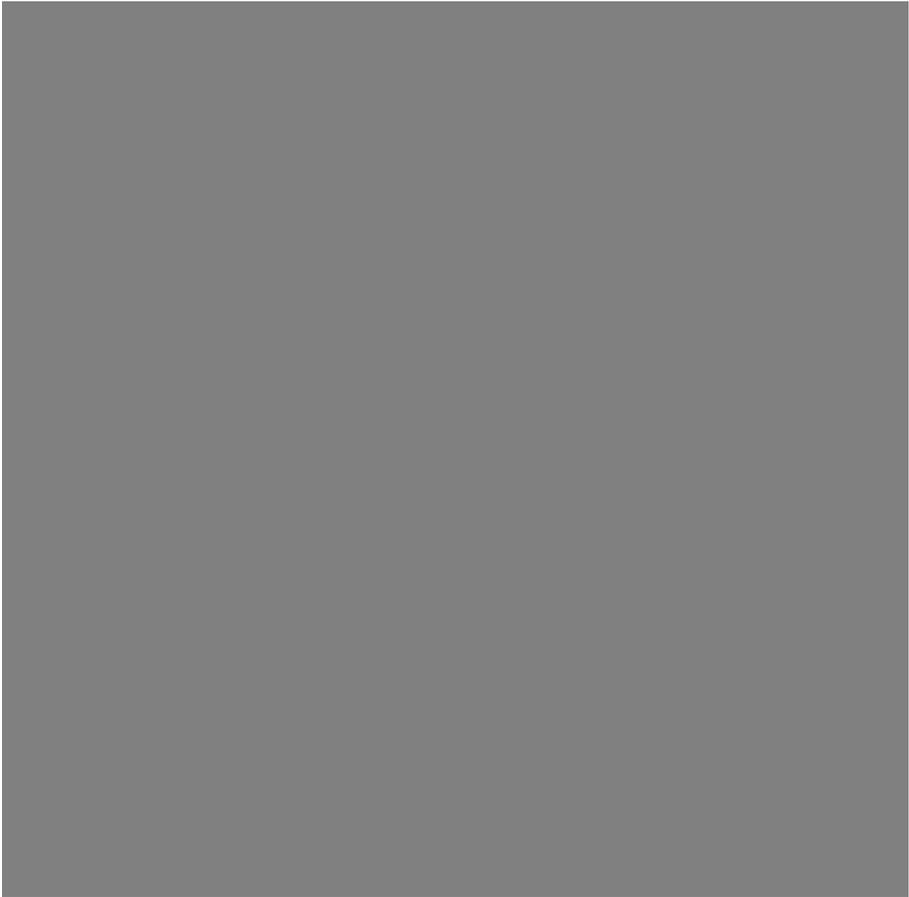
I thought everyone knew this, but a Young Lawyer says otherwise. And, if you're a litigator, it's important to your practice: the Bankruptcy Court is on Temple east of Los Angeles St. Heading west on Temple, the Federal District Court is on Spring St., across the street from the LA Superior Court's Criminal Courts Building. A few blocks down Spring, you'll find, the Ronald Reagan State Office Building (housing the Second District Court of Appeal and a branch office of the Clerk of the Supreme Court). Meanwhile, the Central District of the Los Angeles Superior Court is on First St., between Hill and Grand.



Wendy Lascher is an appellate lawyer in Ventura, and managing editor of CITATIONS.

NOMINATIONS SOUGHT

The American Bar Association's John Minor Wisdom Public Service and Professionalism Award was established by the ABA's Section on Litigation in 1990. Recipients of the Wisdom Awards have made outstanding contributions to the quality of justice in their communities, ensuring that the legal system is open and available to all. Deadline for nominations is November 19. Contact American Bar Association Service Center, 321 North Clark Street, Chicago, Illinois 60610.



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MY HUSBAND HAS A MISTRESS

By Patricia Kochel

My husband has a mistress – a jealous one. He readily admits it when I ask, “Are you having an affair?” as he leaves for yet another night out. Last month I decided to join him and his mistress (the law) for the Mexican American Bar Association Dinner (MABA). I thought we’d have enchiladas or chilis rellenos. They served beef and chicken.

The Best Part Was the Speaker

I had the beef. It was very good, but the best part was the speaker. I was so proud to be sitting in a roomful of lawyers as I listened to him. Coming home, I realized that people who tell lawyer jokes don’t understand American history, or they wouldn’t put down lawyers.

The speaker was the Honorable Bruce J. Einhorn. He has been a United States Immigration Judge in Los Angeles since 1990. He is also a professor of International Human Rights and Humanitarian Law at Pepperdine. I can’t remember all the human rights committees he’s on or all the honors he has received for his work with civil liberties, but as MABA President Gabriella Navarro-Busch listed them before the talk, I knew he’d have something interesting to say. Even thinking about his talk as I sit here gives me the chills.

We Need Lawyers of Conscience

Judge Einhorn started by saying that it is important to voice the reasons we need lawyers of conscience. To the oft-heard comment that there are too many laws and lawyers, he referred to a conversation in Einhorn’s favorite movie, *A Man for All Seasons*. Thomas Moore’s son-in-law complained that Moore would not break with law even to get at the devil himself. Moore concurred, because breaking the law would only leave us more vulnerable to evil. The role of lawyers is to protect our security and freedom. Einhorn bemoaned well-meaning leaders who make excuses to cut away civil liberties in the defense of our nation post-9/11. These leaders, said Judge Einhorn, are risking their freedoms

as well as ours, and their efforts need to be blocked by lawyers who understand the purpose of the laws. Experience should have taught all of us that we must be on guard to protect our freedom and our democratic system.

He questioned government leaders spending millions on an oil-rich country like Iraq and yet doing nothing for an oil poor country like Sudan where millions are dying. He suggested that if a country wants America’s assistance, it should

Even thinking about his talk as I sit here gives me the chills.

declare it has just found oil. By the time the ruse is discovered, America will have poured millions into that country.

He went on to point out the social and economic inadequacies in our society. For not only is it up to lawyers to protect and advance our political rights, but also to protect people’s economic rights.

Rights in a Just Society

He reminded us all of Roosevelt’s Second Bill of Rights, rights that should be advanced in a just society: the right to decent affordable housing for all; the right to adequate health care; the right to a useful job with a decent wage; the right to

engage in business without the threat of monopolies; the right to social security; the right to a good education, which is the foundation of all the above. “Have you ever gone to a bake sale for the building of an atomic bomb?” he asked. How many bake sales have we all attended for funding schools?

Lawyers enhance the lives of our people. America, Judge Einhorn said, has been likened to a shining city on a hill. But shining cities need repairs and constant polishing. Lawyers are best suited to keep them shining. Lawyers are best suited to defend our hard won freedom

To the recipients of the scholarships being awarded that night, he said this is an expression of the best of what we are about in the United States: giving aid where needed. He urged the recipients to remember the help they received when they become lawyers, and to go and do likewise.

When the applause died down I saw that I was the only one at the table who had eaten all of the chocolate mousse cake dessert. I even finished my husband’s. I remembered the same thing happened at the last bar dinner I went to. I think that’s very strange.

Patricia Kochel is a teacher at Buena High School, a lawyer and a member of VCBA.

**NOTED ETHICS SPEAKER
AT SCHOLARSHIP EVENT**



Matt Guasco

On November 19, 2004, the CPA/Law Society of Ventura County hosts its Second Annual Scholarship Awards Luncheon at the Pierpont Inn in Ventura. The Society, which brings accountants and attorneys together to discuss topics of mutual interest, will present \$10,000 in scholarships to students at CSUCI, UCSB, and the Ventura College of Law. Judge David Long of the Ventura County Superior Court, President Richard Rush of CSUCI, and Dr. Aaron Ettenberg of UCSB will be on hand to present the scholarship awards.

The meeting also features keynote speaker Michael Josephson, a nationally syndicated columnist/radio personality and president of the Josephson Institute of Ethics. In addition to his Character Counts! column, Mr. Josephson is the author of several books, including *The Best Is Yet To Come*. "We're very excited to have Mr. Josephson speak at our scholarship awards luncheon," says Doug Kulper, President of the Society.

The Society is renowned for its outstanding door prizes and this event is no exception. The Society is giving away two weekend getaway packages at the Pierpont Inn, including dinner, brunch and a welcome basket. For more information, see the Society's website at www.cpalawsociety.com or email Doug Kulper at dkulper@fcopc.com.

VON HANEL



Ear to the Wall

SMITH APPOINTED HEAD OF UCSB EXTENSION PARALEGAL PROGRAM



Craig Smith, a longtime Santa Barbara attorney, has been appointed director of the Paralegal Professional Certificate

Program at the University of California, Santa Barbara Extension. Mr. Smith has previously served as a Deputy County Counsel and Deputy District Attorney for the County of Santa Barbara, and was also a Santa Barbara Superior Court Commissioner. Mr. Smith has taught law school for the past 20 years, and this summer published his first book, *California Contract Law, Cases & Materials*, a law school textbook.

As Program Director of UCSB Extension's Paralegal program, Mr. Smith will oversee the curriculum and advise students. UCSB Extension's Paralegal Professional Certificate Program is approved by the American Bar Associa-

tion and provides students real-world exposure to the legal field, an understanding of the legal system, knowledge of both substantive and procedural law, along with practical applications and professional skills. This program is designed specifically to prepare and qualify graduates for employment as Legal Assistants in law-related occupations. For more information on UCSB Extension's Paralegal program, call 893-3351 or visit <http://www.extension.ucsb.edu/cert/lsm/la/>.

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New VCBA member relocated from NJ seeks FT/PT association with LA/Ventura County law firm or corporation. Seven years litigation and transactional experience. Spanish proficiency (ACTFL Intermediate). Contact hdetrick@att.net or 609-818-1047.

Recent NY college grad seeking legal employment; spent summer 2002 as program assistant at Georgetown Law Center in DC; intermediate proficiency in Spanish; type 45 wpm; resume/reference from VCBA member available on request; e-mail tawanna.brown@earthlink.net.

Seeking full/part time employment. I have 3 1/2 years experience in civil litigation in personal injury matters. Formal Education: BA cum laude; M.ED; JD, dean's list. National honor society in Psychology. Please contact me at harveen_simpkins@yahoo.com or 805-985-2823. Beena Simpkins

Employment Opportunity

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Steve Henderson, Executive Director

WILD ESQ. and ENVN ATTY... **Ellen Murphy** joined **FCOP&C** Oct. 10th as an associate, bringing the firm to 23 lawyers...

The Ventura County Community Foundation has named **Carmen Ramirez** to its board of directors... **Justice Antonin Scalia**, when asked if he had any gay friends, said: "I probably do, but I've never pressed the point." According to The Harvard Crimson newspaper, Scalia ridiculed a European court decision that struck down British legislation barring group gay sex on the ground that the law intruded upon private life. He asked rhetorically and very much tongue-in-cheek "how many people it takes for such sex..." Lawyer Bill Thomas may get a lot more business from female motorists thanks to a novel defense strategy. **High Heels can help beat a DWI rap.** Mr. Thomas asked a Durham, N.C. judge just how anyone could pass a field sobriety test in a pair of 3 1/2-inch stiletto heels. Mr. Thomas contended it would be "fundamentally unfair" to use the results—the test required his client to walk a straight line and then pivot quickly and to stand on one foot for 30 seconds. Judge Wade Barber squelched the results of the test and tossed out the case...

Karen Fine, partner in the Employment Law Group of **NCH&C**, was among the Top 40 up and coming business leaders under age 40 in Ventura, Santa Barbara and San Luis Obispo Counties recognized by The Pacific Coast Business Times... **The Pennsylvania Supreme Court** has ruled that riding a horse while drunk is legal. The ruling reversed a DWI conviction against a caballero in a 2002 incident in which a drunk driver's truck hit a rider's horse as they were leaving a rural bar. Citing an analogous incident from Utah, the majority opinion found the state's drunk driving law was sufficiently "vague" when referring to animals, and the sentence was deemed unconstitutional...

Barbara Macri-Ortiz became a lawyer by reading law in a United Farm Workers program. In an outstanding article dated Oct. 10, the LATimes reports on how Barbara is now mentoring Jessica Arciniega, who is slated to take the "Baby Bar" and continue her law studies under Barbara's tutelage... Are you advertising on the web? Completing an ethics check is critical and must not be left to your web designer, treatise vendor, or your brilliant teenager. First, read California Formal Ethics Opinion 2001-155 www.calbar.org/2pub/3eth/ca2001-155.htm. Supplement the opinion with the ABA's "Best Practice Guidelines for Legal Information Web Site Providers," www.elawyering.org/tools/practices.shtml and you should be in pretty good shape... **Sally Chenault** accepted a position with **Morosumi & Simmons** in San Francisco after a couple years with the offices of **Bob Brantner**. M&S is a civil lit firm and Sally's new office overlooks the Powell Street cable car turnaround. She may be reached at 415.440.4055 or schenault@morsim.com...

Gabriele Mezger-Lashly is now working at **Procter, McCarthy & Slaughter**. Gabriele had been employed with **Lascher & Lascher** for 13 years after arriving from Germany (where she was a judge), studying, and passing the California Bar exam on her first try... **MCLE COMPLIANCE GROUP 3 IS NEXT.** Attorneys whose last names begin with N-Z face a February 1st MCLE compliance deadline. Lawyers in this group must complete 25 hours of cle including four hours of ethics, one of bias and one of substance abuse... Passed on the 101 ---A yellow Mini Cooper with the license plate reading, "HUMWEE"... Spotted plates around the DA's office in San Diego: **♥DA LAW, DIRT ESQ,**

Attending as delegates the State Bar's Annual Meeting in Monterey early in October were **Loye Barton, Carmen Ramirez, Tina Rasnow, Greg Brose, Robert Guerra, Don Hurley, Mike McMahon, Joe O'Neill, Jason Leiderman, Michelle Fisher, David Hirsch, Nancy Goldstein, Kate Neiswender, Earl Price, Mary and David Shea, and John Voigtsberger.** Delegation chair, **Melissa Hill**, made it all work like it should with an exemplary effort and precision scheduling under difficult circumstances. By the way—the Topless Resolution passed overwhelmingly along with 62 of 100 other reso's. "At some point, men's breasts become liberated," uttered **Liana Johnson** at the microphone. A video screen displaying a photo of a topless Fat Bastard, the hugely overweight guy in "Austin Powers", kept the crowds' attention. Rumor has it that during the Parade of Delegates, a half-dozen or so delegates wore bras over their clothes. Other Venturans spotted include **Joel Mark, EA Ray Clayton, Mark Sellers, John Parker, Steve Millich, Joel Villaseñor** and **CLA Cyndi Adams**...

A representative of Electric Factory Concerts Inc. did not defame Philadelphia lawyer Paul Czech when he supposedly called Czech a "moron" and an "idiot", among other insults, during a conversation that was allegedly conducted via speakerphone, a Philadelphia judge has ruled. "In order for these names to be defamatory under law they would have to [have been] directly addressed to Mr. Czech's capacity to carry out his trade or business," Judge Gene Cohen wrote...

Steve Henderson has been the executive director of the Bar Association since November 1990. Ouch, that's 14 years on the job come the 16th. "I was only gonna' stay just a couple years or 'til I found something better." Thanksgiving will be observed at his home while three dozen relatives and friends eat and drink free of charge. Let it be known he rooted for the Dodgers October 9th for the first time since Sandy Koufax pitched.

ARTIME GROUP

CITATIONS

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