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# CITATIONS

S E P T E M B E R - T W O T H O U S A N D S I X

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## PRESIDENT'S MESSAGE: HOW TO CHANGE THE LAW

By Loye M. Barton

Have you ever come across a code section that just does not make sense, or seems to miss the point, or could not possibly be what the legislature meant, or is too narrow, or is too broad? Then do you wonder how one goes about changing the code section, or adding a new section to address an issue that comes up from time to time?

Each year attorneys, bar associations, sections and affiliates propose changes to existing laws, or new laws, that solve or seem to solve a perplexing legal problem. The proposals appear in the form of resolutions that will be debated and voted on at the annual Conference of Delegates which coincides with the annual State Bar Conference.

This year there are resolutions pending for civil procedure, probate, rules of court, real property, labor, family law, criminal and vehicle, business, corporate, tax, insurance, and that infamous miscellaneous. If you practice

in any of these areas, or could be affected by changes in procedure, you might want to take a look at the resolutions now pending. The resolutions are available at [www.cdcb.org](http://www.cdcb.org).

Beginning Friday October 6, and going through Sunday October 8, a number of delegates from Ventura County will participate with delegates from across the state, altogether numbering about 500, to decide which of these resolutions will be quashed, and which will find their way to a sponsor to become new or changed law.

Great minds may differ about whether a resolution should be a yea or nay. You can let your delegates know what you think about a resolution by emailing [Michael.McMahon@ventura.org](mailto:Michael.McMahon@ventura.org).

More importantly, if you are plagued by a code section that just does not do the job it should, you can propose a change. A number

of Ventura County lawyers have proposed resolutions. Tina Rasnow may be the most prolific, and is always willing to help guide an attorney new to resolution writing. The rules for submitting a resolution are available on the Conference of Delegates website, referenced above. Ventura County Bar Association rules for inviting the VCBA to sponsor the resolution, and alternatives to VCBA sponsorship, are available by emailing the writer at [lbarton@normandowler.com](mailto:lbarton@normandowler.com).

If you are attending the State Bar Conference, include some time to observe or participate in the Conference of Delegates. At the very least you will experience lively debate and eloquent speakers. At its best, you will be part of the process of making our laws make sense.

*Loye Barton is VCBA President and is a partner at Norman, Dowler, Sawyer, Israel, Walker & Barton in Ventura.*

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Santa Clara Valley Legal Aid is a vibrant, community-based legal aid program where clients can meet with attorneys in a convenient neighborhood setting. It is open every Thursday evening at the North Fillmore Community Storefront. It is the only all-volunteer legal aid in Ventura County and has served over 5,000 men, women, children and families since its inception in 1996.

Three of the program's attorneys have received the prestigious California State Bar President's Pro Bono Service Award, and volunteers have also received the Presidential Golden Rule Award and the Ventura County Bar Association Volunteer Lawyers Service Program awards.

The entire community benefits when an illegal eviction is stopped and a family is able to avoid homelessness, when a disabled person qualifies for social disability benefits, or when a parent receives unpaid child support and can stay off welfare. Santa Clara Valley Legal Aid attorneys not only represent, but also educate clients. For example, clients are encouraged to keep copies of all agreements and obtain receipts when paying in cash. They are taught how to record the condition of a home so as to be reimbursed for a rental security deposit, to take photographs of injuries resulting from domestic violence and to save paycheck stubs as proof of employment.

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## HENDERSON CONSULTS LIBEL LAWYER

By Steve Henderson, CAE

When I was a lad, around Little League™ age, the thought of attending Harvard as an undergrad was pervasive. Can you imagine attending one of the supreme learning institutions in the world? Obviously, it's a cradle of scholars and intellectuals. Alexander Pring-Wilson, Seth Mnookin, Dr. Donald Simcock, H.R. Haldeman, Fred Gwynne, Bill O'Reilly, and Conan O'Brien are a few of my favorites. (Perhaps Mel Gibson?) Nonetheless, I could ill afford the extravagant tuition. Later, as a young man and jock, my infatuation and uncontrollable thoughts turned to UCLA School of Law. A storied university with a proud alumni including Waxman, Bugliosi, **Perren** and Arenella. Alas, I could not reconcile the finances at Bruin Country, either.

Apparently, neither school offered a fundamental course entitled Fact Checking 101. Had CITATIONS profiler **Villaseñor** enrolled in something other than The Classics, his writing skills would be more like Jim Murray instead of Jayson Blair. Let me highlight a few corrections to his August blather. One of Villaseñor's fellow conspirators, **Bart Bleuel**, has not been a friend of mine since my contract was signed in November 1990. After promising nearly \$750,000 in base salary, he came up with less than half. It remains unsettled with us. The man can sing like Cash, swim like Janet Evans, but his memory is much like a stumbling DeNiro in *Raging Bull*.

My last visit to Vegas was 20 months ago to celebrate my brother's 25th wedding anniversary. He resides there, so it makes sense to go occasionally. I recommend The Bellagio Piano Bar and The Prime for dinner. I enjoy going to Sin City, but I like returning home even more. Back in December '04, I suffered through a Celine Dion show for \$135 a pop. Have not set foot in a Vegas sports book since Yazstremski was the man. I do wager some, but never excessively, unless you count a case of Pabst Blue Ribbon. The Final Four is a different level of seriousness and both **Dick Norman** and **Michael Walker** can attest to my skills there. "Pounding" the brews is another misnomer. While I do indeed look forward to quaffing an ale or tres, *pounding* illustrates

more a locker room beating of a smart, rich, Oxnard kid heading to Harvard. Villaseñor coconspirator **Richard Rabbin** has a wicked perspective regarding cheap wine. The wine snob's idea of an *inexpensive* bottle is a \$125 Opus One. He's seen my "cellar" and it's a small fridge, holds 72 bottles, and is located in my garage near the cat food bowls. I'm typically kind to senior citizens, so I'll go easy on Rabbin. While I have been known to distribute fine wines at our annual dinner to those saps with the rotten seats, they are hardly purchased at Trader Joe's. Yes, imbibing reds (Barolo/Bordeaux especially) as accused, leads one to believe that includes Californian. It does not.

Another of Villaseñor's minions, **David Shain**, rightfully exposes my color challenges, but neglects to state I had to pay our way into that lousy gallery in D.C. We also shared a hotel room and if you must know, David wears white bunhuggers. On that same trip, I was tossed from Arlington Cemetery because jogging was not permitted. This message delivered in person by two armed Marines in a Jeep, hosting a machine gun too. Whoever was Villaseñor's source on my running habits (probably another Barrister type like **Al Vargas**) was wrong. Although I have been addicted to the jog since the summer of '72, I never, NEVER, run in Santa Barbara during the week. Ask my Pierpont workout compadres like **Greenberg, Arichea, Malley, Strauss, Frawley, Walsh, Dowler, Vigorita, Radding, Berk, Bysshe, J. Henderson, Bamieh, Mitnick, Richard, Griffin, Myers** or **Bartosh**. On the weekends, I run in Santa Barbara where we reside, but it's not feasible to "run every day for the past 17 years, always in Santa Barbara (with a few exceptions) and always in the afternoon," when I work two nights a week in Ventura. Whoever provided this inept quote to Villaseñor must have been pounding Red Stripes. To you UCLA grads – Saturday and Sunday, Santa Barbara. Monday through Friday, Pierpont Racquet Club. Got it?

Do I possess a few obsessive-compulsive disorders? Probably. Do I knock on a door three times, perform two 360's and turn the handle with a handkerchief, à la Nicholson in *As Good As It Gets*? Of course not. Is my underwear drawer in order? Indeed. Do I

frequent the same eating establishments? Guilty. Do I order what I want? Hell yes. Do I embrace a "supermodel diet?" Ask the family, I eat BIG and relish in it. Last Saturday? Two double doubles, order of fries, chocolate milkshake and a large coke from In-N-Out. That was for lunch. I'm just not partial to the rubber chicken circuit that I ask our membership to gulp and endure. No to Subway sandwiches and crappy pizza from anywhere. No to Quiznos and faux steaks at the Residence Inn, Wedgewood, or the Radisson. Count me in for Mexican at Johnny's or soup at the Tower Club. The pastas at Saticoy CC and fruit plates at Spanish Hills are yummy too.

The author kicks a guy for my suits and shirts? Monogrammed shirts? The SH stands for my son, Sean. That boy enjoys his haberdashery. Me "vain about my appearance?" That's as silly as Kim Jong Il's hair. I purchase all my Armanis off the rack just like everyone else. The Chanel ties? On-line like most of you. The Ralph Lauren shoes? Gifts for Father's Day and Christmas. Listen, my father taught me several things. He was a banker and stressed if you dress better than your colleagues or customers, they'll forget you're stupid. Always have a pen about you. Preferably a Mont Blanc. My Friday casual is traditional and off limits to journalist busybodies. By the by, most of those outfits cost more than some suits I've seen on the author. (Which reminds me, what does the R. stand for in the author's middle name?) My casual attire goes back 26 years, and as Dirty Harry would say: "You have a problem with that, punk?"

Lastly, I am not a "sports nut through and through." This quote was not attributable – like many of Mr. Villaseñor's. Since the acquisition of Maddux, I bleed Dodger Blue. Do I read the sports pages? Yes, but I also read the comics before the front page. Does that make me a comics fanatic? Never liked the Red Sox either. Mr. Villaseñor confuses a trip to Fenway as "adores the Boston Red Sox." Have not even thought of the Sox since the Conigliaro beaning. By the way, I have never, ever, "worked out at the Knollwood Tennis Club in Montecito." The terms working out and tennis club must perplex Joel. I have not picked up a racquet

since Dr. Renee Richards was king/queen. Oh yeah, he got the ages of my children incorrect, but I shall not trivialize.

Seriously, I've spent numerous years avoiding a CITATIONS profile because it's about our membership and not the chief executive. The only reason I have a monthly column was to appease President-elect **Michael Case** in 1999. He felt "strongly" that I should write about the legal community and I rarely deny a president's wishes. I'm sure my column has degenerated into something a little rattier than he intended. I'm genuinely grateful of the efforts by Mr. Villaseñor, a gifted contributor to our monthly magazine, and his covert crew of cronies, who managed to keep it all a secret from me. We'll have to do it again in another 15 years and 10 months.

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# WHO WILL BE PRESIDENT OF MEXICO?

## Observing the Mexican Election

By Carmen Ramírez

In April, Fernando Gamboa, the Mexican Consul in Oxnard, invited me to become an international observer to the national elections held in Mexico on July 2, 2006.

I have a special relationship with Mexico inherited from my father's ancestors, who came from the west coast of Mexico (then known as "New Spain"), to found the City of Los Angeles, in 1781. My family has been able to retain Spanish language and I have found that it has served me well in my legal career and enriched my life in so many ways. I love to visit Mexico and experience its spectacular geographic, historic and cultural diversity.

I have also worked as an election inspector for Ventura County elections, and have a great respect for the volunteers who set up the polls at 6:00 in the morning, and then stay into the night to count the ballots, account for the equipment, and turn everything in to the County elections department.

I and other friends were able to accept Consul Gamboa's invitation. Ventura immigration lawyer Gabriella Navarro Busch, Oxnard psychologist Dr. Margaret Cortese, and two of my fellow members of the Board of Governors, Los Angeles deputy public defender Marguerite Downing (former chair of California Women Lawyers), and noted L.A. personal injury lawyer John McNicholas, were part of the observer team.

We agreed in writing to be neutral and not to interfere with the election in any way. We each had to pay our own airfare, hotel, and other expenses, as well as pay for a special visa that cost almost \$100. In exchange we received our credentials from the IFE (Instituto Federal Electoral) upon arrival in Mexico City) The IFE, which regulates the federal elections, is a fourth branch of government in Mexico; see <http://www.ife.org.mx/portal/site/ife>.

Per the Mexican Constitution, a president is elected for one single six-year term. The three major candidates were Felipe



Calderón of the Partido Acción Nacional (PAN), Andres Manuel Lopez Obrador of the Partido de la Revolución Democrática (PRD), and Roberto Madrazo, of the Partido Revolucionario Institucional (PRI). In 2000, Vicente Fox, of PAN was elected president, the first time in 71 years that a non-PRI candidate won. Prior to that there was not usually any question as to who the President would be, the candidate having been chosen to succeed the incumbent PRI president.

Also being elected in July were 500 members of the national Chamber of Deputies for three-year terms, and 128 national Senators to serve six-year terms. Local elections were also going to be held, including that of Mexico City's Mayor, called "Jefe de Gobierno," but those elections were conducted by organizations independent of the IFE.

On Election Day, a Sunday, the five of us headed to the first of seven polling places in

the Distrito Federal that we would visit. It was the home polling place of Dr. Cortese's first cousin, in the middle class neighborhood of Santa Maria La Rivera. Gabriella Fernandez greeted us and proceeded to vote; we observed the authentication of credentials for the voters who entered. Neighborhood people staffed the polling places. All looked very smooth and the voters seemed genuinely enthusiastic. Every voter had his or her thumbs marked with indelible ink that does not fade for a few days, to guard against a voter trying to vote more than once. (I tried it and it lasted about one week.) Everywhere that we went,

observers from each of the main parties were in attendance to observe the polling as well.

As we traveled across this vast city of more than 25 million people, it was easy to find the polling places. Just as we would look for the flag in any California neighborhood to find the polls on Election Day, we simply had to look for a crowd or line of people to know where the voting was happening.

In all we went to seven polling places, in distinct parts of the city, rich, poor and middle class neighborhoods. We went to one casilla especial (special polling place) for Mexican citizens who were away from home and who wanted to vote for president.

One such place was in Xochimilco, a popular tourist destination on the outskirts of Mexico City, an ancient lake now home to colorful boats, where families picnic on the weekends. It seemed that hundreds of





people were in long lines waiting to vote. It turned out later that many of the special voting places did not have enough ballots to accommodate the potential votes. We were told that to avoid possibilities of ballots going astray, only 750 ballots were allotted to each special polling place. Later on local news we saw that some people were very angry that they had waited for a long time, but there were no more ballots and it was too late to go to another polling place.

In almost every location, we were allowed to take photos, talk to the election officers and observe. In Mexico, the federal ballot is on a tear off pad. It has all of the parties "pictured" as well as written, so that even if a person has trouble reading or seeing, they will recognize the party that they want to vote for. The voter has a privacy booth, similar to the ones used in Ventura County. Then the ballot is folded and placed in a box with transparent cellophane windows. Properly done, one should not be able to see who was voted for.

At the end of the day, we saw one polling place close down, at 6:00 PM. The first thing that happened was the destruction of the unvoted ballots. The main person in charge defaces each ballot left over by drawing several lines through it so it cannot be voted, then all of the ballots are tallied with everyone looking on, including the party representatives. It seemed to go fine where we were. The vote tally is then written and attached to the now-sealed ballot box and the results are transmitted to the district IFE offices.

Later, as an expectant calm settled over Mexico City, we waited for the results which were due to be announced on the news at 8:00 p.m. It was too close to call, and then the next news would come at 11:00 p.m., so we went to dinner. (Federal law requires that no alcohol be sold anywhere in the country on election day, so all of the restaurants and bars were very quiet.) At 11:00 p.m. it was still too close to call, and at this point the director of the IFE announced that the results would be announced on the following Wednesday, July 5.

As of the writing of this article in early August, there is no official President-elect of

Mexico. The preliminary results indicated that Calderón had won by less than 244,000 votes, or less than 0.54 percent. Almost 42 million people cast ballots, with an overall voter turn out of nearly 59 percent. Obrador's coalition of parties filed a 900-page brief with the Federal Electoral Tribunal. They alleged 230 separate instances of irregularities during the campaign, the voting and the counting from all over Mexico. The Tribunal has the last word on the election and all appeals must be in and resolved by August 31. The remedy requested was a full recount of all of the votes cast. As of Saturday August 5, a decision by the Federal Electoral tribunal has authorized the recount of votes in less than 10% of the polling places nationwide. Not everyone is satisfied with that decision.

What will happen? I heard echoes of the 2000 U.S. election, the Florida interrupted vote count and *Bush v. Gore*. What is clear is that the Mexican electorate is very divided, with the northern part of Mexico clearly voting for the more conservative PAN party and the

southern part voting for the liberal Coalition for the Good of All, which includes the PRD and other leftist parties.

Today peaceful protests continue throughout Mexico, pressuring for a full recount. One thing is for certain, Mexican citizens vote in greater numbers than we do in this country. Someone who flies in to see an election cannot really pronounce judgment on how transparent or clean an election was. But being there made me appreciate even more our right to vote. People struggled and certainly died for the right to vote here in the USA. Let's not take it for granted anywhere.

*Carmen Ramirez directs the Oxnard (La Colonia) branch of the Superior Court's Self-Help Legal Access Center. She represents District Six on the State Bar's Board of Governors.*



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## YELLOW PAGES

By *Bill Lascher*

Perhaps it's the proximity to the automobile ads. Perhaps it's the fact that the word "attorney" comes towards the beginning of the Yellow Pages and might be seen first. Perhaps there are just some creative advertising designers in the telephone directory business, but skimming the pages of phone books throughout the Tri-Counties brings some amusing finds.

Some have the same "as seen on TV" logos touted by slicers and dicers. Others display an attorney's Harvard tutelage. Many feature gavels, the American flag and the steps of the U.S. Supreme Court – oh, the dog bites and fender-benders Roberts, Souter and the gang will have waiting for them when they return to the bench this fall.

One ad declares, on a page packed with similar small-print decrees, "When you're injured you need a law firm on your side that FIGHTS!" Now, I may be wrong, but isn't it the obligation of any attorney to FIGHT for any client they take on? So is this advertiser saying, "When you're injured, you need any lawyer?"

The same firm dismisses legal clinics because "They handle all kinds of cases—they even DEFEND drunk drivers! WE SUE DRUNK DRIVERS!" Last I checked, there was a concept of justice in our society known as due process. But the kicker, the real kicker, was the fact that the ad urged readers never to hire a lawyer referred by a stranger. So to that firm I ask: From whom do they expect a response if that advice is to be taken to heart?

To be fair, your columnist recognizes that there are dozens of advertisers with perfectly sane, perfectly presentable ads. Said columnist also must admit that, yes, he's been seen in the company of a number of advertising and non-advertising lawyers in his life. What's more, a number of law firms do advertise in his own publication – many with serious, steely ads that tout key deals or their renowned roster of practitioners.

It's all about audience, and the bright, colorful ads sprinkled through the Yellow Pages have their own target. Their eclecticism is necessary to reach that broad swath of the public whose first instinct – despite the emergence of the Internet – is still to reach for that big fat book on the kitchen counter when they need a service.

But in this act lies a great danger: the flashy ads – undoubtedly the more expensive ones

– could get many the first phone call in the potentially life-changing process of entering litigation or going on trial for a crime.

It's true that the ability to click on that first ad that Google serves up has a similar potential for impulsiveness. The thing is, the tactile sensation of the phonebook is hard to beat. You can have tabbed advertisements that look like file folders. You can even have your ad glued to the front cover right over someone else's ad.

What really gets me, though, are the promises made by some of the advertising lawyers. My three or four loyal readers will remember that in June, I wrote about the myth of exploding civil litigation.

Well, it's hard not to come up with a different conclusion when the majority of lawyers' ads in the phone book suggest multi-million dollar payouts and big-time justice. What's worse, many promise services that no client should be without, whether or not their lawyer advertises, such as confidential, discreet treatment of their clients.

Yellow Page lawyers, I'm sorry to pick on you. But if the multiple colors and glossy pages are any hint, you'll have plenty of takers. Let's just hope nobody gets taken.

*Bill Lascher* is a reporter for the Pacific Coast Business Times. He can be reached by e-mail to [blascher@pacbiztimes.com](mailto:blascher@pacbiztimes.com).

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The California Legislature and the Judicial Council have adopted new education requirements for all temporary judges. Beginning January 1, 2007, an attorney volunteering as a temporary judge for any California court must be licensed for 10 years, be currently in good standing, and have 9 new hours of court-approved educational training.

The Ventura Superior Court in conjunction with VCBA will present a two-part program on judicial ethics (taught by Judges Kent Kellegrew and Rebecca Riley) and bench conduct and demeanor (taught by Judge Manuel Covarrubias) on Thursday, September 14, 2-5 p.m. and Thursday, September 28, 2-5 p.m. Attendees will earn 3 hours of ethics, 1 hour of elimination of bias, and 3 hours of general MCLE credits.

Attendees must be present both days. There is a \$25 registration fee. To register for the training, contact Brenda McCormick, P.O. Box 6489, Ventura, California 93006-6489, (805) 654-3620, by September 8, 2006.

Additional hours of on-line training are required for temporary judges in Small Claims court. The training is free; the course is available at [www2.courtinfo.ca.gov/cjer/pro\\_tem.htm](http://www2.courtinfo.ca.gov/cjer/pro_tem.htm). Upon completion, print the corresponding on-line certificate. Temporary judges for family law, mental health, or unlawful detainers must provide proof of training through completion of MCLE courses approved for State Bar credit.

To become a temporary judge, you must submit a new Application to Serve as a Temporary Judge, together with your proof that you have received the necessary training. The application form may be downloaded from the Superior Court's website at <http://www.ventura.courts.ca.gov>, or obtained from Brenda McCormick.

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Past issues of CITATIONS may be found under "membership resources" on the bar's website at [www.vcba.org](http://www.vcba.org).



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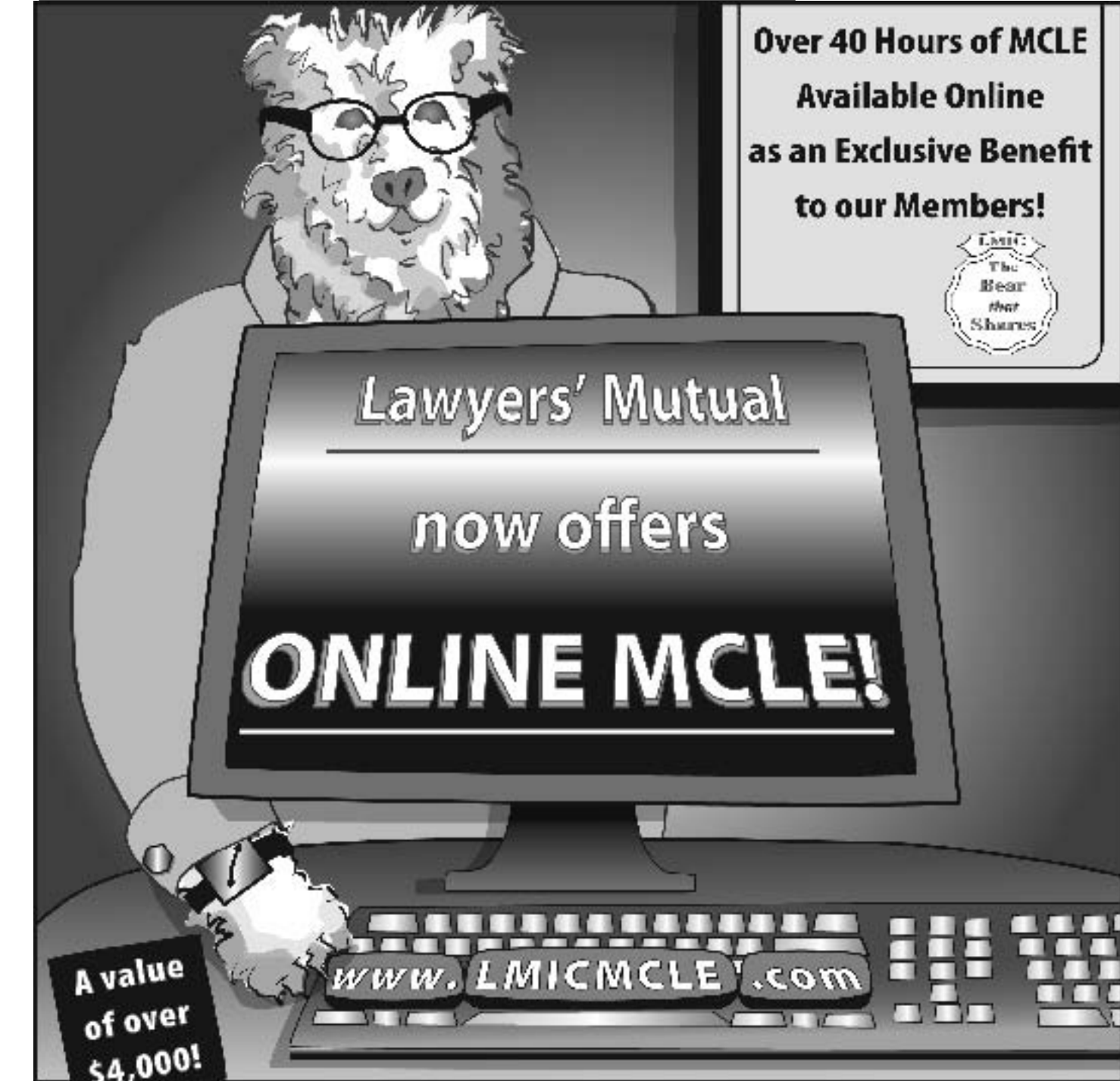
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## LAW SCHOOL NAMES NEW DIRECTORS

The Santa Barbara and Ventura Colleges of Law have added two new members to the Board of Directors. Clark Hubbard is a long-time Ventura CPA; Michael Guerra is a Santa Barbara attorney. Both campuses operate under a single, 15-member Board of Directors that also includes Ventura Superior Court Judges David Long and Rebecca Riley, Santa Barbara Superior Court Judge Denise deBellefeuille, retired Santa Barbara County Supervisor Naomi Schwartz, Fielding Graduate Institute President Judith Kuipers, and seven attorneys from Ventura and Santa Barbara Counties.



Clark Hubbard



Michael Guerra

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Case 3:04-cv-05348-RBL Document 100 Filed 07/12/2006 Page 1 of 2

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United States District Court  
Western District of Washington

George C. Swinger, JR.,  
Plaintiff,

v.  
Michael B. Cole, et al.,  
Defendants.

NO. 04-5348 RBL

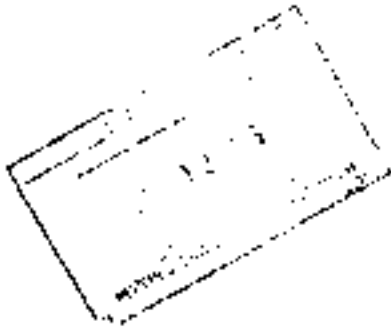
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## PRO-BONO HIGHLIGHTS

By *Verna R. Kagan*

At our July Emeritus Attorney meeting, we were blessed and impressed with a presentation made by **Noemi Gallardo**. Ms. Gallardo and others are forming a group, applying for 501(c)(3) status to provide pro bono Spanish-English interpreting services. Given the number of applicants for service from Volunteer Lawyer Services Program who are Spanish-speaking only, this is much needed.

Our office has already requested direct service twice. In another situation, they provided service in the attorney's office and then went to court with that attorney. At first it seemed a little uncomfortable to take advantage of the fine people, but they explained that eventually they would have to apply for grants and donations, and would have to be able to demonstrate need.

I hope the availability of the service will mean that we will be able to ask attorneys to accept matters from us for Spanish-speaking applicants. My gratitude goes out to Noemi and others for seeing this very large need and being prepared to fill it.

On another note, after five months out of the office due to extended illness, I am very happy to report that **Earl Price** has returned, looking and feeling healthy. We hope he stays that way. **Jerry Cline** is under the weather and has been out of the office for several weeks. I am told that once his medication takes good effect, he should be able to return. **Byron Lawler** is taking a leave of absence from the program for health reasons. A somewhat complicated

blood disorder and medication has him operating – to quote him – at 25%. We wish him speedy recovery.

Still another note: **Dolores Anderson** has been reappointed to the Grand Jury. She is to be congratulated for the fine service she performs. She plans to continue and has continued to work in the Emeritus Attorney Program scheduling around her Grand Jury duties.

*Verna Kagan is the VLSP Senior Emeritus Attorney.*

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**Douglas H. Ridley** has joined Drescher, Quisenberry, Ridley & Shiffman, LLP in Agoura Hills. His new contact information is: 30343 Canwood Street, Suite 206, Agoura Hills, 91301, phone (805) 208-8437 or (818) 991-2919; fax (818) 991-5078.

Several attorneys have joined the Ventura County District Attorney's office this spring and summer: **John Weller, David Russell, Tom Dunlevy, Jarrod Wilfert, Alvan Arzu, Leroy Wu, L. Christopher Hinkle, Jamie Adams, and Grace Kim**. Welcome to all. Senior Deputy District Attorney **James D. Ellison** has been appointed Interim Chief Assistant District Attorney.

**Greg W. Jones** has been appointed president of the Ventura State of the Church of Latter-Day Saints, with responsibility for the needs of people in ten church congregations, from Fillmore to Ojai.

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## Justice Abbe Moot Court Honors Competition



Justice Richard W. Abbe



Left to right: Michael McMahon, Derek Devermont, Brian Bird, Hon. Paul H. Coffee, Laura Cota, Hon. Steven Z. Perren, David Glassman.

Court of Appeal Presiding Justice Arthur Gilbert and Associate Justices Paul H. Coffee and Steven Z. Perren donated their time and use of their courtroom to judge the final round of the Justice Abbe Moot Court Honors Competition.

This year Michael McMahon, adjunct professor at the Santa Barbara and Ventura Colleges of Law, coached students Laura Cota and Brian Bird, who received the Justice Richard W. Abbe Award. David Glassman, adjunct professor at the University of West Los Angeles, coached students Derek Devermont and Annie Ksadzhiqyan, who received the Barry Levin Award, given in memory of the UWLA professor.

The annual competition pays tribute to the memory of Justice Richard W. Abbe, who served Division Six from 1982 to 1990. On a sad note, Justice Gilbert announced that the competition's biggest fan, Pauline Kirkpatrick Abbe, Justice Abbe's widow, passed away a few weeks before the competition. A tribute from her daughter may be found at: [www.tinyurl.com/p6mew](http://www.tinyurl.com/p6mew).

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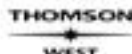
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**OTHER**

**LAW PRACTICE FOR SALE** – Scott F. Dool is retiring after practicing law in Ventura County since 1962 and is selling his law practice as a going concern with almost all assets (except accounts receivable and very personal items) included. Mr. Dool will be available for three months on-call to answer questions concerning the firm's procedures and clients. Estate Planning (wills & trusts), Probate, Real Estate and Corporations/Business have been his areas of legal concentration from 2001 to date. From 1962 to 1969 he was a Ventura County Deputy District Attorney and an Assistant County Counsel. During the years of 1969 to 2001 he operated a general practice firm employing up to five lawyers. Individual clients over the years exceed 5500. Please direct all inquires to Crystal Dool at (805) 495-0624.

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## EXEC'S DOT...DOT...DOT...

By Steve Henderson, Executive Director, M.A., CAE



The Honorable Judge George Eskin offers a missive – “This may be the first time **Mike Bradbury** has hosted a Bar Association Barbeque, but even he should remember attending the annual Bar Association BBQ’s at **Don Holt’s** ranch in the late 1960s. They were a tradition, and although the consumption of various beverages may have contributed to faded memories, I can’t be the only one ‘old-timer’ who recalls those events. I’ll bet Ted Muegenberg and Bill Fairfield and Bill Peck remember, too.” George was opining about the 1st Annual publicity attached to our party on the 30<sup>th</sup>. . . **(P.S. The barbecue has been postponed.)** . . . From H.L. Mencken: “If all the lawyers were hanged tomorrow and their bones sold to a mah jongg factory, we’d be freer and safer, and our taxes would be reduced by almost half.” . . .

**Joel Villaseñor** was selected recently to replace Rachael Cianfrani, a public defender in Riverside County, on the District VI CYLA board of directors. Term runs through September ’08 . . . Sports fan? Go to [www.nydailynews.com](http://www.nydailynews.com), click sports, click baseball, click Mets, click Subway Squawkers (Jon Lewin and Lisa Swan), click July 26, and find **Phil Panitz** being quoted on his take for a #3 starter . . . Magnanimous **Ben Engle** donated to the bar old CITATIONS dating back to June 1987. This from the editor of that issue: “In April, 1970, the Ventura County Bar DOCKET reported, verbatim: **Russell King**, looking at **Steve Stone’s** hair and **Bob Stone’s** beard, comments that it used to be true that rolling stones gather no moss but not any more. “Those two guys look like they ought to be playing guitars and singing together at pop festivals.” Also, this classified: “EMPLOYMENT WANTED, 1983 Boalt Hall Graduate available weekends. Civil litigation and criminal law. Former Prosecutor. \$30-\$45 per hour. Evenings 983-7624.” Who was that? . . . From Lewis Carroll: “Sentence first – verdict afterwards.” . . .

**Victor Salas** is a daddy again. Paloma Victoria was born July 11 at 10:43 a.m., weighing-in at 6 pounds and 10 ounces. She joins brothers Andres and Diego while mommy Araceli is doing just fine . . . Another compelling website – Famous Trials: [www.law.umkc.edu/faculty/projects/ftrials.htm](http://www.law.umkc.edu/faculty/projects/ftrials.htm). Beginning with the Trial of Socrates, and ending with the Impeachment Trial of Bill Clinton, this is an organized and graphically excellent site . . . **John Pattie** checks in with a new address: 25 Contreau Lane, P.O. Box 61, Counce, Tennessee, 38326. Keeps his cell at (805) 889-5737 . . . From Lewis Carroll, Alice’s Adventures in Wonderland: “In my youth,” said his father, “I took to the law, and argued each case with my wife; and the muscular strength, which it gave to my jaw, has lasted the rest of my life.” . . .

Attending the Barristers’ Annual Wine and Cheese were judges **Smiley, Back, Reiser, and Cody**. 71 people showed including **Bob Boehm, PDs Liana Johnsson and Paul Baelli, DAs Melissa Suttner and Gilbert Romero**, and Navy JAG Officer, **Michael Maffei** . . . From Actual Court Records: “Judge: ‘Any member of your immediate family or yourself ever been the victim of a crime or robbery?’ Juror: ‘My mother had her purse snatched.’ Judge: ‘How long ago was that?’ Juror: ‘Ten, fifteen years ago.’ Judge: ‘Was she hurt at all in the snatch?’” . . . License Plate of the Month: BAERSTR, driven by Cornelia Baer . . . **Al Vargas**, in his attempt to run 7 marathons in a year, completed his 3rd in San Francisco in 5:31:11 . . . You can’t invest in DC’s law firms – but what if you could? Washington’s highest grossing firm last year, Hogan & Hartson, earned more than \$362 million. The pie is split not by shareholders but by 161 equity partners, whose investment in their firm returns almost \$1 mil a partner . . .

Retirements – **Mike Muirhead’s** (98432) last day was July 31. He’s been in practice 25 years and worked for Coca-Cola and 7-UP while attending law school. Salesman of the Year honors from Coca-Cola and later was a manager. He’s raised 5 children, and as you are reading this, he’s in a 38’ RV traveling. Mike and his wife will make their new home in Phoenix . . . This one’s off the map! **Deborah Sutherland** is off to Trinidad. Deborah and her new husband, (Judge Hintz officiated) Joseph, hook up there at the end of the month. She’s leaving after nine years as the executive at Grey Law. **Mike Williams** will take over for Deb and he’s had some experience there. Mike was one of the founders and spent 18 years directing . . . From a young Richard Nixon on the Teapot Dome Scandal: “When I grow up, I want to be a honest lawyer so things like that can’t happen.” . . .

**Richard Goldman**, Dean, Ventura and Santa Barbara Colleges of Law for five years, will be resigning effective February ’07. Law school Board of Directors President **Wendy Lascher** will chair the search committee for his replacement. . . . Did you know that the bacterium needed to produce Roquefort cheese originated from mold spores that formed on a baked loaf of bread after it had been accidentally left in a cave in Roquefort, France . . . More food stuff? Twinkies, which first went on sale in 1930, were originally filled with banana cream, but a WWII banana ration prompted the switch to today’s vanilla center. Their creator, Jimmy Dewar, came up with the name after seeing a billboard ad for “Twinkle Toe” shoes . . . From American Tort Reform Association: A New York appeals court rejected a woman’s lawsuit against the company that makes the device called “The Clapper,” which activates selected appliances on the sound of a clap. She claimed she had to clap too hard in order to turn her appliances on: “I couldn’t peel potatoes (when my hands hurt). I never ate so many baked potatoes in my life. I was in pain.” However, the judge said she had merely failed to adjust the sensitivity controls . . . From Aristotle: “Law is order, and good law is good order.” . . .

According to the New York Times: “Whether John Roberts’s first year is a good predictor on his 10th, 20th or 30th is an open question. According to a new study by the political scientists Lee Epstein and Jeffrey Segal, Chief Justice Earl Warren voted against criminal defendants and civil rights litigants 62% of the time during his first term. Eventually, of course, he became their champion. But such a trajectory is rare. The other chief justices of the last 50 years, Fred Vinson, Warren Burger and William Rehnquist – Chief Justice Roberts’s mentor – all stayed true to their early form.” . . . From David Melinkoff: “Lawyers as a group are no more dedicated to justice or public service than a private utility company is dedicated to giving light.” . . .

*Steve Henderson has been the executive director of the bar association and its affiliated organizations since November 1990. Henderson will turn 32 on the 15th and anticipates lots of cards, donations to the VLSP, Inc., and Heineken Lights. Additionally, the haircut fund for his son has generated nearly \$60 which, regrettably, went to his third guitar, a custom acoustic/electric from Boston. Lastly, Steve has never tested positive for synthetic testosterone.*

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