DOs & DON’Ts
FOR EFFECTIVE LAW AND MOTION PRACTICE

Page 15

By Michael Mayer
Join us at the 2nd Annual Ventura ABC Mixer for an evening of networking with local professionals, including Attorneys, Bankers, CPAs, and other financial professionals. Introduce your co-workers to your peers and colleagues and meet new ones along the way!

Date: Wednesday, June 4, 2014
Time: 5:30–7:30 p.m.
Location: Ventura County Museum
100 East Main Street
Ventura, CA
Cost: $40 by May 29;
$50 after May 30
(includes one drink ticket)

Thank You to our Generous Sponsors to date:
Soares Sandall Bernacchi & Petrovich

Additional sponsorship opportunities are available.
Please contact Rita Williams, program associate at rita.williams@calcpa.or for more information.

Online registration is preferred at www.calcpa.org/CHC

Questions? Contact Rita Williams, chapter program associate at (805) 571-1558 or rita.williams@calcpa.org.

CalCPA Channel Counties Chapter Ventura ABC Mixer

RSVP: Online at www.calcpa.org/CHC (preferred) or mail this form, with your check, to Rita Williams; CalCPA;
7127 Hollister Ave., #318, Suite 25A; Goleta, CA 93117; fax to: (805) 968-6844; call (805) 571-1558; or Email rita.williams@calcpa.org.

Name:____________________________ Phone:__________________________ E-mail:__________________________ Attorney Banker CPA Other
Name:____________________________ Phone:__________________________ E-mail:__________________________ Attorney Banker CPA Other
Firm/Company:__________________________________________________Fax:________________________________________________________
Address:_______________________________________________________City, State, ZIP:____________________________________________

___ Check (Payable to CalCPA) ___ MC ___ Visa ___ AMEX:________________________________________________________
Exp. Date:_____________ CVV:__________ Cardholder Name:__________________________________________Total Amount: ___________________________
First impressions can be a dealbreaker. A handshake is more than Western society’s custom of making a mannered greeting by positioning one’s hand and making a physical connection. A handshake is a ritual and a semaphore containing a whole alphabet of meaning: confidence, power, friendliness, education, respect, and geography.

When the attorney introduces himself and holds out his wet hand and softly squeezes my fingers, I have immediately categorized him. The attorney who vice-grips my hand goes into another category. The cool handshake with firm grip goes into yet another category. How about the politician who moves into my space and adds his other hand to the top of our shaking hands? There are different ways to shake hands depending on the situation. My cultural “proper” handshake is firm, respectful and full-handed. Form an “L” with your thumb up, keep your elbow close to your body, and move into the outstretched hand until the intersections of the “L” in the hands have met; then, squeeze, shake twice and release. Please don’t hand me half your hand, don’t hand me your fingers and squeeze, don’t crush my hand, don’t give me a soggy hand and really don’t move into me for a hug from a handshake.

“Table Manners” is one of the most commonly requested educational modules from top law firms, according to my friend Crystal Rockwood of Rockwood Communications Counsel, a graduate of the prestigious Emily Post Institute. When Crystal is not managing crisis situations for her clients, she educates lawyers about business etiquette from introductions, communications, social media, to difficult situations. Large, prestigious law firms send their associates and even seasoned partners to Crystal for a refresher in today’s etiquette and its role in business development. It’s more than knowing not to pick your teeth. Your behavior at the table will forever represent the interests of your client and your firm. The language of table manners shouts loudly. Your table manners tell how you treat other people, how you respond to new situations, how you manage a conversation. Table manners reveal if you are kind, if you can be trusted, and what you think about money. It’s time to get comfortable with your fork.

Having just passed the bar exam and just finished a great morning job interview with The Firm, Hannah thinks she’s sealed the deal when she’s invited to lunch with The Partners. What she fails to recognize is the purpose of the office “interview” is for everyone to check her out: what she’s driving, what she’s wearing, does she have tattoos, piercings? How does she treat the receptionist? Can she make small talk? Does she say “Thank you?” Is she nervous? What questions does she ask? Was she on time, with no gum, no hats, no perfume? Is she wearing shoes she can walk in, a long enough skirt and displaying no cleavage? Once she’s passed THAT she’ll get invited out for lunch. The big secret? Lunch IS the interview. And seriously, the lunch invitation has nothing to do with food.

When Hannah takes her phone out while waiting for their table, the Partner thinks, “Wow. She can’t even give ME her full attention and I’m standing right next to her. How can I trust her to give my Firm her 100 percent?” The Partner orders a glass of wine and, in a celebratory mood, Hannah joins her. This is a trick. Never order alcohol at lunch. Stick with iced tea. Hannah orders the most expensive meal on the menu because she’s happy thinking she’s about to go to work for Big Firm. The Partner makes mental notes about how Hannah thinks about other people’s money. If The Firm needs to order some staplers, is she headed to Hammacher Schlemmer, or will Office Depot do?

Lunch manners basics: Your napkin goes on your lap as soon as you sit down. Beverages are on the right, bread plate is on the left. (And be polite if your hosts puts their bread on your bread plate. Don’t draw attention to the faux pas, but use another available bread
CITATIONS is published monthly by the Ventura County Bar Association. Editorial content and policy are solely the responsibility of the Ventura County Bar Association.

Submit all advertising, classified and calendar matters to:
VCBA
4475 Market St., Suite B,
Ventura, CA 93003
Attn: Executive Director
t: 805.650.7599
f: 805.650.8059
c: bar@vcba.org
w: www.vcba.org

Submit all editorial matters to:
CITATIONS
1050 S. Kimball
Ventura, CA 93004
t: 805.659.6800
f: 805.659.6818
wlascher@fcoplaw.com
It’s never too late to mediate.

Creative Dispute Resolution
EST. BY PAUL D. FRITZ, ESQ. (1941-2011)
877-237-4237
CDRJudgeLong.com • CDRJudgeLong@gmail.com

Hon. David W. Long RETIRED
Continuing the tradition of excellence in mediation and arbitration since 1986

11TH HOUR MEDIATION
It’s never too late to mediate.

DK Law Group
CAN’T SETTLE?
GOT TRIAL?
Accepting Civil Trial
Referrals/Associations of Counsel

DAVID M. KAREN, ESQ.
Mediator and Active Trial Attorney
26 year Plaintiff And Defense Litigator
dk@dk4law.com
Tel: (805) 498-1212
Fax: (805) 498-3030

DK4LAW.com
11THHOURMEDIATION.COM
3155 Old Conejo Road
 Thousand Oaks, CA 91320

PRESIDENT’S MESSAGE:
Continued from page 3

plate). Order easy to eat food - no French onion soup, spaghetti or cheeseburgers. Take small bites so you will be able to stay in the conversation. Swallow your food before taking a drink. No mouth noises, chomping, slurping or burps. Sit up straight. Elbows off the table. Finish what you order; wasting food leaves a bad impression, but avoid asking for a doggy bag. Chew with your mouth closed. (Peter Post says the number one reason a woman will decline a second date is because her date chewed with mouth open.) Take cues from your hosts; ask “What’s good here?” and use the answers to help you decide what to order and in what price range. Keep your cell phone off. Only order dessert if your host does so. The bottom line, eat in a way that does not draw attention to yourself.

A new addition to the State Bar oath that took effect May 23 reads: “As an officer of the court, I will strive to conduct myself at all times with dignity, courtesy, and integrity.” Even if your lunch date lacks certain manners, the most important thing is to stay within the principles of civility and to be polite, kind, make the other person comfortable. Say “Thank you,” and close the afternoon with a firm handshake and sincere eye contact, of course.

Regardless of personal choices and preferences, we can get along and appreciate our differences when we accept the things we have in common and celebrate our collegiality. Table manners provide ample opportunity to demonstrate shared values, communicate easily, and to show the outward qualities of inner strength and propriety.

Laura Bartels practices estate planning in Fillmore and occasionally gets asked out for lunch. LBartels@FillmoreLawyers.com. Crystal can be found at www.RockwoodCC.com.
BAR LEADERSHIP

**ADR SECTION**
David Karen  498-1212

**ANIMAL LAW**
Katherine Hause Becker  525-7104

**ASIAN BAR**
John Fukasawa  383-2788

**BANKRUPTCY**
Michael Sment  654-0311

**BARRISTERS**
Rachel Coleman  477-0070

**BENCH/BAR/MEDIA COMMITTEE**
Kendall VanConas  988-9886

**BENCH-BAR RELATIONS COMMITTEE**
Hon. Matt Guasco  256-4972

**BUSINESS LITIGATION SECTION**
Erik Feingold  644-7188

**CITATIONS**
Wendy Lascher  659-6800

**CLIENT RELATIONS**
Dean Hazard  988-9886

**COURT TOUR PROGRAM**
Thomas Hinkle  656-4223

**CPA LAW SOCIETY**
Douglas Kulper  659-6800

**DIVERSITY BAR ASSOCIATION**
Jill Friedman  644-7188

**EAST COUNTY BAR**
Doug Bordner  496-0111

**EMPLOYMENT LAW**
Joe Herbert  482-5340

**FAMILY LAW BAR**
Patricia Mann  371-4066

**IMMIGRATION LAW**
Jack Seal  650-1100

**INTELLECTUAL PROPERTY**
Chris Balzan  658-1945

**J.H.B. INN OF COURT**
Lindsay Nielson  654-0977

**JUDICIAL EVALUATION COMMITTEE**
Linda Ash  654-2580

**LAW LIBRARY COMMITTEE**
Eileen Walker  444-6308

**LGBT Alliance**
Ed Elrod  644-4486

**MEXICAN AMERICAN BAR ASSOCIATION**
Lou Kreuzer  381-4131

**NATURAL RESOURCES SECTION**
Gisele Goetz  895-5338

**PRO BONO ADVISORY BOARD**
David Shain  659-6800

**PROBATE & ESTATE PLANNING SECTION**
Amber Rodriguez  643-4200

**REAL PROPERTY**
Ramon Guizar  981-8555

**SOLO SECTION**
Adam Pollock  818-991-7760

**VCBA/VLSP, INC.**
Joel Mark  644-7111

**VC TRIAL LAWYERS ASSOCIATION**
Susan McCarthy  988-9886

**VC WOMEN LAWYERS**
Katherine Hause  525-7104

**VCBA STAFF**
Steve Henderson - Executive Director
Sandra Rubio - Associate Executive Director
Nadia Avila - Members Relations Director
Verna Kagan, Esq. - VLSP Program Manager
Peggy Purnell - CTP Coordinator

---

**MEDIATION/ ARBITRATOR**

Richard M. Norman

Of Counsel
Norman Dowler, LLP
840 County Square Drive
Ventura, California 93003-5406
(805) 654-0911  RNorman@normandowler.com

- 40 years litigation experience-AV rated.
- Personal injury, business, construction, employment, real estate, probate/trust, partnership and corporate disputes and dissolutions
- Member: American Board of Trial Advocates
- Past president Ventura County Bar Association and Ventura County Trial Lawyers Association
- American Arbitration Association and NASD arbitrator
- Trained Mediator—Pepperdine University Straus Institute
- Reasonable fees and flexible scheduling. No administrative charges.

---

**CISLO & THOMAS LLP**
Patent, Copyright and Trademark
Litigation Attorneys at Law

- Serving Businesses in Southern California Since 1979
- Visit us at www.cislo.com or call us at 1 (866) CISLO LAW
- We have Successfully Settled or Litigated Over 98% of Our Cases

---

**Super Lawyers**
Serving Businesses in Southern California Since 1979

**IP Filings, Counseling, Licensing & Litigation**
With Offices In
Santa Monica, Westlake Village and Santa Barbara

Visit us at www.cislo.com or call us at 1 (866) CISLO LAW

We have Successfully Settled or Litigated Over 98% of Our Cases
I met April Navarro when she worked as a summer clerk at DK Law Group in 2011. She has had many adventures since then, including admission to the California Bar last year.

April, what is your “origin story?” Specifically, what path led you from Ventura County to Columbia Law School?

I was born in Ventura and grew up in Oxnard. My parents and grandparents were migrant field workers throughout the state of California, but eventually settled in Oxnard. I attended Pacifica High School, where I was an honor student and received an Oxnard Police Officers Memorial Scholarship.

I attended the University of California, Davis, where I held a leadership position in the La Raza Pre-Law Student Association and participated in the university’s Pre-Law School Boot Camp. I benefited from law school application resources such as its “For People of Color, Inc.” workshops. Ultimately, I selected Columbia Law School because of its academically challenging curriculum and because I knew it would open doors for me.

What are your observations about attending an East Coast school after being raised in Ventura County?

Aside from the culture- and sticker-shock of big city life, I don’t know that my observations or experiences at Columbia were colored by my experience growing up in Ventura County. Rather, my experience at an Ivy League law school was shaped by my background as a first-generation college graduate. Nonetheless, I do not feel that my unique set of challenges detracted from my experience. At Columbia I learned from and interacted with the foremost academics and practitioners in their respective fields. I had an amazing experience.

But there’s no place like home. Ventura County was my training ground. Local organizations such as California Rural Legal Assistance, the District Attorney’s Office, and the Public Defender’s Office all provided me the opportunity to volunteer and gain exposure to the legal profession. I am honored to be a past recipient of a Ventura County Mexican-American Bar Association Scholarship. DK Law Group has afforded me generous summer and post-graduate work. I really appreciate the support of my local community.

For a newly-minted attorney, you have an interesting and varied resume. Please tell us about some of your internships.

Before law school I interned at the Ventura County District Attorney’s Office. After my first year of law school I was a law clerk at the Ventura County Public Defender’s Office. I am surprised that some find this combination of experiences antithetical; they were complementary and gave me perspective.

During law school I interned in the litigation department at NBC Universal. What surprised me about that experience was how similar it was to my experience as a summer law clerk at DK Law Group, a local civil litigation firm. I was surprised by how comparable the needs of corporate clients are, no matter the size or industry.

After law school, I worked at the California Attorney General’s Office as a post-graduate government fellow in the Criminal Division. I was pleasantly surprised by the amount of responsibility and self-sufficiency required of me. I appreciate that government work is one of a limited number of avenues allowing a novice attorney like me to acquire substantive legal experience.

Panda Kroll is Of Counsel at DK Law Group and a member of CITATIONS’ editorial board.
Our most important service is

**PEACE OF MIND.**

Established in 1993 in Ventura, CA, Commercial Process Serving, Inc. is your premier local Attorney Service! With a fully staffed office, Registered Process Servers & Photocopyers, and field experienced managers, CPS has you covered. We provide an array of solutions guaranteed to meet ALL of your legal service needs. Let our extensive resources, investments and experience work for you.

**BEST RATES GUARANTEED!**
References Readily Available

---

Same Day Services | Email Status & Service Confirmation | Conformed Face Pages Emailed
Fees Advanced | Daily Pick Up/Retainers | Statewide/Nationwide Coverage
Large Format Printing/Scanning | Copy Services, Color & BW
The United States Bankruptcy Court (Central District of California) has recently announced changes to local matters beginning in mid-2014.

**New Judges** – Effective May 10, Chief Judge Peter H. Carroll is the main judge for the Northern Division of the Court (Santa Barbara), which handles Ventura County bankruptcy matters. Judge Carroll relocated his courtroom and chambers from the Los Angeles Division to the Northern Division (State Street) courthouse. All of the Northern Division bankruptcy cases and adversary proceedings assigned to Judge Robin Riblet will be reassigned to Judge Carroll. The judge’s initials portion of those matter numbers are now “PC.”

Judge Carroll has been a bankruptcy judge since 2002, and before that was the assistant United States trustee in Fresno, CA. He will continue his chief bankruptcy judge duties from the Northern Division until his term ends in December 2014.

All of the Northern Division bankruptcy cases and adversary proceedings currently assigned to Judge Carroll will be reassigned to Judge Deborah J. Saltzman, and remain at the Northern Division. Judge Saltzman has relocated her chambers and courtroom from the Riverside Division to Los Angeles (Courtroom Roybal 1339). She will also be reassigned most of Judge Carroll’s Los Angeles Division cases and adversary proceedings, which will remain at the Los Angeles Division. The judge’s initials portion of Judge Saltzman’s matters should be “DS.” Judge Saltzman’s Riverside Division cases and proceedings will be reassigned to a new, as yet unannounced judge for that division, although she will retain a few matters.

Both Judge Carroll and Judge Saltzman will sit there occasionally, sharing a courtroom with the part-time Federal Magistrate, and retired Judge Riblet.

Judge Riblet, who was appointed as bankruptcy judge by the Ninth Circuit Court of Appeals in 1988 and reappointed in 2002, is leaving full-time status after 26 years on the bench, most spent in the Northern Division. Judge Riblet has accepted “recalled” status, and will handle assigned bankruptcy matters in the Northern Division.

The bankruptcy court has also been advertising for a new bankruptcy judge at its San Fernando Valley (Woodland Hills) Division. That position will provide a replacement for Judge Alan Ahart, who is also retiring after 25 years on the bench, and will be leaving in January, 2015. The Ninth Circuit is now interviewing applicants. A final decision is anticipated later in 2014.

**New Zip Codes** – The zip codes of several cities previously assigned to the San Fernando Division will now be assigned to the Northern Division “regardless of whether [those] cities or zip codes are in Los Angeles County or Ventura County.”

The zip codes for the cities of Simi Valley, Thousand Oaks, Westlake Village, Newbury Park and Malibu, including 90263, 90265, 91319, 91320, 91358, 91359, 91360, 91362, 93062, 93063, 93064, 93065, 93094 and 93099, will now be assigned to the Northern Division. “All new bankruptcy cases for debtors in these cities and zip codes must be filed at the Northern Division. Pending bankruptcy cases and reopened cases will remain in their original filing jurisdiction.”

These changes, with existing Ventura County, Santa Barbara County and San Luis Obispo zip code restrictions, will mean that more bankruptcy cases, particularly more cases for residents and businesses within Ventura County, will be filed in the Northern Division. These zip code changes expand the division’s geographic boundaries significantly, including adding the Los Angeles County city of Malibu. The zip code changes were intended to balance the case filings with the San Fernando Division.

Increasing the zip code boundaries for the Northern Division will also mean that many eastern Ventura County residents and businesses will be forced to drive north to reach the Northern Division courthouse in Santa Barbara for cases, hearings and filings.

**New Fees** – Besides the other changes, the Judicial Conference of the United States has just announced its approval of miscellaneous federal and bankruptcy court fee changes (increases), effective June 1.

The new bankruptcy fees for cases filed on or after that date, are: Chapter 7 Petition –
JACOBS & JACOBS
ACCOUNTANCY CORPORATION

CERTIFIED PUBLIC ACCOUNTANTS
TAX PROFESSIONALS SINCE 1944
THERE’S NO SUBSTITUTE FOR
EXPERIENCE & EXPERTISE

- TRUSTEE & EXECUTOR SERVICES
- TRUST & PROBATE ACCOUNTING
- FIDUCIARY INCOME TAX RETURNS
- ESTATE TAX RETURNS
- ESTATE PLANNING
- ELDERCARE SERVICES

OJAI
(805) 646-4321

THOUSAND OAKS
(805) 497-4007

JOHN JACOBS, CPA  GREGG BURT, CPA  PAUL THOMAS, CPA
$335.00; Chapter 9 Petition – $1,717.00; Chapter 11 Petition – $1,717.00; Chapter 12 Petition – $275.00; Chapter 13 Petition – $310.00; Chapter 15 Petition – $1,717.00; Complaints (Adversary Proceedings) – $350.00.

The Central District’s Abbreviated Fee Schedule and Court Manual Section 1.1 will be updated by the court to reflect these new fees.

The bankruptcy court also announced revisions to the central district’s Guidelines for Allowance of Attorneys’ Fees in Chapter 13 Cases (Guidelines), and that the revisions are now set forth in the Court Manual Section 2. Those revisions, governing the allowance of attorneys’ fees and costs for Central District Chapter 13 cases, became effective on March 4. The expanded Guidelines include a list of fees for additional services that would not require the filing of an additional fee application, and were removed as Appendix IV from the Local Bankruptcy Rules.

The updated Court Manual, Guidelines and Fee Schedule are available, with many other items, notices, rules and forms, on the bankruptcy court’s website at http://www.cacb.uscourts.gov.

As bankruptcy case filings change in type and quantity and frequency in response to the changing real estate and financial markets, more changes in national and local rules, fees and procedures should be expected.

Michael R. Sment is a member of the CITATIONS editorial board and chair of the VCBA Bankruptcy Section. He handles bankruptcy, bankruptcy mediation and real estate matters from his offices in Ventura.
As a significant benefit to our members...the Ventura County Bar Association has identified these Insurance and Financial Planning professionals to accommodate your insurance needs. These brokers are recognized for their integrity, knowledge and experience in serving the legal community. They can assist you in the areas of life, health, disability income, long-term care insurance, annuities and investments. You can obtain State and County Bar plans at discounted rates through these brokers.

Barry A. Cane
Disability Income Insurance  
Business Overhead Expense
(805) 496-5537  Fax: (805) 496-5598
240 Lombard St., #100, Thousand Oaks, CA 91360
Lic. #0740274

Michael P. Kenney*, CLU
Group and Individual Health Insurance  
Business and Personal Life Insurance
(805) 497-7407  Fax: (805) 494-1363
www.kenneyins.com
Lic. # 0688916
As a significant benefit to our members...the Ventura County Bar Association has identified these Insurance and Financial Planning professionals to accommodate your insurance needs. These brokers are recognized for their integrity, knowledge and experience in serving the legal community. They can assist you in the areas of life, health, disability income, long-term care insurance, annuities and investments. You can obtain State and County Bar plans at discounted rates through these brokers.

Lic. #0740274
Lic. #0688916

Registered Representative Park Avenue Securities (PAS), 7 Hanover Square, New York, NY 10004. Securities products and services offered through PAS, 1-888-600-4667, Member FINRA. PAS is an indirect wholly owned subsidiary of The Guardian Life Insurance Company of America. Representative of The Guardian Life Insurance Company of America, New York, NY and other fine insurance companies.

Securities offered through a registered representative of Royal Alliance Associates, Inc., Member FINRA.


Barry A. Cane
Michael P. Kenney*, CLU

240 Lombard St., #100, Thousand Oaks, CA 91360
www.kenneyins.com

* Dividends are paid at the sole discretion of the Company’s Board of Directors and past dividends do not guarantee the payment or amount of future dividends.
Hoefflin
BURROWS
A Law Corporation

Personalized representation
to attain client goals

Hoefflin • Burrows delivers results by putting client interests first and using a team-based approach to creatively, intelligently, and effectively resolve legal matters.

Emphasis on
Real Estate
Business and Corporate
Partnerships / LLC's
Trust/Estate Disputes
Executive Employment

2659 Townsgate Road, Suite 232
Westlake Village, CA 91361
(805) 497-8605
www.hoefflinlaw.com

(Left to right): Steven A. Meadville, Esq., of Counsel, Richard M. Hoefflin, Esq., and Jason M. Burrows, Esq.
DOs & DON’Ts
FOR EFFECTIVE LAW AND MOTION PRACTICE

Michael Mayer, research attorney for the Ventura County Superior Court, provided these tips at the April meeting of the Ventura County Trial Lawyers Association.

1. Please call the legal research department (654-2470) if a matter is being taken off calendar. The department does not always receive the written notices (required by the Local Rule 8.04) in a timely fashion and appreciates courtesy calls.

2. Unsurprisingly, in reviewing conflicting opinions from the Second District, the research attorneys pay particular attention to the views of Division Six.

3. The research attorneys believe, in general, that attorney declarations contain too many statements that are not in fact known by personal knowledge.


DO

• Caption your motions clearly, and:

  1. List parties by name (e.g., Smith) not just their role (e.g., cross-complainant).
  2. Include the hearing date on the papers.
  3. Be precise: motions to compel discovery are not the same as motions to compel further discovery.
  • Update your “stock” motions periodically to make sure you are using current law. The common law evolves; statutes and court rules change over time.
  • Use exhibit tabs. This is a CRC requirement (3.1110(f)) that makes review of exhibits much easier. Separate out declarations with tabs indicating the declarant’s name.
  • Use official citations for case law, and cite page numbers for the quotes or propositions from the cases. CRC 3.1113(c).
  • Cite recognized legal authority; persuading the Court of your position requires legal authority, not just recitation of the facts. Recognize when a statement in a case is dicta.
  • Apply the legal authority to the facts of your case. Explain why the legal citations support the situation presented in the papers. Don’t just assume the Court understands why you think the authority is applicable.
  • Support the evidentiary statements in your papers with declarations, documents, and transcripts. Stating facts without supporting evidence is a common error that leads to motions being denied.
  • Authenticate your documents! Ev. Code §1400, et seq.
  • Proofread your papers: typos occur, but make sure you don’t make errors concerning the critical information in your papers.

DON’T

• Don’t use footnotes. If the matter is important include it in the body of your papers.
• Don’t single space (or use footnotes) as a means of exceeding page limits. Bring the proper application to file a longer memorandum. CRC 3.1113(e).
• Avoid using illegible copies of exhibits. Make sure you haven’t omitted an exhibit you intend to offer.
• Avoid: “As the Court is aware…” You may be before a different judge or a different research attorney may be looking at your papers. If you are citing something that has occurred on the record in your case, provide the file date of the document or order at issue.
• Don’t include a request for judicial notice as part of your motion or bury it in a declaration. Make such requests in separate documents. CRC 3.1113(f).
• Don’t attach documents you intend to lodge to documents that are to be filed.
• Don’t attach proposed orders to documents that are to be filed. CRC 3.1113(m).
• Don’t cite civil jury instructions as authority for your motion.
• Don’t forget to consult the CRC and the local rules. Don’t just rely on the codes and common law.
• Don’t cite web addresses in lieu of providing copies of documents. There is no guarantee that legal research can access the site or that the site won’t disappear/change before the Court has a chance to review it.
• Don’t forget to file the motion if the Court grants an order shortening time on the filing/service/hearing of the motion. The ex parte application is not the motion, unless the Court so directs.
LAW DAY 5K RUN
Photos courtesy of Craig Bates with Telegenics (805) 981-3994
Sometimes numbers are the only prints left behind.

Arxis Financial is a proven forensic accounting and litigation specialist. We will examine the financial data and help you determine the “bottom line.” Arxis provides financial and valuation analysis needed to resolve a variety of legal disputes from family court to civil, criminal, and probate courts. In many cases our experts can help you reach a settlement. If trial or arbitration is required we give you the support you need to win.

Chris Hamilton, CPA, CFE, CVA
805.306.7890
www.arxisfinancial.com
chamilton@arxisgroup.com
TREASURE AND TENURE
by Wendy Lascher

When I reviewed Charles Rosenberg’s Crime on a High Floor (CITATIONS, March, 2012) I wrote, “I hate Jenna” about its protagonist. But now that Jenna is a UCLA law professor rather than a Big Law associate, she has mellowed. I find myself more sympathetic to her.

Rosenberg’s recent thriller, Long Knives (Thomas & Mercer, 2014), explores the life of a law professor, or more accurately, several: Jenna; the professor across the hall who has been Jenna’s boyfriend but is leaving the state to move up the academic ranks; a faculty member who clearly dislikes Jenna; and the wishy-washy dean. Until I read this book, I had no idea a law school might offer not only admiralty law, but such specialized seminars as The Law of Sunken Treasure. (Justice Scalia might disapprove; see, 2014 commencement speech at William & Mary. http://law.wm.edu/news/stories/2014/documents-2014/2014WMCommencementSpeech.pdf) This is the course that gets Jenna in trouble.

I am unschooled in academic politics, let alone the fine points of admiralty and poisoning. Perhaps that is why I did not feel the same sense of identification with Long Knives as I had with its predecessor. Still, Rosenberg – who teaches law as well as practices it – is a master of detail who takes pains to be accurate. For example, until now I had no idea that the General Archive of the Indies even existed, let alone how fascinating a history it contains. I want to learn more.

I admire Rosenberg as a historian, as well as for his exquisitely clear writing. Although I am less willing to suspend disbelief than some mystery readers might be, Long Knives is a welcome diversion that would make a fun TV crime show.

Wendy Lascher is the editor of CITATIONS. She is a partner at Ferguson Case Orr Paterson, LLP in Ventura, where she specializes in consulting with trial lawyers and handling appeals. wlascher@feoplaw.com
Victoria Lindenauer, Esq.

MEDIATOR

Streamlined Approach

Results

Cost Effective

Over 25 years PI litigation on the Central Coast

Trained Mediator:
Straus Institute
Pepperdine Univ.

Mediation Panelist:
Santa Barbara, Ventura
San Luis Obispo,
Resolute Systems, LLC

805.730.1959 | www.lindenauermEDIATION.com
lindenauer_mediation@cox.net

LEGAL BUSINESS:
WHERE’S THE RISK?
by David Laufer

As lawyers compete for business, it is important to know and focus on where the action is.


Here are the findings based on the responses of more than 360 companies:

• $2.1 billion was spent on class action lawsuits in 2012.

• Companies had an average of 5.1 class actions per year.

• Consumer fraud and employment matters account for more than 50 percent of all class actions.

• Securities class actions account for ten percent of all class actions.

• Companies devote at least one full-time employee to manage class actions.

• Law firms were paid $1.9 billion by the companies to defend class actions.

• More class actions are anticipated in data security, wireless, untested technologies, food safety, labeling, health care and environmental issues.

• Companies spent $671,100 annually per class action in 2012.

• Substantial savings are generated by using rigorous case assessment and modeling to calculate financial exposure early.

• Companies that employ this strategy spend 38 percent less per class action and 42 percent less on outside counsel than companies that do not rigorously assess financial exposure.

David Laufer is the CEO of Laufer Specialty I-Risk LLC, based in Oxnard.

Court Appointed Receiver/Referee

“Mr. Nielson is more than just a pretty face.
He is one of our best receivers.”

(Hon. John J. Hunter, October 9, 1999)

The Superior Court has appointed Mr. Nielson in over 400 cases involving the sale of real property, partnership or business dissolutions, partition actions and matters requiring a referee.

LINDSAY F. NIELSON
Attorney at Law

Member – California Receiver Forum

Email: nielsonlaw@aol.com

845 E. Santa Clara, Ventura, CA 93001
(805) 658-0977
CLASSIFIEDS

HELP WANTED

Exciting opportunity for the right attorney with excellent work ethic, credentials and desire to be an integral part of a well-established (30 years) AV-rated small firm in Westlake Village. Should have minimum five years’ experience in civil litigation and transactional in areas of business, real estate, probate/trust, corporate. Will also consider contract work or Of Counsel. Email résumé in confidence to sam@silverandarsht.com.

SERVICES OFFERED

Law Clerk seeking full time job opportunity, passed the February 2014 Bar exam, pending MPRE requirement. I have over 10 years of experience in administration and staff development; extensive experience in recruiting, research, trial preparation, benefits enrollment, payroll, and personnel management. Please send inquiries to csun05@yahoo.com.

Recently admitted attorney (June ’13) seeks associate position. Graduate of Columbia Law School (’12) and UC Davis (’08). Experience in criminal appeals, complex corporate litigation, and other civil matters. Excellent research and writing skills, confident presentation, and willing to learn any practice area. Bilingual and biliterate. Oxnard native. Please send inquiries to aprilnavarroesq@gmail.com.

Local licensed residential real estate appraiser in Ventura seeks valuation assignments for estate, family, probate in all Ventura and Santa Barbara County communities. Experience includes complex, rural, multi-unit, and I partner with a senior Certified Appraiser for +$1M valuations. I’m professional, flexible, fast, and provide detailed reports at reasonable fees – need hours to become certified in 2015. bob.turnage.appraisals@gmail.com or (805)402-8863

CENTURY 21 Hometown Realty
805.340.5025 Efax 805.258.7028
Real Estate Broker BRE 00577863 Property Management BRE 01767325
kay@realestatemagic.com www.kaywilsonbolton.net www.kaywilsonboltonblog.com www.facebook/justcallkay

Elegant Affordable
Single Furnished Offices

“Full Service Office Suites for the Executive”

• Full Time Offices
• Part Time Offices
• Hourly Offices
• Daily Offices
• 3 Conference Rooms
• Video Conferencing
• Training Rooms up to 80 people

1000 Town Center Drive #300, Oxnard, CA 93036

Call Mary today
805.351.3700
www.rpexecutivesuites.com
mary@rpexecutivesuites.com

Video Conferencing
$65. Per Hour
(Conference Room rental additional)

Kay Wilson-Bolton
Broker Since 1976
Hoarder Homes/Clearing & Cleaning
Distressed Properties
Estate and Trustee Sales
Probate Sales
Property Management
Si Hablo Espanol

• Contract Broker for Public Administrator of Ventura County
• Broker Price Opinions with Photos
• Covenant Mediation Services
• Probate Sales, Evaluation & Marketing
• Bankruptcy Trustee Broker
• REO and Shortsales
• Skilled with Multi-Trustees and Co-Sellers Transactions
• Notary and E-Signing Agent

CENTURY 21 Hometown Realty
805.340.5025 Efax 805.258.7028
Real Estate Broker BRE 00577863 Property Management BRE 01767325
kay@realestatemagic.com www.kaywilsonbolton.net www.kaywilsonboltonblog.com www.facebook/justcallkay
Office Space

Three very elegant offices in lovingly restored Victorian home in Old Town Ventura, across the street from the California Court of Appeal. Ventura Historical Landmark built in 1892. Rents start at $550/month. Walk to Surfers’ Point or to fine shops and restaurants on Main Street. Owner provides furnished common reception area, utilities and janitorial. Plenty of free 24/7 on-site and off-site parking. Handicapped access. RENT A PART OF VENTURA’S HISTORY. Call Don Parrish. (805)340-1204.

River Park Executive Suites – Elegant affordable single furnished offices, full-time offices, part-time offices, hourly offices, daily offices, three conference rooms, training rooms up to 80 people. Video conferencing $45 per hour. *Conference room rental additional. Call Us Today! (805)351-3700

MEDIATION SERVICES

Serving Orange, Los Angeles, Ventura, Santa Barbara & San Luis Obispo Counties

- BUSINESS
- EMPLOYMENT
- INSURANCE
- PROBATE
- PERSONAL INJURY
- PROFESSIONAL NEGLIGENCE

Mr. Carrington is “very knowledgeable. Insurance companies respect his opinion. Extensive trial experience (ABOTA), excellent mediator, fair, objective arbitrator. Extraordinarily capable and forthcoming with efforts and involvement. He is very thorough and fair.” Quote from 2006 Consumer Lawyers Evaluations

R.A. CARRINGTON
565 Sheffield
Santa Barbara, California 93108
805.565.1487 • Fax: 805.565.3187 • RATC@cox.net

Tri-County Sentry Newspaper
LEGAL/PUBLIC NOTICES
We can publish your Trustee’s Sales, Probate Notices and Change of Names. Court Order No.125431
Rates:
Trustee’s Sales...$225 approx
Petition to Admin $180
Change of Name...$110
Legal Notices...$9.50
For the best service call 983-0015
We file your Affidavit of Publication with the court

H.T. CURNETT & ASSOCIATES INC.
LEGAL INVESTIGATIONS

www.aoecoe.com

Tom Curnett
Owner/Lic. #24657

Bus. (805) 524-6841
E-mail: tomdefense@aol.com

P.O. Box 887, Fillmore, CA 93016
SPANISH INVESTIGATORS

SPECIALIZING IN LEGAL PLACEMENT
Legal Staffing and Executive Recruitment
Expertise • Experience • Efficiency
Serving the recruitment needs of law firms and corporate legal departments for over 35 years with integrity and confidentiality.

whalen bryan

KATHI WHALEN, CAC
President & Founder

Contact us today to help you find the right match.

Ventura County • (805) 388-3663 Santa Barbara County • (805) 965-2020
kathi@whalenbryan.com • www.whalenbryan.com
If you are wondering where appellate lawyer Lisa Spillman is plying her skills these days, look no further than Cheyenne, Wyoming. Lisa and her brood settled into their digs May 5 and she immediately hung her shingle. Hubby Paul scored a keen job at FE Warren Air Force Base. They’ll be back in 3-5 years. Looking to rent their home in Ventura too. Her new address is PO Box 2573, Warren Air Force Base.

Rennee Dehesa in addition to Nancy Schreiner, Karen Gabler and Melissa Sayer. Non-attorney Kathi Whalen also made the list. Congrats!...An attorney who called a parent a “chubby wubby” during a break in an upstate New York school board meeting has resigned from his post as board president. Raymond Cote also has withdrawn as a candidate for re-election to the Mahopac Board of Education. Cote’s words about an unidentified mother of six and PTA volunteer were picked up by an open microphone and broadcast on live coverage of the April 8 meeting, eliciting public outrage after a resident posted a clip on YouTube. Although the YouTube video is difficult to understand, a transcript quotes Cote as saying “Oh I know, I know. This one here, Chubby Wubby. She gets fatter and fatter at every meeting. She really does!”...Palmer Drug Abuse Program (PDAP) of Ventura County honored Ventura Superior Court Judge Manuel Covarrubias at their annual Celebration of Hope and Healing Dinner on May 9. Judge Covarrubias was recognized for his respectful and supportive style of communication towards youth, and for being a model for all members of the juvenile drug court team by encouraging patience and understanding combined with accountability and fair consequences for all behaviors...

Neither did the legal profession rank fourth for its high rate of suicides, according to age-adjusted information at https://www.cdc.gov. Pepperdine University selected law school grad Mark Hiepler to interview Justice Alito of the U.S. Supreme Court at an April dinner. Mark has worked with Justice Alito for the last eight years to send several 8th graders on a tour of the Supreme Court and ask questions of Justice Alito...New California lawyers will soon have to swear to be courteous and dignified under a change in the oath approved by the California Supreme Court. As of May 22, the oath required of lawyers admitted to the California bar will include a so-called civility pledge, official announced. The court adopted it at the urging of the American Board of Trial Advocates, which has pushed for the change nationwide. In the future, the lawyers will have to make one more promise. “As an officer of the court, I will strive to conduct myself at all times with dignity, courtesy and integrity.” The new language was the first major change to the lawyers’ oath since it was codified into law in 1872...VCBA/VLSP, Inc. Emeritus Attorney Pat Zebker was honored by her congregation May 31 at special Shabbat Service and Luncheon celebrating Age and Wisdom...
Conduct a Jury Focus Group

Holding a Jury Focus Group before trial can give you the advantage by affording you the opportunity to test your case in front of a panel of mock jurors. Holding a focus group in the early stages of your case can expose potential problems as well as help point your case in the right direction.

We take all of the hassles out of the process as well. Our facility provides dedicated focus group rooms with closed circuit viewing and video recording for viewing later.

We provide the Jurors, A/V Equipment, food and beverages, all for a price that is surprisingly affordable.

Call today for details and Client discounts

800-43-DEPOS

www.personalcourtreporters.com

Personal is my “go to” source for all of my Jury Focus Groups and Court Reporting needs. They surpass all my expectations.

~Michael Alder
Picture’s from TEAM DLL’s recent Spartan Races to benefit building houses for wounded veterans. See you in July for the Beast! (13 Miles) www.spartanrace.com

We appreciate your criminal law referrals!
WWW.DavidLehrLaw.COM
805-477-0070