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CITATIONS

NOVEMBER - TWO THOUSAND SEVENTEEN

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PRESIDENT'S MESSAGE: IN THE SPIRIT OF GIVING THANKS

by Erik B. Feingold

I devoted my first President's Message to singing the praises of the incoming VCBA Board. I mentioned how proud and impressed I was of each of them, and how much I was looking forward to working with them.

In all honesty, I approached the task of working with a board comprised of a bunch of "unknowns" with a bit of trepidation; they all seemed nice and were eager to help, but could I really count on everyone to help me and the VCBA out and to pull their weight? The fact I am notorious for not delegating and being a chronic worry wart didn't help matters.

As with most "problems" in my life, I had nothing to worry about after all. I knew going in that the incoming Board was a really smart and fun group of people, but it was not until Bar operations for this year

were up and running that I really grew to appreciate all that the incoming Board had to offer.

Everyone eagerly participates and offers opinions and constructive dialogue when we, as a collective Board, come together to solve the Bar's problems. And everyone at the drop of a hat rallies to help with volunteer projects for the Board.

Take for instance the recent yard sale the Bar held on Oct. 7. If I was sitting on the Board as a younger attorney and was asked to participate in such an event, I probably would have thought it was a lame idea and found a reason not to volunteer. But not my Board. The response was overwhelming: most Board members gave up the majority of their Saturday to help donate, lift, deliver, pick up, transport, price, barter and sell an entire POD full of household items. We

received a significant number of donations, we had a good community turnout for the event and, most importantly, we had fun working together as a collective Board to achieve a fundraising goal for the VCBA.

I learned a lot from the experience: not just how to organize a yard sale, but the opportunity to watch Board members **Rabiah Rahman, Katie Clunen, Jaclyn Smith, Lane Lopez, Doug Goldwater, Jacquelyn Ruffin, Charmaine Buehner, Katie Becker** and **Mark Kirwin** in action, to see their work ethic and compatibility, and to realize how fortunate our community is to have such dedicated attorneys representing its members.

Erik B. Feingold is a litigator with Myers, Widders, Gibson, Jones & Feingold in Ventura.

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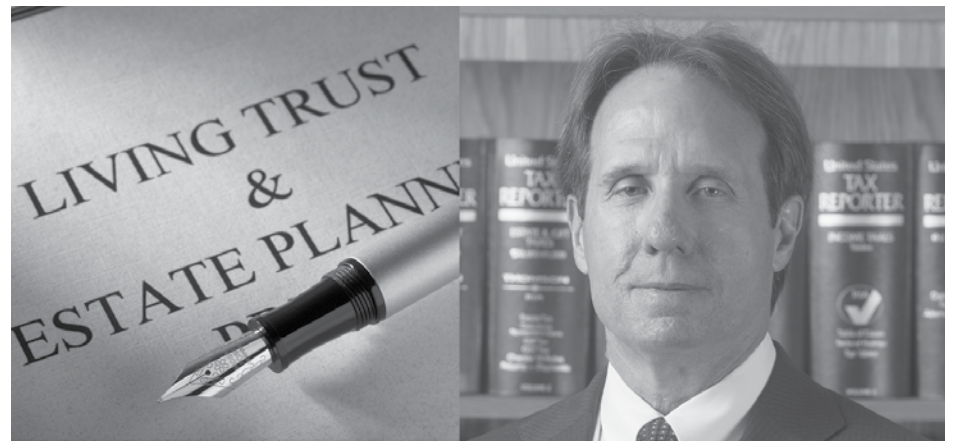
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JOE STROHMAN: NORDMAN BEST DAD AWARD WINNER

by Olivia, Hannah and Marie Strohman



If you hear the name **Joe Strohman** and immediately think lawyer, Notre Dame, Iowa or bowties, chances are you've met our dad. But that's just the beginning, so we're here to tell you a little more about the man behind this year's Nordman Award: Joseph Leo Strohman, Jr.

You probably know that our dad grew up in Iowa (because he always talks about it) and that he went to Notre Dame (Go Irish!) before moving out to California to go to Pepperdine for law school. Fun fact: our dad took one surfing lesson when he moved here but quickly realized he should stick to the law. After he graduated from law school, he was faced with the tough decision of moving back to cow- and corn-filled Iowa, or staying in sunny and scenic California. Obviously, he chose California.

And it's a good thing he chose to stay here because he was hired as the first associate at the then-named Case, Orr & Cunningham law firm. After being what our dad calls "persistent" and calling the firm multiple times to follow up on the job, he was hired! Fast forward to 35 years, three kids and one dog later: he's made a name for himself in the community working at the same law firm, now called Ferguson, Case, Orr, Paterson LLP. Our memories with the members of this firm include numerous Christmas parties with Santa, countless firm events, and Halloween parties at

John Orr's ranch. When we asked John to give us a quote about our dad, he started off sincere by saying, "Joe is the partner every lawyer dreams of: earnest, honest and modest." But because he's worked closely with our dad for 35 years, his true feelings came out: "His bow ties remind me of my father **Frank Orr**, and **Don Benton**, both of whom enjoyed the same bad taste. Too bad he went to Notre Dame instead of USC." Luckily, our dad has a sense of humor and probably laughed out loud when reading this. (If not, sorry Dad.) Our dad's secretary, Barbara Gutierrez, took a more serious note and said, "It has been an honor and privilege to work for Joe for the past 34 years. He epitomizes the Ben E. Nordman Public Service Award through his many contributions to the community. I feel lucky to not only look to Joe as a boss, but also a good friend."

The reason our dad loves being a lawyer is because he gets to help people. Even after the work day is done, he spends his time organizing the annual Law Day 5K, an event that helps pay legal fees for those who cannot afford representation. At the very first Law Day 5K, our dad ran in the race (oh, you didn't know he was a track star in the glory days?). Since then, he has been on the board and has worked his way up to being the race director. Every year, we see him working hard to make this event possible and to get as many people

to attend as he can. And we aren't the only ones who notice. Barbara also said about our dad's work with the Law Day 5K: "Joe recognizes this dire need within the community and how greatly it benefits the indigent residents of Ventura County. Each year I see him work with such pride, as he has for the past 34 years on this event."

Apparently being a lawyer and a race director weren't time consuming enough for our dad, so he decided to follow in his father's and grandfather's footsteps and become a part of Rotary, an international community service organization. He has been an active member of the Rotary Club of Ventura East for as long as we can remember, and was even the president in 1997, the year the youngest one of us was born. He's brought us along to many of the club's events over the years and has made us love Rotary as much as he does. His club members have recognized his service to the community through several awards and acknowledgements. Husam Hishmeh, the club's 2016-2017 President, always has kind words to say about our dad to anyone who will listen. When we asked him for a quote for this article, he said, "Joe Strohman: one of the best citizens I know. Whenever you ask him for help, the answer is yes. We are so lucky to have him in our community." In the past, he's even said, "There is no

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JOE STROHMAN: NORDMAN BEST DAD AWARD WINNER

Continued from page 5

Rotary without Joe Strohman.” Our dad has taught us through example to always be the first to jump up and help those who need it. He inspires not only us, but those around him to be the best they can be. It always makes us proud when people tell us how much they like our dad (and not to brag, but it happens a lot).

Clearly, our dad has done a lot for our community, but our favorite way he contributes is through Family to Family. Every fifth Sunday of the month, our dad leads the Notre Dame Club of Ventura and members of the San Buenaventura Mission in feeding breakfast to the people in need in our community. This is our favorite project because we’ve always been able to help out as a family, which is what this organization is all about. Even when we were little kids, we got up with our dad at 5 am on a Sunday (the day of rest), to make and hand out breakfast. We still love getting to shop for the food the day before with our dad. Each Sunday he has helped at Family to Family, he has served around 200 meals, which equates to roughly 24,000 meals he has helped serve since he began volunteering. We are extremely proud of our dad’s service to Family to Family because he gives up

his time to make sure the people in our community get taken care of.

As you can see, our dad is really busy, but he **always** makes time to be an awesome dad. He is always there for us, whether it be for homework help, friend troubles, or cars that need washing. We are a very close family and our dad can make mundane activities like washing the cars fun. We’re pretty sure there’s never been a time when our dad hasn’t started a water fight by throwing a soapy sponge at us and then laughing his head off and running away like a little kid. Our dad will always drop anything to help us (unless, of course, there is a Notre Dame football game on, then we’re on our own).

To end this article (which we had to write in secret so it would be a surprise for our dad), we wanted to tell you a few of our favorite things about him:

- He plays the piano every night (he’s really good at songs from *La La Land*)
- He quotes *Seinfeld* on a daily basis
- He loves *Star Wars*, *Harry Potter* and *Lord of the Rings*
- He has worn a chef’s hat as his Halloween costume for the past 20 years

- He has made our yard the best in the neighborhood with his gardening and landscaping skills (he’s going to love that we said this)
- When he picks the roses from said garden, he puts one in a vase in each of our rooms
- He plays silly pranks on us (like hiding a fake rat in our rooms)
- He goes on nightly walks with us and our dog, Asia
- He makes cinnamon rolls every Christmas morning
- He makes dad jokes (“I’m hungry.” “Hi hungry, I’m Dad.”)
- When we raise our hands up during the Our Father in church, he always tickles under our arms
- He gives the BEST hugs
- He tells us he loves us every day
- He encourages us to follow our dreams, no matter how big or small

We couldn’t make a better dad if we tried. He’ll always be the best man we know and we could not be prouder that he is being recognized as the recipient of this year’s Nordman Award. Thank you, Dad, for not only being an amazing father, but for being such a positive example in our community.

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Editor's note: This is the first of a two-part article on the Cuban legal system; watch for Part 2 in December.

LAW STUDENTS SEE CUBAN LEGAL SYSTEM UP-CLOSE

by Robert Sanger

Last summer, the Santa Barbara and Ventura Colleges of Law explored the Cuban legal system in an intensive eight-week course and then traveled to Habana to study at the Center for José Martí Studies. Several local attorneys – Jana Johnston, Mary Jane Miller, **Gregory Ramirez**, Bob Sanger, Catherine Swysen and Will Tomlinson – joined. The non-profit Cuban American Friendship Society organized the trip.

There may be an impression in the United States that Cuban law is the will of President Raúl Castro or a vestige of the now-defunct Communist bloc. Modern Cuban law is based on Spanish civil codes, but is also focused on social and economic equality. The Cuban constitution guarantees, as a basic

human right, free health care, education, food staples and housing to all Cuban citizens. To achieve this, post-revolutionary Cuba rejected capitalism. In the last decade, however, Cuba has begun allowing private enterprises, and entrepreneurs are starting to make their mark. Cuba is struggling to find the balance between the constitutional guarantees of social and economic equality with the inherent inequality built into a free market system. The Cuban legal system is slowly adjusting. People are free to open a business or contract to work for one of these businesses in the side economy. However, since the business “owner” is not differentiated legally from workers who independently contract their labor, there

are no workplace protections for workers, leaving them vulnerable to abuse.

Cuba is isolated from America and recently thawed relations are re-freezing. The original 1962 blockade after the Cuban missile crisis was just that: American ships physically blocked access to Cuba. The U.S. government’s subsequent actions, culminating in the Helms-Burton Act, created a de facto blockade, prohibiting countries from doing business with both Cuba and the United States. Cuba was considered “Tropical Bulgaria,” although even before the demise of the Soviet Union, Fidel Castro recognized that “pure communism” was an error.

TRANSGENDER RIGHTS AND THE CUBAN CONSTITUTION

by Devonnie Mann

The Cuban Constitution sets forth basic principles of justice like ours, but goes further by guaranteeing certain human rights, such as healthcare, education, food and shelter. What is different is that there is no judicial review. The Constitution is aspirational only and not legally binding by itself.

Transgender equality demonstrates how law is slow to keep up with social change. It also represents how the Cuban Constitution is not a force of its own in effecting change. Even though the Constitution broadly proclaims equality, the Civil Code does not address all particular circumstances. For instance, the Civil Code provides that marriage must be between a man and a woman and the right to marry is denied same sex couples based on that Code, even though the Constitution, if binding, might

be interpreted to require recognizing these marriages.

Nevertheless, transgender rights were vindicated using a Constitutional provision in *Roberto v. Roberta*, the first “landmark case” for how sexual reassignment surgery and the ability to legally change one’s gender is handled in Cuba. In the 1990s, a young Cuban man sought sexual reassignment surgery in Germany. Upon her return, she was unable to re-enter Cuba based on the discrepancy between her new gender and her passport. The case went to the Supreme Court and Roberta prevailed.

The key was that Article 38 of the Civil Code incorporated the Constitution into the Article itself. That gave the Court the power to use the broader Constitutional provisions of equality. That is still not the

case with the right to marry. Cases after *Roberto v. Roberta* have refused to apply the Constitution to establish marriage equality. It is said that as the people understand the wisdom of such a change, the laws will be amended to reflect the will of the people.

Ultimately *Roberto v. Roberta* changed Cuban law and prompted amendments to several regulations that led to the creation of the administrative, medical and legal processes for handling gender reassignment surgeries. Raúl Castro’s daughter, Mariela Castro Espín, an advocate for the LGBT community in Cuba and a member of the National Assembly of People’s Power, authored legislation passed in 2008 to allow Cuban citizens to undergo gender reassignment surgery.



THE CUBAN FIVE

by Reanna Carrillo

Rene Gonzalez, a member of the so-called “Cuban Five,” was born in Chicago and raised in Cuba. Gonzalez and four other Cubans were charged with conspiracy to commit espionage, conspiracy to commit murder and acting as agents of a foreign government. After terrorist bombings in Habana organized by former CIA operative Luis Posada Carriles, the intelligence officers were sent to South Florida. They infiltrated Miami-based Brothers to the Rescue, which rescued migrants fleeing Cuba on rafts and distributed leaflets over Habana, violating Cuban airspace. In 1996, two Brothers aircraft were shot down and five United States citizens died. The Clinton administration investigated Cuba, believing the FBI was interested in establishing Carriles’s role in these terrorist efforts, naïvely provided 175 pages of material to the FBI. However, this evidence was never used to follow up on Carriles; instead, the Cuban Five were arrested and became the scapegoats.

All five men were convicted and Rene Gonzalez served thirteen years in federal prison. The National Committee to Free the Cuban Five organized a campaign to reverse the convictions in twenty U.S. cities and over 30 countries. The United Nations

Commission on Human Rights called on the U.S. government to resolve the unfair convictions. Its report focused on the harsh sentences and lack of impartiality of the trial in violation of the standards defined in article 14 of the International Covenant on Civil and Political Rights. Amnesty International criticized the U.S. for its treatment of the Cuban Five when their wives’ visitation visas were denied.

Gonzalez is now the Director of the José Martí Cultural Center. After he finished his sentence, he was allowed to renounce his U.S. citizenship and return to Cuba. One of the other Five also completed his time and the remaining three were eventually the subject of a U.S./Cuba prisoner exchange.

Although Gonzalez is one of the most recognized people in Cuba, even appearing on a postage stamp, he was gracious, humble and remarkably not bitter about his treatment and imprisonment. The Cuban Five case raises questions about the judicial system’s ability to fairly handle politicized cases, but Gonzalez acknowledged that the case was not typical. He discussed the flaws he witnessed within his own trial. He touched on the presumption of innocence

and whether it can genuinely exist within humans. He offered that an accused person often faces the obstacle of being presumed guilty until proven innocent. Prejudice against the defendant inadvertently operates within any trial. Gonzalez stressed that plea bargaining destroys the integrity of the judicial system. Defendants who are faced with the choice between a shorter sentence in exchange for a guilty plea or a potential life sentence if they go to trial, are not in a position to exercise free will. This, in Gonzalez’ view is procedural injustice. Gonzalez experienced prosecutors blackmailing witnesses by threatening them with perjury charges in attempts to obtain and manipulate testimony.

Despite his suffering for being wrongfully imprisoned, he is positive, resilient, and refuses to hold hate in his heart. Gonzalez said that justice fills the hearts of both the U.S. and Cuban people. He highlighted the fact that the U.S. and Cuba are neighbors with many cultural ties and common interests such as controlling the illegal drug trade and environmental issues. He believes that as soon as we can come together to have a dialogue, the future will be brighter for both countries.

CUBAN ENVIRONMENTAL REGULATION

by Tyler Potter

The Ministry of Science, Technology, and the Environment (CITMA) is the primary government entity responsible for the oversight and implementation of environmental regulations in Cuba. CITMA was founded in 1994 to consolidate environmental oversight under one ministry. Previously, more than a dozen governmental entities had been responsible for addressing environmental issues resulting in significant governmental inefficiencies.

Although the Cuban government did not form CITMA until 1994, the origins of Cuban environmental policy and regulation are deeply rooted in Cuba. José Martí, the inspiration for Cuban national identity, reflected on the importance of protecting the environment during the 19th century. Environmental concerns are also reflected in the 1976 Cuban Constitution, which declared that “the state and society will protect nature.” It wasn’t until the 1992 Rio World Summit, however, that environmental regulation was seriously embraced. More specifically, the Cuban government stated, consistent with the egalitarian principles of the Cuban Revolution, that it was the responsibility of all to use “the science necessary for sustainable development, without pollution.” Cuba has also signed or ratified numerous international environmental agreements, including the 1987 Montreal Protocol, 1997 Kyoto Protocol and 2015 Paris Accord, as well as participated in climate change related conferences associated with the United Nations Framework Convention on Climate Change.

While the Cuban government has developed regulations to address issues related to the environment, it remains unclear the extent to which these policies are being actively implemented or the degree to which they are effectively addressing the environmental considerations. Moreover, the way the Cuban government implements environmental regulation differs substantially from the environmental review process that we are accustomed to in the United States. For instance, the review

process for new facilities, which undergo a “facility study,” is typically completed within 60 days. Public participation pales in comparison to the review process embodied in the California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA). The public has the right to comment or express their concern on the project, but public participation is limited. In addition, public disclosure does not appear to be one of the primary motivations of the environmental review process. Legal professionals in Cuba were shocked to learn the duration of environmental review in the United States.

Cuban environmental law is entirely foreign to one accustomed to the environmental review process under CEQA or NEPA. Nevertheless, Cuba has a regulatory framework to address environmental issues. As tourism and foreign investment continue to increase, Cuba will continue to implement reform in a proactive

manner before the environmental effects of increased tourism and foreign investment have a disproportionately adverse environmental effect on Cuba’s natural resources, particularly marine resources and fresh water reserves. While Cuban environmental regulation is different from the American model, environmental regulation and protection of Cuba’s natural resources represents a unique area where bilateral cooperation could serve as a foundation for future cooperation on other issues.

Santa Barbara attorney Robert Sanger is a member of the Santa Barbara College of Law faculty. Devonnie Mann earned a B.A. from the University of Arkansas, Reanna Castillo from UC Riverside and Tyler Potter from the University of Michigan. Potter also holds a Masters degree in International Studies. Mann, Castillo and Potter are all 2018 JD candidates from the Santa Barbara and Ventura Colleges of Law.



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NEW DISTRICT ATTORNEY MISDEMEANOR DIVERSION PROGRAM

by Gregory D. Totten, District Attorney

Most often, lawyers are drawn to be prosecutors by the opportunity to seek justice. Seeking justice often entails fairly and aggressively prosecuting offenders who have committed heinous crimes, but not every offender deserves a lengthy sentence, and in some cases, justice requires the application of grace and mercy. A criminal conviction, even for a low-level offense, can have a profound impact on a person's life. For certain minor crimes involving people who made an uncharacteristically poor choice, I believe it is possible to obtain justice outside of the courts.

Toward that end, effective Oct. 1, the District Attorney's Office implemented a pre-filing Misdemeanor Diversion Program. Under this program, individuals with no recent or serious criminal history who commit certain low-level misdemeanor crimes are offered a chance to avoid having a criminal case filed against them. To be eligible, an individual must never have been convicted of a felony and may not have participated in a diversion program or been convicted of a misdemeanor in the past ten years. Participation is entirely voluntary. Serious misdemeanor crimes, such as driving under the influence, gang crime or domestic violence, will not be considered for diversion.

Individuals who accept diversion will attend courses led by Pacific Educational Services (PES), an industry-leading diversion provider. The courses are aimed at increasing personal accountability and are based upon a therapeutic concept known as cognitive behavioral therapy. The number and type of courses depends on the circumstances of the crime, but are focused on topics such as victim impact, theft prevention, life skills, substance abuse education and anger management. If appropriate, the offender must also pay restitution to the victim.

This program is a pre-filing opportunity, only. Once charges are filed against a defendant, they will not be eligible to be diverted for that offense. The decision to offer diversion is made only after a deputy district attorney has reviewed the case and determined that it would be appropriate to file criminal charges. If an individual does

not wish to participate, or fails to complete the program outlined for them, charges will be filed and the case will proceed through the courts as it normally would.

Those who choose to participate will pay PES between \$300 to \$600, or sometimes more, depending on the number of courses required and whether restitution is owed. If they successfully complete the required coursework, remain crime-free and pay all restitution and fees, no criminal case will be filed. This program will be entirely offender funded, with no cost to taxpayers. Neither the District Attorney's Office nor the County will receive any portion of the offenders' fees. Since a person's access to justice should not be dictated by their income, PES will establish an "indigent fund" to defray the costs for qualifying participants.

We chose Pacific Educational Services as the provider for our Misdemeanor Diversion Program because of their proven track record. A similar program in Orange County was shown to have a significant effect on reducing recidivism.

A study by the Orange County District Attorney's Office showed that 21 percent of individuals who declined to participate in their diversion program re-offended within one year. Conversely, only six percent of individuals who completed the diversion program re-offended in that same period.

My hope is this program will provide low-level offenders with an opportunity to address the issues that led them to break the law in the first place. If we can do that, we will improve the safety of our community and empower offenders to change their lives for the better. If you have any questions about this program, feel free to contact Supervising Deputy District Attorney **Brent Nibecker** at brent.nibecker@ventura.org.



Gregory D. Totten is the District Attorney of the County of Ventura. He was elected in 2002 and is now serving his fourth term.

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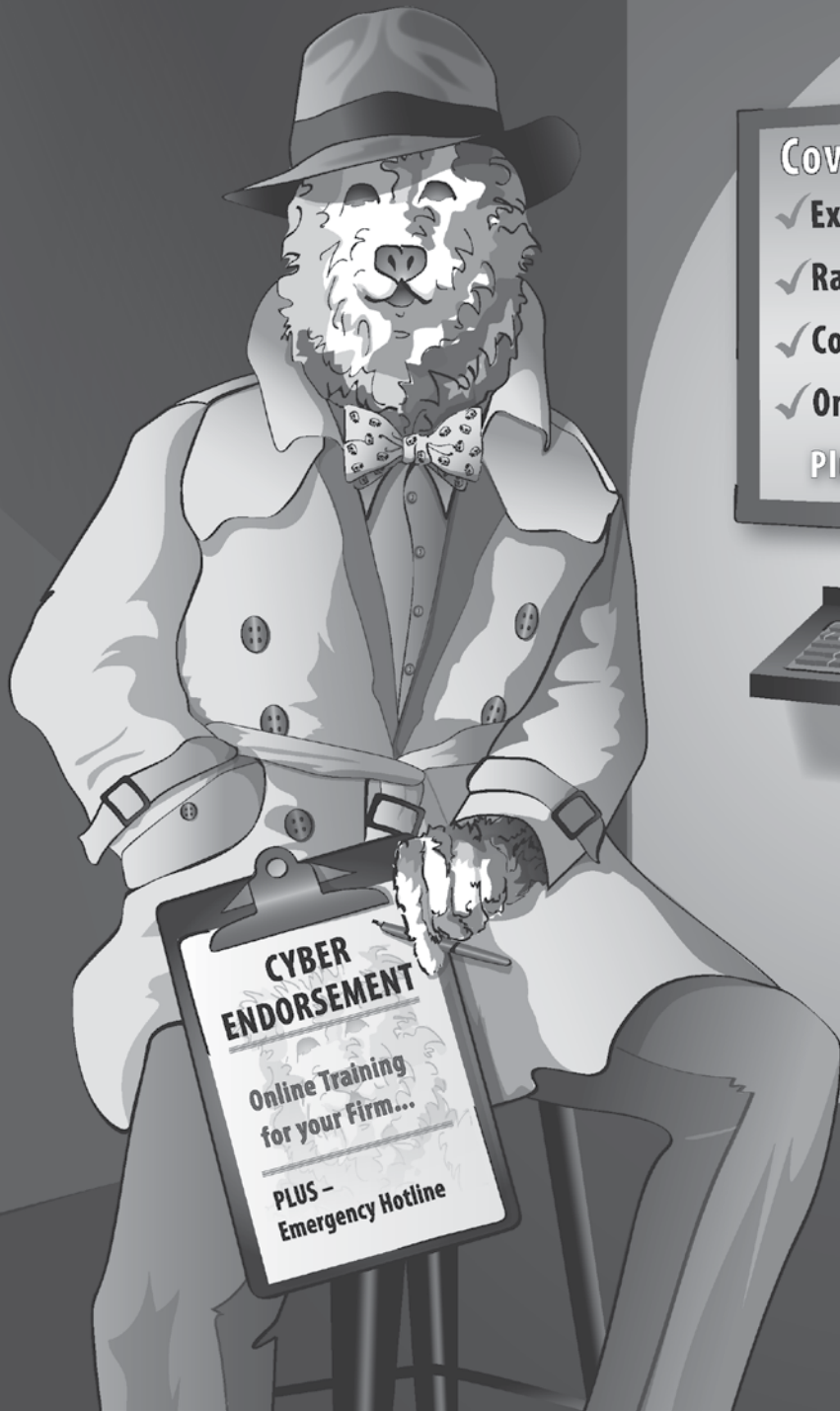


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Joseph L. Strohman, Jr.

2017 BEN E. NORDMAN PUBLIC SERVICE AWARDEE

by David Shain

Joseph L. Strohman, Jr. is the 2017 recipient of the Ben E. Nordman Public Service Award. Who is Joe Strohman? Small town Iowa boy? Track and cross-country star at Notre Dame? Pepperdine Law graduate and classmate of D.A. **Greg Totten**? First associate hired by Case, Orr & Cunningham? Of course, the answer is: all of the above, and then some.

My partner Joe joined what is now Ferguson Case Orr Paterson LLP in 1982. He has spent his entire career at the firm, specializing in business and real property litigation.

Joe grew up in the farm town of North English, Iowa, population 1,000, as the middle child of seven children. In the 60s, the town was economically vibrant and, despite its size, boasted four car dealerships, three groceries, and several cafes. Virtually all trades and professions were represented and a local Rotary Club was supported. Joe's dad owned the local John Deere farm equipment dealership, and Joe and his siblings spent summers working in the business. The town was tree-lined and adjacent to corn fields. Although there was not much to do in North English (other than trips to Dairy Queen), Joe describes an idyllic small-town childhood – everyone knew your name, your dog's name and a good bit of your business. Certainly, Joe's life was an open book so he would not have been concerned about that!

Joe's high school graduation class numbered 67. Joe ran track and cross-country, finishing number one in the state in each sport for similarly sized schools. He played trombone in both the marching and concert bands. He applied to Notre Dame, but there was one problem: he had not taken enough English classes in high school. Joe protested that he had taken all that were offered – after all, it was a small school. Notre Dame was insistent – if Joe could take another English class during his senior year, it would admit him. One of Joe's sainted teachers, Ms. Collette Meyers, offered to teach him Shakespeare during the final period of the day. Joe

was the only student in the class! Thanks to Ms. Meyers, he arrived at South Bend for his freshman year.

Joe enjoyed his years at Notre Dame, majoring in business administration-finance. Walking onto the track and cross-country teams, he lettered for three years and was awarded a partial scholarship his last two. In track, Joe's main event was the mile; his best time was 4:09! During the summers, back in Iowa, Joe would run about 85 miles a week to maintain his conditioning. (See the roots of Joe's discipline as an attorney.) He has also maintained his college allegiance as a member of the Notre Dame Club-Ventura County, serving as its president in 2009-2011.

As he neared the end of college, Joe decided to apply to law school. As a very young man, he had great respect for a local North English attorney, Michael Elwood, who was a great example of a successful attorney who continually contributed to and gained the respect of the community. So, during a 1978 visit to Los Angeles for a Notre Dame-USC football game (Joe Montana days), Joe drove up the coast and saw the newly constructed Pepperdine Law School. After 22 years of cold weather, he was ripe for a change.

After graduating from Pepperdine, and awaiting Bar results, Joe spent the next six months in Europe in a McGeorge School of Law post-graduate program. The program began in Salzburg, Austria, where he studied international law. While in Salzburg, he and fellow students were housed in a former convent where Mozart's parents were buried. From Salzburg, he went to London for several months, where he became a "pupil" to barrister Peter Rowland. Joe remembers this experience with great fondness. Interestingly, one of Joe's predecessors with this particular barrister was none other than Margaret Thatcher, then the Prime Minister. One day, Mr. Rowland produced a recent letter from Mrs. Thatcher seeking his advice on pending tax legislation.

While abroad, Joe happily learned that he had passed the California Bar Exam. Upon his return to California, he set about finding a job. He had considered returning to Iowa but ultimately decided to seek work in Ventura. Fortuitously, he responded to a Daily Journal listing by the newly-formed firm of Case, Orr & Cunningham. The rest is history. For the last 35 years, Joe has practiced with the firm, which now has 29 attorneys.

Although Joe is very modest about his achievements, giving back to his community has always been a priority. For over 30 years, he has served as the Group Coordinator for Family to Family of Ventura, Inc. Family to Family is an interdenominational group of religious organizations that serve meals at Catholic Charities in Ventura. Thanks to the volunteers in this group, over 30,000 meals have been served to the poor and homeless. Joe has also always served as legal counsel for the group, providing pro bono legal advice. Of particular significance was his role in obtaining a conditional use permit after a contested hearing in front of the Ventura Planning Commission.

For 30 years, Joe has also served as the Christian Service Chair for the San Buenaventura Mission. In that role, he has coordinated non-profit efforts at the church, including providing annual Thanksgiving dinners. In fact, the morning after the VCBA Installation and Awards Dinner, Joe will be helping to personally make deliveries in anticipation of the upcoming holiday.

Joe is well known in this community as the Race Director of the Law Day 5K. On July 14, 2018, he will direct his 35th consecutive race. In total, the event has raised over \$150,000 for the VCBA, the Volunteer Lawyers Service Program (VLSP) and its successor, Ventura County Legal Aid (VCLA), and over 10,000 runners have participated since its inception.

Joe is a long-time member of Rotary-Ventura East, for which he served as president in 1997-98. With that

organization, he has participated in various local and international projects. Of special note, on Nov. 4, Joe and his daughter Olivia, the President of the Ventura Rotaract Club, will spend the day building a home in Mexico (under the auspices of Corazon, Inc.). Joe was also the founding president and long time Secretary/Treasurer of Rotary Club of Ventura East Foundation, Inc. The Foundation started with \$30,000 in assets and now enjoys an endowment of \$2.5 million. The money has provided scholarships to over 130 students in the Ventura Unified School District.

Throughout his career, Joe has been closely involved with the VCBA. He served as Barristers president in 1986, VCBA president in 2011 and has been a seven-year member of the Board of Trustees for VLSP, now VCLA.

Joe enjoys hiking, reading history, listening to jazz and watching sports, among his varied outside interests. He is proud of his three daughters: Olivia, 26, a 6th grade teacher; Hannah, 23, a junior at Cal State Channel Islands; and Marie, 20, an aspiring actor.

Those of us who have the pleasure of working with Joe know him to be a talented lawyer and a steady presence. He possesses a warm sense of humor punctuated by gentle banter which never masks his essential kindness. While he never takes himself too seriously, his commitment to his work and to his community is never in doubt.



David Shain is a long-time partner of Joe Strohman at Ferguson Case Orr Paterson LLP.
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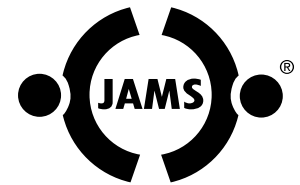
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BATTLE OF THE SEXES

by Bill Paterson

While it is concededly a stock formula, we never tire of the underdog sports story. It gets an updated twist in “Battle of the Sexes,” the re-creation of the events leading up to the epic 1973 tennis match between Billie Jean King (Emma Stone) and aging former tennis star Bobby Riggs (Steve Carell).

As the film opens, tournament director Jack Kramer (Bill Pullman) is explaining to King why the women’s purse in tennis is always destined to be a pale imitation of what the men earn. His rationale for this claimed iron rule of nature is a pure distillate of male chauvinism. But he has picked the wrong person to put down. King and her fellow players decide to organize their own tour. It is a leap in the dark, but thanks to the work of their take-no-prisoners manager Gladys Heldman (Sarah Silverman), the Virginia Slims Women’s Tennis Tour is born.

Enter aging former tennis great Bobby Riggs. A born hustler, he sees an opportunity to get back in the limelight by exploiting the women’s battle for equality. What better vehicle to draw the gender battle lines than to go on record dissing women tennis players? His ostensible goal in spewing forth ever more outrageous insults is to set up a match between himself and the highest rated woman player. Ostensibly, his campaign is to prove men’s claimed superiority in the sport. But our modern-day P.T. Barnum has another agenda in mind, the mother lode of cash and fame he hopes to reap from the match. All of his machinations lead to the “Battle of the Sexes,” pitting him against King. Before a crowd of 30,000 screaming partisans and a television audience of 90 million, the battle is joined.

Among the many elements that go into making “Battle of the Sexes” such an enjoyable film-going experience are:

Carell’s manic take on Bobby Riggs. An inveterate gambler and shrewd promoter, he plays the public like a violin as he gins up publicity for the match with a constant stream of antics and trash talk.

continued next page

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Stone's ability to get inside a character who, while she may be at the top of her game, is tormented by doubts about both her chances of winning and the dawning realization that she is gay.

Silverman as an acid-tongued put down artist and human bulldozer who will let nothing stand in the way of the team. One of the best comic performances of the year.

Riggs' riotous off-the-wall speech at a meeting of Gambler's Anonymous. He is not destined to be an honors graduate of the program.

The match between King and Riggs. The pre-game hoopla is a spectacle to behold. But at its heart is the game itself. The fact you know how it turns out does nothing to detract from the visceral excitement of the contest, the phenomenal skill on display and the unrelenting pressure of such a high stakes match.

You cannot go wrong seeing "Battle of the Sexes."

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"Hoop Dreams" (1994) – A documentary focusing on the lives of two inner city high school basketball players and their families. A true treasure.

"When We Were Kings" (1996) – The epic "Rumble in the Jungle" between Mohammed Ali and George Foreman. You do not have to be a boxing fan to appreciate this film and the courage and charisma of Mohammed Ali.

"Sugar" (2009) – The story of a Dominican pitcher who hopes his fast ball will get him to the major leagues. A beautifully rendered story with a closing scene that has stayed with me to this day.

"Breaking Away" (1979) – Four working class boys (including a very young Dennis Quaid) in Bloomington Indiana pit themselves in a bicycle race against college guys who look down on them. A 1979 Oscar winner for best screenplay.



Bill Paterson is a retired former partner of Ferguson Case Orr Paterson, LLP

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Exec's Dot...Dot...Dot...

by Steve Henderson, M.A., CAE



From Judge **Kent Kellegrew** – recently, Justice **Arthur Gilbert** wrote something I thought CITATIONS readers would find amusing. In *Beaudoin v. Westar Transportation* (Aug. 17, 2017, B271072), Justice Gilbert wrote the following, “Westar concedes its arbitration agreement is one of adhesion. It acknowledges that such an adhesive employment arbitration agreement contains at least some degree of procedural unconscionability, but claims that the adhesive nature of the agreement establishes only a ‘modest’ degree of procedural unconscionability. [Citation.] Here the concept of a modest degree of unconscionability amounts to an immodest oxymoron”...Mock Trial Advisor for Buena High School, Matt Colton, tells me he needs a lawyer to assist in preparing for the competition. They are currently meeting two nights a week and are willing to be flexible in schedules. They have eighteen eager students in need. matthew.colton@venturausd.org...

Jordan? Dead Sea, Jerash, Petra (where Indiana Jones and the Last Crusade was filmed) and Egypt? **Dien Le** at 658.7800 or le@srllplaw.com... The California State Supreme Court ruled



1440 Oct. 18 that the California Bar Exam cut score will remain at 1440. You may read more at newsroom.courts.ca.gov/news...BeachCowdrey Jenkins, LLP, has promoted three of its attorneys to the position of partner. **Darryl Hottinger**, **Mindee Stekinger** and **David Loy** were promoted Aug. 14...

The Central Coast Chapter of Applicants Attorneys Association awarded their first lifetime achievement award to **Alan Ghitterman** on Sept. 27. Ghitterman has been representing injured workers since 1959 when he first came to Ventura. He now resides in Santa Barbara and still practices at age 91 with his son **Russell**.



In addition, our own **Lou Vigorita** received an award for his ten-year leadership service with the Central Coast Chapter... Executive office available immediately in a professional suite. Many amenities. Call Sally at **Ron Harrington's** firm, 658.0998...



The Channel Islands Maritime Museum hosted the 227th Anniversary of the U.S. Coast Guard on Aug. 4. During the event, CIMM Model Guild Award Captain **Richard Walton** presented a model of the USCG Lightship NANTUCKET to the US Coast Guard Station Channel Islands Harbor... City of Oakland seeks a Deputy City Attorney II or III for Land Use--- www.oaklandcityattorney.org. The Ventura County Barristers is hosting a CLE entitled, “Guardianship of the Person Proceedings and the Use of a Power of Attorney for the Car of a Minor Child.” Speakers are the Hon. **Tari Cody** and **Rennee Dehesa**.

Held Nov. 15, and costs \$15 (Barristers) and \$25 (non-Barristers)...

Not to be outdone, the Ventura County Family Law Bar Association has scheduled a Saturday morning gathering, Nov. 4, inside the Hilton Garden Inn in Oxnard. A three-hour CLE entitled, “Introduction to Dependency.” Speakers are **Amanda Sanderson**, **Andrew Wolf**, **Carlos Najera**, **Robert Garcia**, **Richard Gilman** and Judge Cody...



LASTLY, do me a huge favor and attend our Annual Dinner honoring **Joe Strohman**, **Dolly Night** and **Chris Beck**. Not only do we celebrate these three exemplary attorneys, the Silent Auction is a major fundraiser for Ventura County Legal Aid, Inc. It's on a Friday night (first time ever) Nov. 17, and at the Camarillo Ranch House (first time ever)... FCOP has announced **Josh Hopstone** has matriculated to partner with the firm effective Jan. 1...



Steve Henderson has been the executive director and chief executive officer of the bar association and its affiliated organizations since November 1990. Folks will be celebrating his ten years of service Nov. 16, with some of his friends including Elle McPherson, Tom Brady, Yasil Puig and Sean Spicer. Proceeds benefit Henderson's Foundation for the Future, a group effort insuring his retirement fund. Henderson may be reached at steve@vcba.org, FB, Twitter at [steve_hendo1](https://twitter.com/steve_hendo1), LinkedIn, Instagram at [steve_hendo](https://www.instagram.com/steve_hendo), or better yet, 650.7599.

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