



VCBA MISSION STATEMENT
 To promote legal excellence, high ethical standards and professional conduct in the practice of law; to improve access to legal services for all people in Ventura County; and to work to improve the administration of justice.

CITATIONS

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

WLVC ANNUAL DINNER

by Kathleen J. Smith
 Page 7



Hon. Rebecca S. Riley
 of the Ventura County Superior Court
 receives the Legacy Award.



Jodi Prior
 receives the Holly Spevak Award
 for public service.

WILLIAM M. GREWE
 KATHLEEN J. SMITH
 STEVEN P. LEE
 LAUREN E. SIMS
 CARI POTTS
 WENDY LASCHER
 STEVE HENDERSON

"WHAT KIND OF A DIFFERENCE CAN ONE PERSON MAKE?"	3
SETTLEMENT SNAFUS: SURVIVING SECTION 664.6	8
AMENDMENTS TO CALIFORNIA'S PAID SICK LEAVE LAW	14
BARRISTERS' CORNER	16
A MODEL LAWYER	17
WHAT KIDS THINK OF LAWYERS	20
CLASSIFIEDS	21
EXEC'S DOT...DOT...DOT...	22

CREATIVE DISPUTE RESOLUTION



Judge of the Superior Court
County of Ventura, Ret.
Judgelong@cdrmediation.com



30-year Trial Attorney and
Pepperdine Trained Mediator
dk@cdrmediation.com

MEDIATION

**Hon. David W. Long (Ret.)
and
David M. Karen, Esq.**

HAVE JOINED FORCES

**CONTINUING THE EXPANSION AND TRADITION
OF EXCELLENCE IN MEDIATION, ARBITRATION AND
ALL ADR SERVICES**

ESTABLISHED IN 1986 BY PAUL D. FRITZ ESQ. (1941-2011)

Now Mediating and Arbitrating in Southern California

- Ventura
- San Fernando Valley
- Los Angeles
- West Los Angeles
- Riverside
- Santa Barbara
- Ontario
- San Luis Obispo

Where Else Would You like us to Mediate?!

**NO Travel Time Charged *NO Administration Fees *One-Half and Full Day Flat Rates*

Phone: 805 498-9494 / Fax: 805 498-3030

3155 Old Conejo Road - Box 7, Thousand Oaks, CA 91320

CDRMEDIATION.COM
Highly Skilled and Effective Mediators



William M. Grewe
VCBA President

PRESIDENT'S COLUMN:

“WHAT KIND OF A DIFFERENCE CAN ONE PERSON MAKE?”

Cut to the Chase, Rush, 2006



Trifecta. The Barristers' summer series of three programs featuring **Judge Glen Reiser**, **Presiding Judge Donald Coleman** and **Justice Steven Perren** in their courtrooms concluded at the Court of Appeal on Aug. 5. Our local legal community owes a big thank you to *Barristers* **Rachel Coleman** and **Joshua Hopstone**, who made this series a reality.

Justice Perren's Aug. talk on brief writing and oral argument was a gem. There was a bonus, too. You can learn by just watching Justice Perren. Maybe it is a product of his theater and singing interests. He connects with his audience: Eye contact; moving left to right across the room while speaking so as to make the venue feel smaller; speaking in a manner that feels as if he were still crafting his presentation as he spoke, giving it a personal touch. He eliminated anything that could have separated him from his audience. Little distance, no podium, no coat and few notes.

In the audience were seasoned attorneys as well as law students. Some of those students will be practicing beyond 2050, so the tips given, which really laid appellate

practice bare, will extend to a time we can only imagine, but the law will continue to matter like a tested oak tree.

Judge Manuel J. Covarrubias knows change is coming to courthouses throughout the state. He has had a big hand in it. The 2015 recipient of the California Judicial Council's Distinguished Service Award has been hard at work as co-chair of the group which developed the recently-adopted *Strategic Plan for Language in the California Courts*. The plan envisions language access services from signage to civil courtrooms and beyond. Family members or friends will no longer do as interpreters when matters of custody and eviction are in the balance. The need, and the services which are coming, is a reflection of who we are: California hosts 200 languages and seven million residents with limited English proficiency. The task is so large that the destination might not be reached before 2020, but the roadmap is in place, and the rollout will benefit litigants from the get-go. Perhaps ever-improving technology will help shorten the distance.

He Took on the Marlboro Man. Many of you won't remember the Marlboro Man, but not too long ago, cigarettes, cigarette butts, cigarette smoke and cigarette ashes were everywhere: auditoriums; offices; aircraft; courthouses; and college classrooms. The push on high school campuses in the early 1970s was for the *creation* of student smoking areas. You name the place, and tobacco was present. Everywhere. And the Marlboro Man was atop his horse leading the marketing campaign. When I worked retail in the 1970s, the number one selling item, by far? Cigarettes. Usually by the carton.

One day in the 1980s, the **Hon. Frederick Bysshe**, then a local attorney, thought that perhaps it might be nice if one could dine in a local restaurant free from the smoke and odor of cigarettes. If you wanted to move a mountain, this was a good place to start. Judge Bysshe's spouse, Judy, was sensitive to smoke, and he thought others might be, too. Lawyer Bysshe knew what he was up against, so going in, he built a coalition of non-profits with health matters as a core concern. Somehow, they overcame all opposition – and there was plenty – including First Amendment-waivers and business owners who warned they would have to shut their doors. At the outset, most restaurants begrudgingly complied with the law by providing non-smoking seating in a back, windowless room. Hard to imagine how it was just a few decades ago. Today, the Marlboro Man is no longer in the saddle. Judge Bysshe is in Courtroom 22.

Talkin' Baseball. On Saturday, Aug. 14, after so many years, the late Curt Flood was inducted into the St. Louis Cardinals Hall of Fame. *Flood v. Kuhn* (1972) 407 U.S. 258.

Continued on page 5

**2015 VCBA
BOARD OF DIRECTORS**

OFFICERS

President
William M. Grewe

President-Elect
Charmaine Buehner

Secretary-Treasurer
Erik B. Feingold

Past President
Laura V. Bartels

Chief Executive Officer
Steve Henderson, CAE

Linda K. Ash	Joshua S. Hopstone
Katherine Hause Becker	Thomas J. Hutchinson
Kathryn E. Clunen	Amy Dilbeck Kieseewetter
Rod L. Kodman	Kata Kim
Rachel Coleman	Mark Kirwin
Margaret Coyle	Alfonso Martinez
Rennee R. Dehesa	Susan L. McCarthy
Jill L. Friedman	Michael A. Strauss
Douglas K. Goldwater	Andy Viets

CITATIONS EDITORIAL BOARD

Managing Editor
Wendy C. Lascher

Publisher, CEO
Steve Henderson

Graphics/Production
J.P. McWaters

Assistant Editor
Heather Deffense

Karen B. Darnall	Rachel Coleman
Michael L. McQueen	Michael R. Sment
Panda L. Kroll	Gregory Herring
Al Vargas	Lauren E. Sims
Kathleen J. Smith	Carol Mack

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:	Submit all editorial matters to:
VCBA 4475 Market St., Suite B, Ventura, CA 93003 Attn: Executive Director t: 805.650.7599 f: 805.650.8059 e: bar@vcba.org w: www.vcba.org	CITATIONS 1050 S. Kimball Ventura, CA 93004 t: 805.659.6800 f: 805.659.6818 wlascher@fcoplaw.com

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



MEDIATION/ ARBITRATOR

Richard M. Norman

- 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.

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

Experienced. Trusted. Proven.

Mediator and arbitrator for the resolution of cases including:

- Business/Commercial
- Contracts, Employment
- Environmental and Real Estate
- Construction
- Wills and Trusts
- Family Law
- Personal Injury

Retired Judge, Elinor Reiner



Judge Elinor Reiner

MEDIATOR AND ARBITRATOR

To schedule a consultation, please call 805-879-7517
211 East Anapamu • Santa Barbara, CA 93101
elinor@elinorreiner.com • WWW.ELINORREINER.COM

BONGIOVI MEDIATION

Mediating Solutions since 1998

Mediator • Arbitrator • Discovery Referee

*“There is no better
ambassador for the
value of mediation than
Henry Bongiovi.”*



HENRY J. BONGIOVI

AV Preeminent Rating
(5 out of 5)

AWO Rated ‘Superb’
(10 out of 10)

Conducting Mediations
throughout California
805.564.2115
www.henrybongiovi.com

PRESIDENT’S COLUMN:

Continued from page 3

Might Be the Woman/Person Most Feared by Scoundrels: Sarah Chayes has linked corruption to international security, which has given the subject traction. Accepted forever as just the way things are, Chayes, who lived in Afghanistan as a civilian for nearly a decade, contends that by providing foreign aid to corrupt leadership, the U.S. has undermined its own interests by empowering lawbreakers who serve only their personal interests to the detriment of the people they govern. She is ever-so-slowly changing the way things are done as her observations and conclusions are accepted in diplomatic, legislative and military circles as policy is crafted.

“Four Legs Good.” I stopped by the Fillmore office of VCBA Immediate Past President **Laura Bartels**. There is a certain calm to her office, courtesy of her 13-year-old dog, Twiggy, who always goes off to work with Laura. I’m sure there are some other JD pups around the county. I have seen **Judge Nancy Ayers** at the courthouse with a service dog in training. **Michael Case**, too, occasionally brings a service dog trainee to work. While on one hand a dog at work seems like a breakthrough, on the other it is a reminder of everything old. In the name of progress, we have charged ahead with CourtCall, electronic filing, email, texts and tweets, but our dogs will have none of it. They make due with a sniff, tug and a bark. Even a crank car window suffices. Still, they get every last ball chase, hike and nap out of summer. There’s something to be said for that.

As we await El Nino, from the Cuyama River to Bell Creek, have a great September, and I hope to see you at a bar function or two. Please calendar our annual dinner, Nov. 21 at Crowne Plaza in Ventura.

Bill Grewe handles wrongful death, personal injury, employment law and workplace injury cases at *Rose, Klein & Marias, LLP* in Ventura. He can be reached at w.grewe@rkmlaw.net

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

Katherine Hause Becker 525-7104

BENCH-BAR RELATIONS COMMITTEE

Hon. Matt Guasco 256-4972

BLACK ATTORNEYS ASSOCIATION

Jacquelyn Ruffin 644-7188

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

Enrique Schaerer 659-6800

DIVERSITY BAR ASSOCIATION

Ed Elrod 644-4486

EAST COUNTY BAR

Doug Bordner 496-0111

EMPLOYMENT LAW

Joe Herbert 482-5340

FAMILY LAW BAR

Shane Loomis 494-7811

IMMIGRATION LAW

Matt Bromund 650-1100

INTELLECTUAL PROPERTY

Chris Balzan 658-1945

J.H.B. INN OF COURT

Hon. Tari Cody

JUDICIAL EVALUATION COMMITTEE

Linda Ash 654-2580

LAW LIBRARY COMMITTEE

Eileen Walker 444-6308

LGBT ALLIANCE

Ed Elrod 644-4486

MEXICAN AMERICAN BAR ASSOCIATION

Lorraine Bailon 639-0037

NATURAL RESOURCES SECTION

Gisele Goetz 895-5338

PRO BONO ADVISORY BOARD

David Shain 659-6800

PROBATE & ESTATE PLANNING SECTION

Amber Rodriguez 643-4200

VCLA, INC.

William Grewe 642-7101

VC TRIAL LAWYERS ASSOCIATION

Deirdre Frank 650-1200

VC WOMEN LAWYERS

Kathleen Smith 764-6370

VCBA STAFF 650-7599

Steve Henderson - Chief Executive Officer

Sandra Rubio - Associate Executive Director

Nadia Avila - Members Relations Director

Michael Sudman Esq. - VLSP Program Manager

Peggy Purnell - CTP Coordinator

Judith Logan - Grant Developer

MEDIATION SERVICES

www.californianeutrals.org

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

**BUSINESS
EMPLOYMENT
INSURANCE
PROBATE
PERSONAL INJURY
PROFESSIONAL NEGLIGENCE
CONSTRUCTION DEFECT
DISCOVERY REFEREE**

Mr. Carrington has conducted over 3,000 mediations, over 300 arbitrations and been a discovery referee in 25 matters involving toxic torts, construction defect, class action employment and insurance matters, business disputes, and personal injury matters in the past 15 years.

R.A. CARRINGTON

565 Sheffield • Santa Barbara, CA 93108

805.565.1487 • Fax: 805.565.3187 • RATC@COX.NET

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.



KATHI WHALEN, CAC
President & Founder

**whalen
bryan**
Focused Recruitment
& Staffing

Contact us today to help you
find the right match.

Ventura County • (805) 389-3663 Santa Barbara County • (805) 965-2020
kathi@whalenbryan.com • www.whalenbryan.com

IRWIN R. "ROB" MILLER ESQ.

MEDIATION • ARBITRATION



IRWIN R. "ROB" MILLER ESQ.
MEDIATION • ARBITRATION

Want to settle that case?

A trial lawyer for over 36 years, I have successfully *tried* and *settled* million and multi-million dollar cases.

My experience and training will help settle your cases.

- J.D. Univ. of Cincinnati-Law Review Editor
- "AV" Rated Martindale-Hubbell
- Pepperdine Univ. School of Law-Straus Institute
- Arbitration Panel Ventura County
- Ventura Center for Dispute Settlement
- Member of VCBA, LACBA
- Past President Hollywood Bar Association
- Million and Multi-Million Dollar Advocates Forum

(805) 486-2100 Fax: (805) 486-2188

Email: irmmediation@aol.com • www.wwww.irwinrrobmiller.com

235 West Seventh St., Oxnard, California 93030

WLVC ANNUAL DINNER

by Kathleen J. Smith

Your Ventura County community has been served by two outstanding legal luminaries who have earned recognition by the Women Lawyers of Ventura County. **Hon. Rebecca S. Riley** of the Ventura County Superior Court receives the Legacy Award, and **Jodi Prior** receives the Holly Spevak Award for public service. These two members of our local legal community will be honored at the Annual Scholarship Dinner on Wednesday, Sept. 16.

Judge Riley keynotes the event. Planning retirement soon, Judge Riley was appointed to the bench in Nov. 1995 by Governor Pete Wilson. It's always reassuring to know that a well-respected judge is passing on her knowledge to new judges, and that is the case here. The bar is fortunate that Judge Riley serves on the Judicial Council's Governing Committee for the California Judiciary Education and Research Center, and has served on faculty of the Judicial College, helping with new judge orientation and teaching ethics. Judge Riley serves on the Board of Trustees of Ventura and Santa Barbara Colleges of Law. Even after retirement, Judge Riley's influence will improve the quality of the judiciary and our local legal profession.

Jodi Prior has a strong reputation as senior attorney with the Ventura Superior Court Self-Help Legal Access Center. Prior has a deep background in legal aid and has worked as a family law facilitator as well as a self-help attorney. Her understanding of the legal issues faced by self-help clients is enhanced by her strength as an advocate who comprehends who her clients are and how they need her assistance to represent themselves. WLVC is proud to spotlight Prior's life work in public service.

Kathleen Smith, practices civil litigation at Schneider & Associates, LLP, and is President of Women Lawyers of Ventura County. She is also a member of CITATIONS' editorial board.



**UC SANTA BARBARA
EXTENSION**

Strengthen Your Team with Paralegal Training

UC Excellence
within your reach

**FALL QUARTER
BEGINS SEPTEMBER 24
ENROLL NOW!**

805.893.4200 | extension.ucsb.edu/ps

SETTLEMENT SNAFUS: SURVIVING SECTION 664.6

by Kathleen J. Smith



If you are involved in a dispute, there is an 80 percent chance that your dispute will resolve through settlement, rather than litigation through trial. Maybe your settlement will be negotiated in a cattle-call cafeteria MSC in Orange County, where it seems a hundred MSCs conducted by twenty court-appointed mediators all resolve by noon so everyone can ride the Soviet-slow elevators back to their courtrooms to put their settlements on the record by lunchtime. Or maybe your settlement will be negotiated during a marathon mediation, where, after the sun goes down on mediation day, your case will finally settle and you will spend another hour or two exchanging settlement drafts. However your settlement is inked, as they say, it's a nice settlement you got there – it'd be a shame if anything happened to it.

Before you start thinking that your settlement is airtight because you included “664.6 language,” consider some of the finer points of the summary enforcement procedure available under Code of Civil Procedure section 664.6: 1) the agreement must be signed or agreed to in open court by the parties, not just their attorneys; 2) the litigation cannot be dismissed before the agreement is made; 3) the agreement must include a request to retain jurisdiction after dismissal; 4) the agreement must be admissible in evidence; and 5) the agreement should be self-executing.

Section 664.6 states, “If parties to pending litigation stipulate, in a writing signed by the parties outside the presence of the court

or orally before the court, for settlement of the case, or part thereof, the court, upon motion, may enter judgment pursuant to the terms of the settlement. If requested by the parties, the court may retain jurisdiction over the parties to enforce the settlement until performance in full of the terms of the settlement.”

1) The agreement must be agreed by the parties. It is insufficient for the attorneys to sign on behalf of the parties. The 664.6 requirement for agreement by “parties” has been held to mean the litigants personally and does not include their attorneys of record. (*Levy v. Superior Court* (1995) 10 Cal.4th 578.) *Levy* held that settlement affects substantial rights of the litigants themselves, so the term “party” means the litigant, not the litigant’s attorney. I once had an opposing party obtain court permission to be absent from the MSC in order to observe strict religious prohibitions on driving or working after Sabbath sunset. Luckily, we settled before sunset and were able to have the absent religious party on courtcall to agree.

Would you like to enforce a settlement that was arrived at by email? You might have an agreement enforceable under 664.6, but only if you exchange those emails **with the party**, rather than opposing counsel. If the party was not on the email chain, you will have to sue for breach of contract, rather than using the 664.6 summary procedure. If your opponent agreed to conduct the transaction, rather than merely the negotiations, by electronic means, you

have a contract if the Uniform Electronic Transactions Act (UETA), Civil Code sections 1633.1-1633.17, has been complied with. Merely negotiating by email doesn’t complete the transaction and form the contract. **The email must also show that the parties consented to enter into a final settlement by electronic means.** (*J.B.B. Inv. Partners, Ltd. v. Fair* (2014) 232 Cal.App.4th 974, 989.)

The UETA states, “If a law requires a signature, an electronic signature satisfies the law.” (Civ. C. § 1633.7.) An electronic signature is “an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person **with the intent** to sign the electronic record.” (Civ. C. § 1633.2(h), emphasis added.) A typed name at the end of the email is not, by itself, an electronic signature.

2) The litigation cannot be dismissed before the agreement is made. The litigation must be “pending” at the time of the agreement. If your settlement is accomplished **before a lawsuit has been filed**, there is no litigation “pending” and the settlement is not enforceable under the section 664.6 summary procedure. If you **dismiss the case before the parties sign** the settlement agreement, **section 664.6 cannot be used.** If you dismiss after the agreement is made, the court should apply section 664.6 because the statute states “the court may retain jurisdiction over the parties to enforce the settlement until performance in full.”

What if the parties make an agreement in open court and expressly state that a fuller written agreement is contemplated, but in court, they dismiss the case? A client once brought me such a settlement of a dismissed case, and the court refused to enforce the settlement without first setting aside the dismissal.

3) The agreement must expressly provide for the court to retain jurisdiction. Section 664.6 states that jurisdiction is retained after dismissal for purposes of enforcing the agreement. Thus, the court can only retain jurisdiction to enforce the terms of the settlement if the parties have requested this specific retention of jurisdiction. Without it, the case is dismissed and the court loses jurisdiction.

In *Wackeen v. Malis* (2002) 97 Cal.App.4th 429, the parties failed to make a clear written request for continued jurisdiction in either their settlement agreement or in a separate writing and they failed to make an oral request to the court. Since a dismissal was entered without an explicit reservation of jurisdiction under 664.6, the trial court lacked subject matter jurisdiction to consider the merits of the \$100,000 request for attorney fees and costs.

4) The agreement must be admissible in evidence. Given the issues associated with the Evidence Code section 1119 mediation privilege, the agreement can only be introduced in evidence if the privilege is overcome by the Evidence Code section 1123 exceptions: (a) the agreement provides that it is admissible; (b) the agreement provides that it is enforceable; (c) all parties to the agreement agree to disclosure; (d) the agreement is used to show fraud, duress, or illegality.

Stipulated judgment cannot contain a penalty. It doesn't matter what the parties agree to. For instance, a stipulated judgment, often used in collection litigation, cannot provide for entry of a judgment that bears no reasonable relationship to the range of actual damages from breach of the settlement. (*Greentree Financial Group, Inc. v. Execute Sports, Inc.* (2008) 163 Cal.App.4th 495 [overturning entry of

stipulated judgment for \$61,232.50, where settlement agreement only provided for payments of \$20,000].)

5) Make your agreement self-executing. When you get to the point of filing a motion to enforce settlement, you need to be able to state exactly what you are asking the court to do. I was asked to enforce a settlement between a homeowners association and one of its residents. The agreement required the resident to move away within one year. When that year was over, if the resident hadn't moved out, the HOA was entitled to go to court under 664.6 and obtain a "move-out order." When I called prior counsel, author of the settlement agreement, to inquire "what is a move-out order?" the answer was, "I don't actually know!" This mystery could have been solved if counsel had attached the "move-out order" as an exhibit to the agreement. That would be self-executing. In the HOA case, I decided to go with a writ of possession, and the resident has been gone for a while now.

Making your motion: If you have properly invoked section 664.6, you will be entitled to the summary procedure of making a motion to enter judgment. You will not have to file a new lawsuit, pay the \$435 filing fee, serve process, and wait for your CMC judge to set trial a year from the filing of your complaint. You will be able to make a motion, pay the \$60 filing fee, and have the motion heard in 30 days.

No jury trial: The trial court acts as the trier of fact in a 664.6 motion. There is no right to a jury trial for this determination. The court may consider oral testimony or it may determine the motion on declarations alone. (*Terry v. Conlan* (2005) 131 Cal. App.4th 1445.) The fact findings will not be disturbed if supported by substantial evidence. (*Fair, supra*, 232 Cal.App.4th 974, 984 (2014), citing *Osumi v. Sutton* (2007) 151 Cal.App.4th 1355 [court heard evidence to determine which party was at fault for breaching the settlement agreement].)

As long as your agreement contains provisions appropriately invoking 664.6 jurisdiction, courts have the power to enforce your settlement on terms that are just.



Kathleen J. Smith is a civil litigator with Schneiders & Associates, L.L.P. and serves as President of Women Lawyers of Ventura County and on the CITATIONS editorial

board. The author wishes to acknowledge the assistance of William C. Starr, associate at Schneiders & Associates, L.L.P., for cite-checking the article and more importantly, for the alliterative use of the word "snafu" in the title.

CHRISTINA VANARELLI, INC.
A PROFESSIONAL LAW CORPORATION
(FORMERLY CHRISTINA S. STOKHOLM, INC., A PROFESSIONAL LAW CORPORATION)
 674 County Square Drive, Suite 209C • Ventura, California 93003

Dedicated to representing individuals and small businesses in Ventura County.

Matters include:
 Real Estate
 Small Business
 Criminal Defense and DUI

Phone: 805-233-7848 Christina@YourVenturaCountyLawyer.com
www.YourVenturaCountyLawyer.com

VALID DIFFERENCES

80% of our foreclosures
are for repeat clients.

2015 is our 25th year
foreclosing throughout California.

We are here while many other
trustees are closing.

THANK YOU, ATTORNEYS!

Ten percent (10%) of our fee still goes to
nonprofit organizations that you or your client
choose regardless of result.

Parker Foreclosure Services, LLC
25 years Foreclosing Non-judicially throughout California
65 North Dos Caminos Avenue, Ventura, CA 93003
All Mail: PO Box 2940, Ventura, CA 93002-2940
Donald D. Parker, Pres.
Clients' lines: 805 506-0753 and 855 506-0753 Facsimile: 805 648-4618
don@parkertrustee.com



Matthew Haffner

I try cases . . .
and **win.**

**Respect. Experience.
Results.**

HAFFNER **L**AW **G**ROUP

“You really know how to put on a good case. I have repeatedly used you as an example when I have explained to lawyers how to [use] all their trial material and technology for a persuasive, on-point, concise and constructive closing argument.”

- Superior Court Judge.

“It was the best [presentation] I’ve ever seen, and I’ve been attending continuing education classes on trial tactics for nearly 50 years.”

– retired Superior Court Judge regarding Matthew Haffner’s MCLE presentation, “How to Win at Trial.”

associate me to try your case

Matthew Haffner has tried 36 civil jury trials, with a record of 31 wins and 2 settlements during trial. Multi-million dollar cases tried include wrongful death, catastrophic injury, contract disputes, employment litigation, and construction defect. Three juries returned with winning verdicts in less than thirty minutes. We have been associated within two weeks of jury selection. Special skills include:

- jury selection
- multi-media presentation
- exhibit books
- pre-trial motions and briefs
- expert and witness examinations
- jury instructions
- opening and closing statements

My trial tactics have been honed over the last 25 years as a litigator, for a concise and controlled trial experience.

86 S. Laurel Street, Ventura CA 93001
(805) 641-9334; fax (805) 980-5014

haffnerlawgroup.com



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



Lic. #0740274

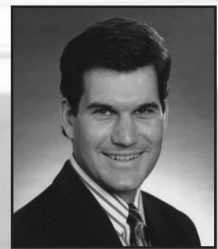
240 Lombard St., #100, Thousand Oaks, CA 91360

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.

Michael P. Kenney*, CLU

**Group and Individual Health Insurance
Business and Personal Life Insurance**

(805) 497-7407 Fax: (805) 494-1363



Lic. # 0688916

www.kenneyins.com

Securities offered through a registered represented of Royal Alliance Associates, Inc., Member FINRA.
Branch Office: 100 E. Thousand Oaks Blvd., Suite 152, Thousand Oaks, CA 91360 • (805) 496-4600

Is your malpractice renewal a cliffhanger?

Lawyers' Mutual Insurance Company has seen many carriers come and go.

Since 1978, we have stayed committed to only one feat: *protecting the lawyers of California.*

As carriers withdraw from the market once again . . . **LMIC is prepared and ready to assist you.**



LMIC...

here to stay.



www.LMIC.com or call (800) 252-2045

LAWYERS' MUTUAL INSURANCE COMPANY 3110 West Empire Avenue, Burbank, CA 91504

Lawyers' Mutual

*LMIC... Exclusively
providing California Lawyers
with trusted service
and innovation since 1978*

Insurance Company

AMENDMENTS TO CALIFORNIA'S PAID SICK LEAVE LAW ARE EFFECTIVE IMMEDIATELY

by Steven P. Lee

On July 13, the California Legislature passed AB 304, which amends the recently enacted statewide paid sick leave law, the Healthy Workplaces, Healthy Families Act of 2014 (the "Act") that **Jim McDermott** wrote about in the Jan. 2015 issue of CITATIONS. Passed as emergency legislation, these amendments became effective immediately and are intended to clarify the original Act.

Expanded Accrual Options

AB 304 provides a third sick-leave accrual method. Employers now have the option of using an alternative accrual method "provided that the accrual is on a regular basis so that an employee has no less than three days or 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment, or each calendar year, or in each twelve-month period." This is important because it means that employers are no longer obligated to use the statutory accrual rate (i.e., one hour for each 30 hours worked), so long as the employee

accrues three days or 24 hours of sick leave by the 120th day.

For employers that had Paid Time Off (PTO) policies in place prior to Jan. 1, AB 304 also allows for a fourth accrual method. This option authorizes employers to continue using existing PTO accrual methods so long as:

- 1) the accrual is on a regular basis;
- 2) an employee earns no less than one day or eight hours of accrued sick leave or PTO within three months of employment, each calendar year, or each twelve-month period; and
- 3) the employee was eligible to earn at least three days or 24 hours of sick leave or PTO within nine months of employment.

Under the fourth accrual option, an employer cannot change its pre-Jan. 1 accrual method, as changes to the pre-existing accrual method will result in the policy being non-compliant and employers

will have to use one of the other accrual options or the lump-sum option going forward. Employers can, however, increase the accrual rate.

Calculating the Rate of Pay

AB 304 offers employers more flexibility in calculating the rate of pay by providing an additional method of calculation. For non-exempt employees with different hourly rates, paid sick time shall be calculated using one of the following two options:

- 1) in the same manner as the regular rate of pay for the workweek in which an employee uses sick leave, whether or not the employee actually works overtime during that workweek; or
- 2) by dividing the employee's total wages, not including overtime premium pay, by the employee's total hours worked in the full pay periods of the prior 90 days of employment.



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

For exempt employees, the amendments provide that an employer calculate paid sick leave the same way it calculates other forms of paid leave time.

Eligibility of Employees

AB 304 provides clarity for employee eligibility, stating that an employee must work for the same employer for at least 30 days in California in order to qualify for paid sick leave benefits.

Unlimited Paid Sick Leave Policies

The amendments allow employers that offer unlimited PTO or sick leave to their employees to satisfy notice requirements and remain in compliance by indicating “unlimited” on employees’ itemized wage statements.

Reinstatement of Accrued Paid Sick Days

The provisions of the original Act require employers to reinstate accrued paid sick days to employees who are re-hired within one year of separation. Amendments under AB 304 clarify that an employer is not required to reinstate any PTO that was paid out to an employee at the time of separation.

Recordkeeping Obligations

AB 304 makes it clear that an employer no longer has the obligation to inquire into or record the purposes for which an employee uses sick leave or PTO. However, as provided under the original Act, an employer is still required to keep records for three years documenting the number of hours each employee worked, as well as paid sick days accrued and used by an employee.

Recommendation

Employers may want to consider taking advantage of these new options by making changes to their policies and revising their employee handbooks.

Steven P. Lee is an employment law partner with Myers, Widders, Gibson, Jones & Feingold, LLP. With 21 years of



legal experience, Lee has authored several articles on employment law issues and frequently lectures to business leaders and HR managers on employment law-related topics. He can

be reached at (805) 644-7188, or slee@mwgjlaw.com.



THE LAW OFFICES OF SCHURMER & DRANE
IS PLEASED TO ANNOUNCE
THE FIRM’S NEW NAME:

THE LAW OFFICES OF
SCHURMER AND WOOD
A PROFESSIONAL CORPORATION

THE FIRM IS ALSO PLEASED TO ANNOUNCE THAT
LAUREN R. WOOD
HAS BECOME A PARTNER WITH THE FIRM

Schurmer and Wood continues to specialize in serious personal injury and wrongful death matters. Practice areas include automobile and bicycle accidents, trucking accidents, construction site accidents, slip and falls, trip and falls, medical malpractice, sexual harassment, dog bites, elder and dependent abuse, governmental liability and wrongful death actions.

www.SchurmerWood.com

REFERRAL FEES PAID PER STATE BAR RULES

BARRISTERS CORNER

by Lauren E. Sims



Wine & Cheese Mixer, celebrating the Mentor-Mentee Program. Photos courtesy of Lauren E. Sims

The Barristers finished the summer with two great events. On Aug. 5, **Justice Steven Z. Perren** of the Court of Appeal for the Second District, Division Six, presented an engaging presentation regarding the basics of appellate practice, offering insight and wisdom invaluable for every level of practitioner. The Barristers thank Justice Perren, **Presiding Judge Donald Coleman** and **Judge Glen M. Reiser** for their help making the first Barristers-Judges MCLE Series a success. If you have an idea for a topic you'd like presented during a future series, please email us at vcba.barristers@gmail.com.

On Aug. 20, the Barristers hosted the annual Wine & Cheese Mixer, celebrating the Mentor-Mentee Program. The Barristers thank Ferguson Case Orr Paterson LLP, Anacapa Brewing Company, and the California Young Lawyers Association (CYLA) for their continued support. Even if you missed the event, you can still become a mentor or mentee (at any time of the year) – please contact us for more information.

SAVE THE DATES!

On Oct. 15, Judges' Pizza Night, an event limited to justices, judges, barrister-qualifying attorneys, and law students will be held at Peirano's Restaurant in downtown Ventura. Look for our flyer in the next issue of CITATIONS for all of the details.

NEED MORE MCLE?

February reporting is just around the corner. Barristers will be hosting Bridging the Gap again on Jan. 16, 2016, to help you complete those last few continuing education hours (including some special credits) before the deadline.

If you are age 35 or younger or have been in practice seven years or fewer, you are a Barrister! If you would like to become more involved, would like more information about any of our events, or are considering joining our board, please email us at vcba.barristers@gmail.com or join our Facebook group (Ventura County Barristers) for

more information. Our next board meeting is Sept. 1, 12:00 p.m., at the VCBA office. Barristers Board meetings are open to all Barrister-eligible attorneys and law students.



Lauren E. Sims is an associate at the Ventura office of Ferguson Case Orr Paterson LLP and is a member of the Barristers Board of Directors. She also serves on the CITATIONS editorial board.

CERTIFIED BANKRUPTCY LAW SPECIALIST



- ◆ 38 years experience representing Debtors and Creditors in bankruptcy matters throughout Southern California.
- ◆ Certified by the State of California as a Bankruptcy Law Specialist in 2000. Recertified in 2005, 2010 and 2015.
- ◆ Certified by the American Board of Certification as a Bankruptcy Law Specialist in 2007. Recertification in 2012.
- ◆ Available to Ventura County Attorneys to for free telephonic bankruptcy consultations.
- ◆ Available to Ventura County Attorneys to co-counsel bankruptcy matters.
- ◆ All bankruptcy referrals handled efficiently and cost effectively with the client being promptly returned to the referring attorney for all client's future legal needs.

DANIEL A. HIGSON

Hathaway, Perrett, Webster, Powers, Chrisman & Gutierrez, APC

5450 Telegraph Road, Suite 200, Ventura, California 93003

(805) 644-7111 - Dahigson@hathawaylawfirm.com

Neutrals Like No Others

Access to the best mediators and arbitrators practicing today—that’s the power of difference™ only JAMS delivers.



Hon. Rosalyn Chapman (Ret.)



Bruce A. Friedman, Esq.



Joel M. Grossman, Esq.



Hon. Melinda A. Johnson (Ret.)



Barbara A. Reeves, Esq.



Hon. Cesar Sarmiento (Ret.)

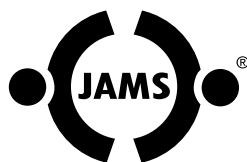


Hon. Steven J. Stone (Ret.)



Hon. Diane Wayne (Ret.)

800.352.5267 | www.jamsadr.com
Resolving Disputes Worldwide



A MODEL LAWYER

by Cari Potts



For **Richard Albert Walton**, nothing beats the intricate work of assembling miniature replicas of maritime vessels. As the Captain of the Channel Islands Maritime Museum Model Guild, Richard, along with the Guild’s other members, scratch-builds and paints wooden ship models which are hand-configured to accurately represent vessels throughout different stages of maritime history.

As the son of a fishing enthusiast, Richard began dabbling in model ship building at the age of nine. Richard’s love for all things maritime followed him from high school to Valparaiso University and the University of Southern California, where Richard received Bachelor and Masters of Science degrees, respectively, in Electrical Engineering. His interest culminated in a job with the U.S. Navy, where Richard worked in gun, missile, and electronic countermeasures weapon systems testing. Throughout the years, Richard obtained a California Registered Professional Engineer license, a post-secondary teaching certificate, a California Real Estate Broker’s license, and a Certified Financial Planner’s license, and opened an income tax preparation business – not to mention a law degree.

Yet, Richard has always returned to model ship building. In 1990, Richard joined the Ventura County Maritime Museum Model Guild, now renamed the Channel Islands Maritime Museum Model Guild, and ten years ago, became the Guild’s Captain. On

Continued on page 19



ATTORNEY SERVICES

COURT SERVICES
SERVICE OF PROCESS
PHOTOCOPY SERVICES

DEPOSITION OFFICER ASSIGNMENT
SUBPOENA PREPARATION
SKIP TRACING

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 & Photocopiers, 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

VENTURA

674 County Square Drive, Suite 107
Ventura, CA 93003
Phone: (805) 650-9291
Fax: (805) 658-8170
E-mail: admin@comproserve.net

SANTA BARBARA

209 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 845-4200
Fax: (805) 845-4201
E-mail: sb@comproserve.net

NEW LOCATION! SANTA MARIA

124 West Main Street, Suite C
Santa Maria, CA 93458
Phone: (805) 361-0781
Fax: (805) 361-0782
E-mail: sm@comproserve.net

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



Mediation

Where common sense and the law intersect.

Business/Contract	Personal Injury
Employment	Oil & Gas
Real Property	Other

Gisele Goetz, Esq.
Mediator

Serving Ventura and Santa Barbara Counties
Member: State Bar of California, CIPA, VCBA, SBCBA

(805) 895-5338

www.goetzbusinessmediations.com
giselegoetz@aol.com

A MODEL LAWYER

Continued from page 17

Aug. 4 each year, Richard and the Guild present the U.S. Coast Guard Channel Islands Station with a model Coast Guard ship which is then displayed in the station's lobby. For Richard, model building is more than just a hobby; it's an art form, one that others can appreciate, and it provides a welcome relief from the preparation of tax documents and forms.

You too can appreciate Richard's art by viewing the models he has created, on public display at the Channel Islands Maritime Museum, 3900 Bluefin Circle, Oxnard.



Cari Potts is an associate at Myers, Widders, Gibson Jones & Feingoldm where she represents homeowners associations and public entities in litigation and transactional matters. She is the newest member

of the CITATIONS editorial board.



Elegant Affordable Single Furnished Offices

"Full Service Office Suites for the Attorney"

- 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)

Specializing in Properties that need to be sold due to Divorce, Hardship, Probate and Trust Administrations



Endorsed by: Laura V. Bartels, Esq.,
Leslie A. McAdam, Esq., Jesse E. Cahill, Esq.,
Kathryn E. Clunen, Esq., William E. Winfield, Esq.,
Maria L. Capritto, Esq., Ben A. Schuck, Esq.
and Susan L. Wilson, Esq.

Theresa Robledo, Realtor®, Broker, DRE #01483023
Henry Robledo, Realtor®, DRE #01901932
Email: Agent@DiamondRealtyTeam.com
805.625.4450 direct



Serving Ventura County



DiamondRealtyTeam.com

WHAT KIDS THINK OF LAWYERS

by Wendy Lascher



I went backpacking in Washington this summer with my lawyer son Bear, and his six- and nine-year-old kids, my granddaughters Rachel and Wendolin. As we started into the very dry Mt. Margaret Wilderness, Rachel picked up a stick.

Grandma Wendy: What's that for?

Rachel: To fight bad guys.

Wendy: Bad guys? What do we have that they would want?

Rachel (After a moment's thought): Our water.


Wendolin: We don't need a stick for that. We have a lawyer with us.

In addition to being a grandmother, **Wendy Lascher** is a partner at Ferguson Case Orr Paterson LLP, handling motions, appeals, and writs. She is the editor of CITATIONS.

tracycollins
LAW OFFICES OF

ERISA Disability and Life Insurance

Representing claimants in the denial of group disability and life insurance claims.



Tracy Collins
Attorney At Law
5739 Kanan Road,
Suite 415
Agoura Hills, CA 91301
tracy@tracycollins.com
(818) 889-2441

Referral fees paid in accordance with Professional Rule of Conduct 2-200.

ELDER LAW SERVICES

VETERANS BENEFITS

VA NON-SERVICE CONNECTED PENSION BENEFITS

- VA Accredited Attorney
- Custom Designed Eligibility Analysis for Veterans and Surviving Spouses
- Preparation & Filing of Pension Claims
- Representation of Claimant during claim process

MEDI-CAL ELIGIBILITY

- Custom-Crafted Eligibility Analysis & Qualification Plan (Asset Protection)
- Application Preparation & Representation
- Medi-Cal Recovery Claim Avoidance
- Appeals of benefits denial/loss

Services focused on assisting individuals obtain Veterans/Medi-Cal benefits for Long Term Care

THE LAW OFFICE OF CRAIG R. PLOSS
290 MAPLE COURT, SUITE 118, VENTURA, CA 93003
TEL: (805) 642-8407 FAX: (866) 379-2149 EMAIL: PLOSS@TDS.NET
WWW.ELDERLAWVENTURA.COM





CISLO & THOMAS LLP[®]

Patent, Copyright and Trademark
Litigation Attorneys at Law



Super Lawyers

2014

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

Classifieds

SERVICES OFFERED

Stanford and Loyola Law School graduate.

For the past ten years, I have worked as a staff attorney at a prominent downtown Los Angeles law firm. I am currently looking to transition to a firm in Ventura County. My work experience involves primarily electronic discovery, preparing witness outlines for depositions and trial, and drafting expert mortgage re-underwriting reports. I am primarily interested in transitioning to estate planning or family law but am open to all practice areas. Please contact Steve Henderson for my contact information.

HELP WANTED

Westlake Village law firm seeks secretary/legal assistant.

Well established (30 years) busy law firm seeks well-qualified legal secretary/assistant for litigation and transactional. Exciting career opportunity. Experience with Windows, Microsoft Outlook, WordPerfect, Word, Excel, LegalSolutions, Timeslips. Email resume in confidence to sam@silverandarsh.com.

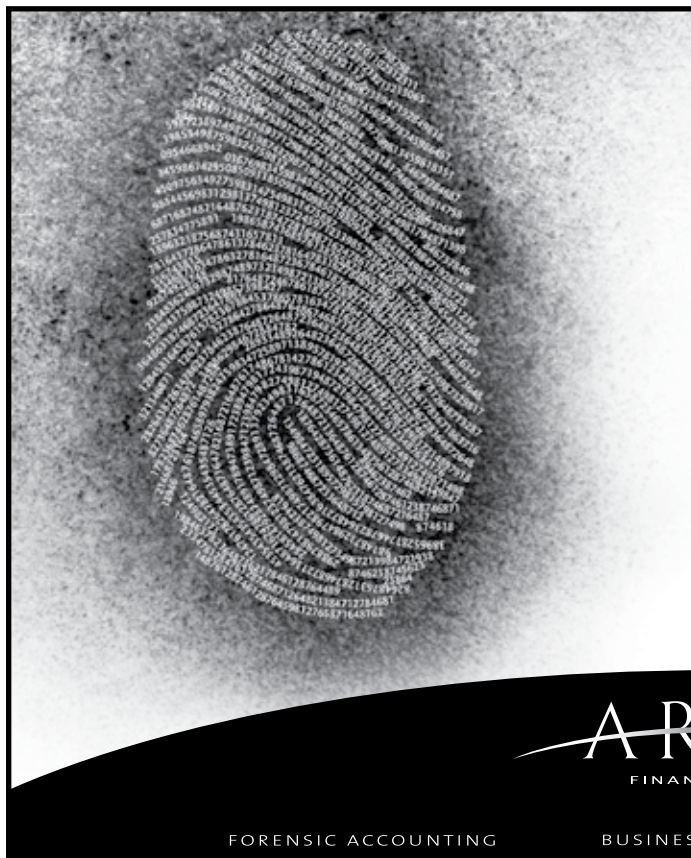
OFFICE SPACE

Offices with spectacular views for rent in professional law office. Amenities include conference room, kitchen, copier, storage and internet service. Secretarial space is also available if needed. Inquiries: jjeffreyberman@hotmail.com.

Office space available in a lovely law office within walking distance from the Ventura Courthouse. Fully decorated and staffed. Includes utilities, copier, scanner, kitchen, supplies and gated underground parking. Paralegal included with specialty in family law, criminal defense and federal civil cases. Currently there are three attorneys who are wonderful and reputable. There is also an opportunity for referrals. For more information and a tour, please contact Cindy at cindy@bvogel.com.

OTHER

Recently incorporated organization seeks an attorney to sit on its founding board of directors. Steps to Our Future, Inc. is a nonprofit public benefit organization, incorporated under the Internal Revenue Code 501(c)3, to promote, support, and improve the early development of children in Camarillo and Somis. The purpose of the organization is to develop and secure resources to support the mission of the Pleasant Valley Neighborhood for Learning: "To create and maintain a coordinated community-wide effort to provide equal access to all children to services which enhance health and school readiness." To apply, contact Barbara E. Wagner at (804)482-6322. You can also contact Rafaela Frausto at (805)388-0369 or rfrausto@pvnfl.org.



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

ARXIS
 FINANCIAL, INC.

FORENSIC ACCOUNTING BUSINESS VALUATION FRAUD ANALYSIS

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

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



If you are searching for the president of the bar's Estate Planning and Probate Section, **Amber Rodriguez**, she has relocated to 468 Poli Street, Suite 2F, in Ventura, effective June 1. Other vitals remain the same: (805) 643-4200, arodriguez@estateattorneycalifornia.com... A Santa Monica based state bar preparation company has agreed to pay \$130,000 in fines and restitutions over accusations that it made false statements about their students' success on the legal licensing exam. Barwinners, located in the 1200 block of Wilshire Boulevard, had advertised a 94 percent bar passage rate for first time takers and an 86-87 percent bar passage rate for repeat takers. Prosecutors found that the actual bar passage rate for the clients was between 38 and 63 percent... **Judge**



Manuel Covarrubias has been named as one of four recipients of the California Judicial Council's 2015 Distinguished Service Award, the highest honor given by the state court system's governing body. The award recognizes those who have demonstrated extraordinary leadership and made significant contributions to the administration of justice. Manny was appointed to the bench by Governor Davis in 2002, and before that, he was a commissioner for seven years. The council presented the award at a ceremony on Aug. 20 in San Francisco...



License Plate of the Month: PRA4BBS, driven by adoption lawyer **Janie Beach** on a late model Camry XLE... *Callawyer.com's* Quote of the Month, from Judge John B. Owens in *Barnett v. Norman* (9th Cir. 2015), case no. 13-15234: "Few witnesses want to testify, and if given the choice, almost none would. Answering embarrassing questions or reliving a traumatic event is a miserable experience, and people surely have better things to do with their time. But much like jury service, witness testimony is not optional in our justice system, it is essential." A close second? "Nature, not judges, should be in charge of making mountains out of mole hills." From Justice Cruz Reynoso, concurring in *Crum v. City of Stockton* (1979) 96 Cal.App.3d 524 that Crum could not ask police to preserve a steak as evidence. A meat industry worker for nineteen years, Crum was arrested after complaining at a restaurant that he was served a spencer steak instead of the New York cut he ordered... The Santa Barbara County Bar Association presents "A Reception with the Appellate Justices of Division Six." Oct. 21 at 6:00 p.m. at the Santa Barbara Club. One CLE and \$60...A pilgrimage to Poland? **Dick Regnier** at simba1955@verizon.net...

Nomination forms for the **Ben E. Nordman** Award are available online at vcba.org or by calling Nadia at 650-7599. They are due Sept. 17, while the committee meets on the 20th to select the recipient. The award will be presented Nov. 21 at our annual dinner...Derrick Wang's "Scalia/Ginsberg" opera explores the friendship of Justices Ruth Bader Ginsberg and Antonin Scalia. It premiered July 11, at the Castleton Festival in Virginia's Rappahannock County. It's an hour-long, one-act comic opera. Ginsberg and Scalia have attended Washington National Opera together for more than two decades...Do indeed remember that the Women Lawyers of Ventura County are hosting its Annual



Scholarship Dinner and Silent Auction Sept. 16 at the Museum of Ventura County. The **Hon. Rebecca Riley** will receive the Legacy Award, while **Jodi Prior** will accept the Holly Spevak Award. katie@venturaestatelegal.com... Very interesting Op Ed piece appearing in the *LA Times* on July 29, penned by Debbie Mukamal and David Sklansky, about the recent diversity statistics of California's population, police officers and district attorneys...

My favorite sports moments? When the MLB dugout goes silent and ignores a rookie's first major league home run... Santa Barbara has a Christian Lawyers Association if you'd be so inclined. They meet for lunch at the University Club the last Friday of each month. \$20 for lawyers, \$10 for students...Recommended Book of the Month: *The Trouble with Lawyers*, by Deborah L. Rhode, Oxford University Press. 248 pages, \$29.95. She is a law professor and respected scholar who has filled law reviews and previous books with insightful commentary on the legal profession...The new executive director of the State Bar of California is Elizabeth Parker, dean emerita of the University of the Pacific, McGeorge School of Law. She also served as Dean of the Law School at McGeorge for ten years. Additionally, she had runs at the CIA and the National Security Agency. Hmmm...

Steve Henderson has been the Executive Director and Chief Executive Officer of the bar association and its affiliated organizations since November 1990. He will be celebrating his 50th birthday this month on the Camino del Santiago Trail, so checks made out to VCLA, Inc. would seem appropriate. Red Stripe is a close second please. His NFL Fantasy team is called the Goodall Goonz and is currently in first place. He may be reached at steve@vcba.org, FB, Twitter at [stevehendo1](https://twitter.com/stevehendo1), LinkedIn, Instagram at [steve_hendo](https://www.instagram.com/steve_hendo) or better yet, 650-7599.

Client Trial War Rooms



**Across the street from the Courthouse
Downtown L.A. - San Bernardino - Van Nuys**
Secure conference rooms for you and your clients to strategize,
refresh and relax throughout your trial. Catering, WiFi and Parking
available. It's like having your own office at the Court, **FOR FREE.**

Call 800-43-DEPOS
or email info@personalcourtreporters.com for details.



Seven convenient Southern California locations to serve you

Van Nuys

Downtown LA

Ventura

Ontario

Santa Barbara

West LA

San Bernardino

Call us to book your next DEPO! 800-43-DEPOS
www.personalcourtreporters.com



CITATIONS

Ventura County Bar Association
 4475 Market Street, Suite B
 Ventura, CA 93003

PRSR STD
 US POSTAGE
PAID
 PERMIT NO. 507
 OXNARD, CA 93030



**DAVID IN HIS GEAR
 BEFORE THE C-SECTION**
 ----->

**CONTEST WINNER:
 BARRY REAGAN**

Mom and Baby are healthy!

CONTESTANT:	DOB	BABY NAME	GENDER	HEIGHT	WEIGHT	TOTAL
BARRY REAGAN	7/16/2015	GRACE	GIRL	22"	7.9 lbs.	
BARRY'S SCORE	8		10	9	17	44
MITCHELL DAVID	7/20/2015	RILEY	GIRL	21"	8 lbs 2 oz	
MITCHELL'S SCORE	8		10	9	14	41
RICCI GRACIA	7/21/2015	EVELYN	GIRL	20"	7.6 lbs.	
RICCI'S SCORE	7		10	7	14	38
DEBORAH MEYER-MORRIS	7/12/2015	BAILEY	GIRL	20.5"	7 lbs. 8 oz.	
DEBORAH'S SCORE	4		10	8	16	38
KATHY FELLOW	7/20/2015	CLAIRE	GIRL	17.3"	8 lbs 1 oz.	
KATHY'S SCORE	8		10	2	17	37
HON. NANCY AYERS	7/21/2015	DAVINA/ABBY	GIRL	19.5"	7 lbs 5 oz.	
NANCY'S SCORE	7		10	6	13	36
SABRINA JAMES	7/21/2015	MIA BELLA	GIRL	X	7.5 lbs	
SABRINA'S SCORE	7	(MY FAVORITE)	10	0	13	30
ANN PHELPS	7/21/2015	JACOB	BOY	21 1/2"	7 lbs. 3 oz.	
ANN'S SCORE	7		0	10	11	28
GARY HUGHES	7/17/2015	DIEZ	BOY	20"	7.4	
GARY'S SCORE	9		0	7	12	28
CHRISTIAN ARRIETA	7/21/15	Decimo	BOY	20"	7.6 lbs	
CHRISTIAN'S SCORE	7		0	7	14	28
MICHAEL BRADBURY	7/23/2015	ENUF	BOY	20"	7.3 lbs	
MIKE'S SCORE	5		0	7	12	24
GERALD VELASCO	7/22/2015	GERALD	BOY	19"	7 lbs. 4 oz.	
GERALD'S SCORE	6		0	5	12	23
MARINA PORCHE	7/21/2015	TENNER	BOY	19"	7 lbs	
MARINA'S SCORE	7		0	5	8	20
LAURA COTA	7/21/2015	BRADY	BOY	19"	7 lbs.	
LAURA'S SCORE	7		0	5	8	20
BRIAN NOMI	7/21/2015	TENNYSON	BOY	19.5"	10 lbs	
BRIAN'S SCORE	7		0	6	0	13



Lucy Ashley-Faith Lehr
 7/18/15 – 7 pounds 12 ounces
 21.5 inches!

22 years of trial experience
We appreciate your civil and criminal referrals!

[Email: David@DavidLehrLaw.COM](mailto:David@DavidLehrLaw.COM)
 805-477-0070