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PRESIDENT'S MESSAGE

by P. Mark Kirwin



Summer is finally here as the spring bloom starts to fade away. Despite the recent fires and lack of significant rain, or maybe because of both, we experienced a robust, flower bloom this spring in our local hills. Running in Arroyo Verde Park, up Sulphur Mountain or along Harmon Canyon (via The Ventura Land Trust guided tours), my wife and I experienced blankets of color from flowering California Poppies, Bush Sunflowers, Indian Paintbrush and Lupine. Spring was a wonderful time to explore our beautiful open spaces. I wanted to know more about this bloom, so I asked my friend, botanist/biologist Ken to explain.

Native Plant Recovery after the Thomas Fire

by Ken Niessen,
Mountains Restoration Trust

From Ventura to Carpinteria or along Highway 33, at first glance it looked like there was complete devastation from the Thomas Fire of the plants that covered the open space hillsides. There *are* some places where the fire burned off all surface organic material. However, there is a big mosaic of different effects over the entire 300,000 acres of burn area, which is typical of wild fires. In some places the fire burned some or most of the above ground parts of plants; in other places the fire skipped patches of vegetation, leaving it pretty much intact. The result is variety of different conditions that provide recovery opportunities for native plants.

Our area has a long history with fire. Before people, the major ignition source was lightning strikes, then Native Americans used fire to favor the growth of food plants. Because of this long history, our plants are adapted to fire. For many of our local plants, the fire was not about devastation but a part of their lives, and an opportunity for renewal.

Fire-adapted plants have two main ways of rebounding from a fire: re-sprouting of unburned parts and germinating from seeds. It depends on the particular plant species which method a plant uses to rebound after a fire.

Trees are sometimes scorched, but not totally consumed, by fire burning through lower vegetation. While leaves and smaller branches may be killed, the majority of the tree is well insulated and unharmed, and within weeks leaves re-sprout. This can be seen in the coastal live oaks and sycamores that are abundant in valley bottoms and moister hillsides.

Often a fire *is* hot enough that trees and shrubs burn to the ground. Many of our shrubs have specialized subterranean woody structures, called burls, that don't burn regardless how hot a fire gets. These burls also quickly produce new branches above ground. You can see this regrowth in scrub oaks, laurel sumac, toyon, Eastwood manzanita and green bark ceanothus. Some grasses, like giant wild rye, and vines, like wild cucumber, have the same strategy – their bright green clumps are very visible above Ventura.

Of course, many plants are killed outright by fire, and are replaced by individuals germinating from seeds already in the soil. In the case of *fire-following* plants, seed dormancy is actually broken by the heat of the fire or exposure to smoke or ash. Those seeds need fire. Some examples are poodle-dog bush, fire poppy, whispering bells, golden eardrops, big berry manzanita and big pod ceanothus.

There are many plant species that don't need fire to germinate but do well when a fire clears vegetation and space, making light, and nutrients are made available. Their seeds can last many years in the soil, waiting for the vegetation to open. These include the lupines and poppies that have been so abundant on local hillsides during the past months. New individuals of these will grow every year until larger shrubs overtop them, and germination conditions are no longer optimum. Then they too will wait for the next fire.

The local natural fire return interval is about 40 to 50 years, and fires are patchy in location and time, and that really helps promote the high plant species and vegetation diversity our area is known for. It may look bad now, but eventually the vegetation of even the most denuded burned landscape will recover so completely that a person would never know that a fire had raged through these open spaces.

Thank you, Ken!

Mark Kirwin, 2018 Ventura County Bar President, is a civil litigator at Kirwin & Francis, LLP, and is Director of the Kirwin International Relief Foundation.

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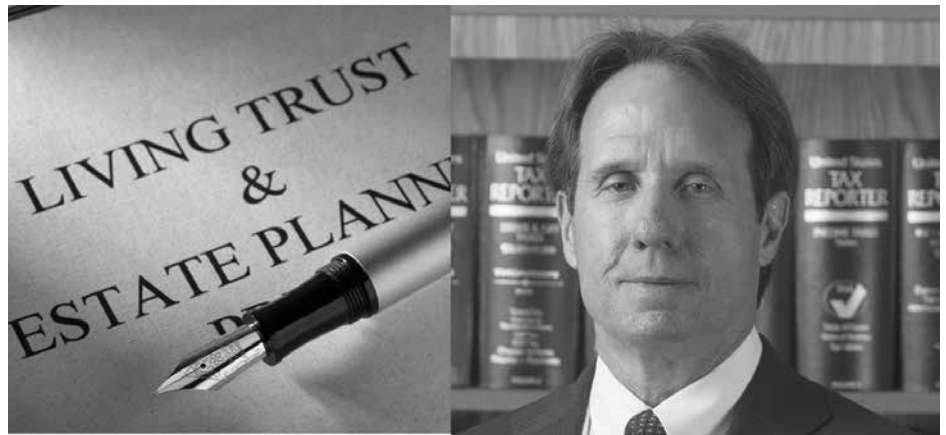
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LETTERS TO THE EDITOR

Thanks for the memorial article about **Joe Henderson**. Joe and I grew up together in Palm Springs. His mom was one of the favorite teachers at Palm Springs High School and I spent a lot of time with Joe and his siblings. It was great fun to grow up in the desert. I bought my first car from his Dad (a '39 Ford coupe for \$90...my Mom wasn't too happy about that purchase).

Joe was two years behind me (I was class of '57 and he was student body president in class of '59). I never litigated with him, but I do know that he was a very competent lawyer.

When he got his law degree, he contacted me here in Ventura to see if he could find a place to hang his shingle. I sent him over to **Ed Lascher's** office in the beautiful old Victorian house on Poli (CITATIONS editor **Wendy Lascher** was married to Ed before his death in 1991). I knew that Ed had extra rooms and would possibly rent one to Joe. He did. Upstairs.

I recall a few weeks later I called to see if Joe wanted to get lunch. I asked him how it was going. "Well," he said, "I've spent the morning outlining the silhouette of the Channel Islands on a piece of paper." Apparently it took a little time to get going, but he eventually did.

He was such a good husband for his wife, Mary Alice. His death was very unexpected because he never let on that there was an issue. I was at his ranch home for the Super Bowl party he hosted a few months ago. You would never know he was afflicted by cancer.

He was a life-long friend and a real gentleman. RIP, Joe.

Lindsay Nielson

Letters to the Editor
Continued on Page 9

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As an accomplished concert pianist, Youth Music Program Director, Moot Court coach, Academic Decathlon Coach and devoted mother, it is a marvel that **Miriam Arichea** has time for a challenging law practice.

Arichea didn't always want to be a lawyer. As a public policy and journalism major at Duke University, she intended to be a journalist. However, two summer jobs as a reporter convinced her that news writing was too formulaic. She decided to attend law school for the promise of more complex writing goals and more challenging career options.

Arichea attended Duke University Law School. Even in law school, Arichea still found time to pursue her love of music. Arichea had long been a pianist, and she continued her piano studies while in law school. Arichea also sang soprano with the Duke Chorale. While singing at Duke, Arichea met her husband Jeff Brackett, who sang tenor.

After graduation from law school, Arichea first practiced in Washington, D.C. in Miller & Chevalier's litigation department. Arichea worked on federal regulatory litigation, including tax, government contracts and international trade. When Jeff graduated from medical school, the family relocated to St. Louis where Jeff had a fellowship. In St. Louis, Arichea associated with Bryan Cave.

Arichea and her family moved to Ventura when Jeff joined a cardiology practice in Ventura. Arichea accepted employment with the District Attorney's office doing

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by *William E. Winfield*

writes and appeals. Arichea is currently a panel attorney doing criminal appeals in the California Appellate Project.

Arichea's favorite part of panel work is doing research. Her most interesting recent project was an appeal she won overturning an order that restitution be paid even though stolen property had been recovered. (*People v. Ghazaryan* (Feb. 21, 2012) No. B230377, 2012 Cal. App. Unpub. LEXIS 1250, at *6.) Arichea's win enabled her client the opportunity to restart his life without a crushing debt burden.

Shortly after arriving in Ventura, Arichea found a piano teacher, the late renowned pianist Sofia Cosma, with whom Arichea studied until 2010. Arichea met people at the Ventura College Music Department, and, in 1998, she was invited to perform the Rachmaninoff Concerto No. 3 with the Ventura College Orchestra. Arichea's piano teacher, Cosma, attempted to discourage her from attempting to perform this notoriously difficult piece with the short period of time she had to prepare. The piece is the subject of the 1996 movie, "Shine," in which Geoffrey Rush's fictionalized David Helfgott goes mad trying to learn the concerto. Defying the advice of her mentor, Arichea performed the piece to critical acclaim and continued to perform with the Orchestra for the next ten years. Arichea still studies piano, currently with Natasha Kislenco. Arichea also shares her talents as music director and pianist for Temple Beth Torah in Ventura.

Arichea has three children, ages 25, 24 and 17. Arichea's greatest happiness in life comes from working with children. For seven

years she has coached the Ventura High Mock Trial team. She has also coached the Academic Decathlon team at Ventura High for two years.

In 2011, while accompanying her son in the Ventura USD Festival of Talent, Arichea met Brian McDonald of the Rubicon Theatre who invited her to be the Music Director of the Youth Program at the Rubicon. Among other accomplishments in this position, Arichea established the youth *a capella* group called the Rubicon Harmonix. The Harmonix is a group of high-school aged singers who have sung throughout Ventura and Santa Barbara Counties to a variety of audiences. Arichea also directed a 60-person youth choir. Ventura's mayor awarded Arichea the 2014 Mayor's Arts Award for Arts Educator.

Conquering Rachmaninoff's 3rd, coaching Ventura's teens, and keeping her soprano vocal chords capable, while winning in her successful legal practice, Arichea has earned her respected reputation in the VC legal community.



William E. Winfield practices bankruptcy and business litigation with *Schneiders & Associates, L.L.P.* and sings bass as president of the *Pacific Sound Men's Chorus*. Bill is board certified in

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LETTERS TO THE EDITOR

Continued from page 7

Thank you for the article about **Joe Henderson**.

While he certainly was well known in the legal community, Joe had an interesting impact on all the members of the Pierpont Racquet Club. He would leave a barrel of oranges by the front door for all. They were the sweetest oranges, and many outside the legal profession would benefit from this and his other generous acts.

Joe was a regular in the morning, delighting the early birds with his antics, such as walking his dear golden retriever MisMo from the club along the promenade, greeting strangers and friends alike. The last time I joined Joe on one of these early morning adventures (to call it dog walking would be like calling the Bay-to-Breakers merely another foot race), we took a shortcut through the old Crab Shack lot on San Jon Road, where Joe let MisMo run wild. Secluded because it was fenced off, I felt like we were in some back lot at Disneyland cloistered from the characters and tourists. And then at some point at the terminus of the lot – at a spot mysterious because there was no physical marking – MisMo stops, faces Joe, wags tail, and Joe clips on the leash and gives her the treat ever so slowly withdrawn from his right front pocket. There a new dog emerges from the doggie dream world mind: on the leash and calm, walking alongside her master onto the pedestrian bridge, joining the mainstream with the Ventura characters and tourists. Greetings issue and MisMo glows once again.

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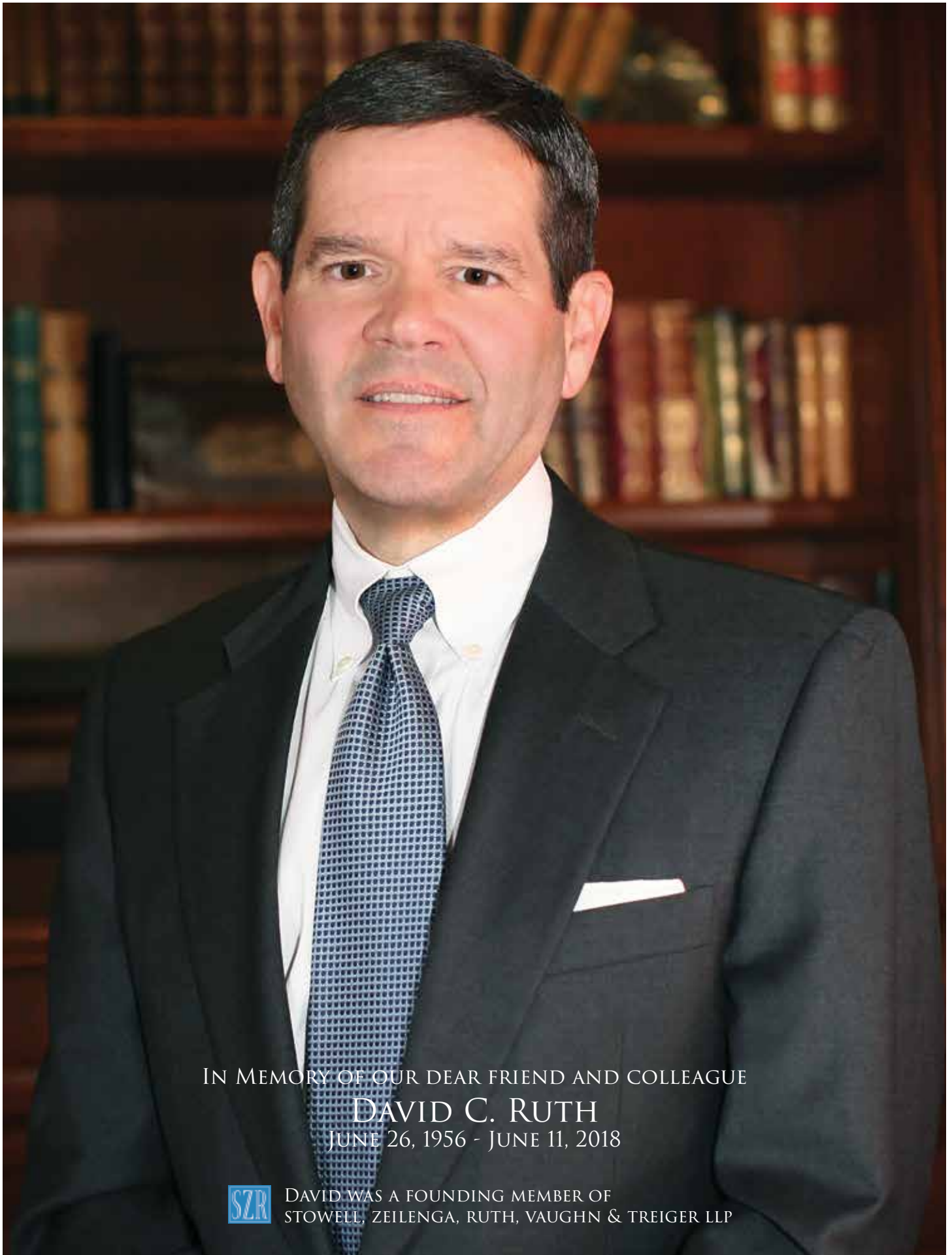
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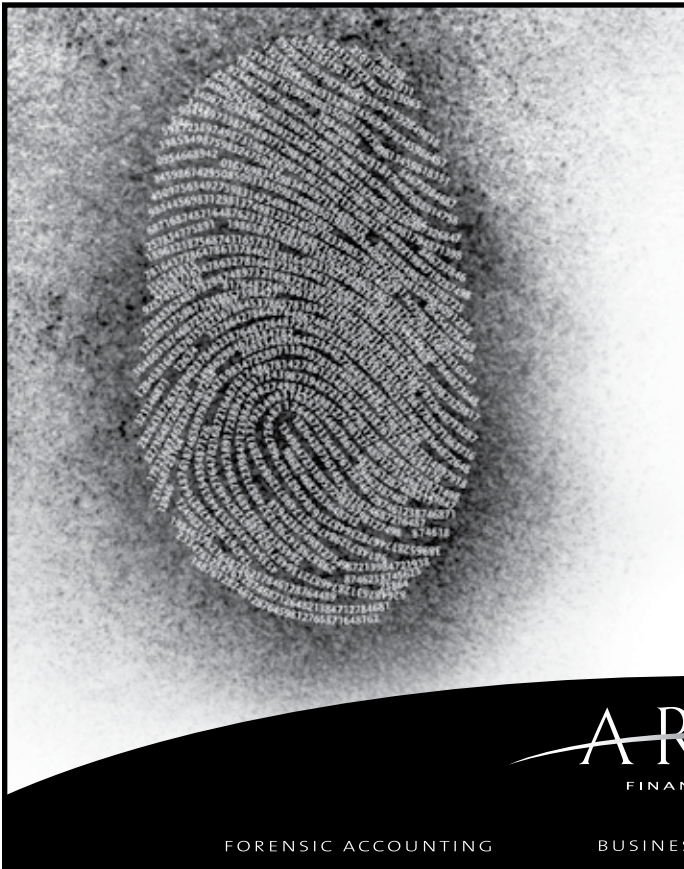


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(901 South Kimball Rd, Ventura, CA)

8:30 A.M. – 5K RACE; ONE MILE FAMILY FUN RUN AT 9:30 A.M.

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35th Annual Law Day 5K Saturday, July 14, 2018

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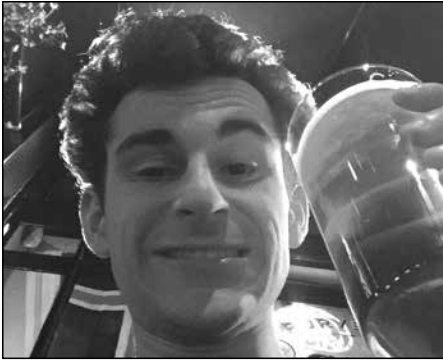
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Recommended by several attorneys in Ventura County! References provided upon request.

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Not everyone gets the opportunity to swear-in with the United States Supreme, but **David Shain** did in mid-June and here's the photographic evidence. Who is that distinguished woman seated in the middle in dapper white linen pants? ... An Illinois lawyer takes umbrage at the suggestion he lifted more than 1,000 words from two articles for his brief opposing dismissal of a law suit. "Go pound sand," lawyer Robert Hanlon of Woodstock, Illinois told the *Northwest Herald*. The newspaper reports that opposing lawyers suspected something was amiss when they noticed that Hanlon's writing style changed on the fourth page of the brief. A Google search revealed copy was lifted from two articles...

I have a resident of our county seeking the attorney who handled his father's trust. The man is the youngest of five children and the father's name is Arthur Armstrong Denny, III, born May 21, 1932, in Seattle, and his wife's name is Margaret T. Denny. Info may be sent to Dave Denny at (714) 749-4875... I find this, as did a reader, a tad disconcerting...



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

by Steve Henderson, M.A., CAE



MAGA – In a largely expected decision, the U.S. Supreme Court ruled on June 14 that the government cannot restrict a person's clothing choices while they are voting. The vote was 7-2...



We never took the opportunity to thank Mr. Wayne Lorch of LorchGreen Forensic Accountants. Lorch and his capable captains managed to implement our new accounting software at the bar offices. (Yes, we finally switched from Peachtree to QuickBooks.) The task was long overdue and now fully implemented after several months of trial and error. Thank you, Mr. Lorch and staff for your efforts provided free to our association. Wayne Lorch at 496-4330...

Your fingerprints or your license? That is the question. You may have heard that, by this time next year, the State Bar will require all active lawyers to submit their fingerprints or risk forfeiting the right to practice law in California. As the bar takes on a more aggressive watchdog role, lawyers will experience the uncomfortable position of the accused, or at least the suspected. Although the plan awaits final approval by the State Supreme Court, that is expected to be a mere formality. So get ready to provide your digits to the bar no later than April 30, 2019...



Deborah Jurgensen has retired officially since the middle of January after a productive career of twelve years in our county practicing family law.

A woman who had a loaded handgun hidden in her vagina at the time of her arrest last year has been sentenced to two years in state prison on

weapons and heroin charges. Anika Will, 27, and a male accomplice were busted following a traffic stop on Interstate 55 just north of Bloomington, Illinois. The search of the car turned up heroin and Ecstasy. The weapon, a .380 caliber Kimber handgun was not discovered by investigators until she was the subject of a strip search while being booked. The gun had a bullet in the chamber and was fully loaded... A man concerned that he had been rooked by a methamphetamine dealer contacted Florida police and asked them to test his drugs and "press charges" against the dealer. After speaking with police, the man drove the narcotics to the police station to be tested. Of course he was arrested on the spot as the drugs were tested positive...

Greece? Corfu? Kerkirta? **Aris Karakalos** may be reached at 641-6600 or aris@strausslawyers.com... The 2018 VCBA Nominating Committee to select officers and directors for a two-year term meets Aug. 21 to determine the slate. Interested? Contact president-elect **Doug Goldwater** at 659-6800 or dgoldwater@scoplaw.com... LAW DAY 5K. LAW DAY 5K. LAW DAY 5K – July 14 – See promotional brochure inside this edition of our magazine...

If you are entertained by the thought of joining the Jerome H. Berenson Inn of Court, let President **Katie Clunen** know at 497-7474 or katiec@dionlawgroup.com or check out the flyer contained herein...



Steve Henderson has been the executive director and chief executive officer of the bar association and its affiliated organizations since November 1990. My offspring has nick-named me

Front Runner in disgust because of my divine power to select winners. Photographic proof here. Henderson may be reached at 650.7599, steve@vcba.org, Twitter at [steve_hendo1](https://twitter.com/steve_hendo1), Instagram at [steve_hendo](https://www.instagram.com/steve_hendo) or just drop on by at 4474 Market Street, Suite B, Ventura.

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