



CITATIONS

APRIL - TWO THOUSAND TWENTY TWO

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PRESIDENT'S MESSAGE

by Jacquelyn D. Ruffin

In the 1820s, English inventor Goldsworthy Gurney designed a blowpipe that burned oxygen and hydrogen, a process which created an extremely hot flame. Gurney then experimented with heating calcium oxide in the flame. As the calcium oxide – or “quicklime” – rapidly melted, it emitted an intensely bright light. That light was named the “limelight.” In the mid-1830s, a theater in London used limelight to spotlight actors and parts of the stage. The mesmerizing effect resulted in widespread use of limelight for public performances across the world. Although Edison’s electric lightbulb rendered the limelight obsolete by the end of the nineteenth century, the phrase “in the limelight” endures.

To my surprise, someone who greatly deserves to be in the limelight has never been profiled in *CITATIONS*. This month, it is my privilege to bring VCBA’s executive director **Sandra Rubio** out of the wings and onto center stage.

ACT ONE

Fade into a woman whom **Laura Bartels** describes as “intelligent, dedicated and helpful.” The voiceover of **Marc Anderson** agrees, characterizing Rubio as “dedicated, hardworking and caring.” As the scene becomes a bit clearer, **Katie Clunen** compliments Rubio for being “thoughtful, organized and humble.” **Doug Goldwater** values that Rubio is “reliable, professional and creative.” **Joe Strohmman** adds that Rubio is “positive, upbeat and responsive.” Just as Rubio’s welcoming smile and poised presence comes into full focus, **Nadia Avila** describes Rubio as “an individual with integrity and passion.”

These depictions of Rubio are quite apt. However, to fully appreciate her journey to becoming VCBA executive director, we need to travel to the coastal Mexican state of Sinaloa. Known for banda music, rich cuisine such as aguachile, and the ancient ballgame ulama, this region was the birthplace of Rubio’s maternal grandmother. Our next stop would be the adjacent, northern state of Sonora, which includes the sparkling waters of Puerto Penasco to the west and the sand dunes of an otherworldly biosphere reserve to the east. Rubio’s mother was born here. These two women – whom Rubio credits as her most



Sandra, her husband Joe and 3 kids enjoy travel, good food, music and board games.



Sandra’s grandma Norma and mom Yolanda

significant early influences – eventually made their way to Ventura County and became naturalized citizens.

Rubio was born in Oxnard, the youngest of four children. Her family is close knit and values driven. Rubio’s grandmother taught her “the importance of looking people in the eye, shaking their hand, and saying ‘nice to meet you.’” From fifth to eighth grade, Rubio lived with her grandmother who was devastated by the death of Rubio’s great-grandmother and otherwise would have been alone while Rubio’s grandfather worked offshore on San Nicolas Island. During summer trips to Mexico with her grandmother, Rubio gained a deep and pragmatic appreciation for cultural differences. She reflects, “I distinctly remember washing clothes on a washboard, pushing them through a ringer and then hanging them to dry. That made me more conscious of the fact that there are different ways of doing and being.” Those summers in Mexico were not just for chores. “Summers were like a reunion,” Rubio joyfully recounts. “Someone was always coming to visit. People would stay for hours, reminiscing, then stay for dinner. Dinner was always a feast.” Whether the soundtrack was mariachi or boleros, “there was always music.”

Rubio’s love of music was also fostered by her mom. No matter the occasion, Rubio’s mom provided the score: Celia Cruz or other salsa legends for mopping or impromptu dance fests; the standards at dinner; the Beatles, Doobie Brothers or Chicago for puzzles or board games at the dining table. Although supporting four children on a “shoestring budget,” Rubio’s mom created an abundance of quality family time. In addition to game nights, there were trips to the park, the beach and free museums. Rubio notes that she learned “business skills, work ethic, dependability and independence” from her mother. After graduating early from Hueneme High, Rubio sought autonomy for herself.

ACT TWO

At the age of 18, the recently graduated Rubio moved out on her own. Having “always been fascinated with law,” she quickly secured a fulltime job with a group of personal injury attorneys. She knew, however, that she did not want to be a lawyer. Like many bilingual youth, Rubio had been brokering language since she was five. (Starting in kindergarten, her teachers sent her to other classes to translate for students and their teachers.) Due to this experience, she contemplated becoming a court interpreter and began taking related classes at Ventura College. Then she saw Lourdes Campbell interpreting for a personal injury case. Immediately, Rubio realized that interpreting was not the right career path.

Determined to find a career connected to the legal field, Rubio next considered being a court stenographer. Subsequently, Rubio was selected as juror. Luckily for VCBA,

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Rubio was "completely and totally bored" during the case. As she observed the court reporter throughout the trial, Rubio decided that she did not want to be a stenographer.

In 1997, **Holly Spevak** (who was then a paralegal, later became an accomplished attorney and is the namesake of the Women Lawyers of Ventura County scholarship award) informed Rubio about a job opening at VCBA. Spevak thought Rubio might thrive in a more creative job. After an interview with former VCBA executive director Steve Henderson, Rubio accepted an administrative assistant position.

For nearly a decade, Rubio worked with VCBA, steadily increasing her responsibilities, proficiencies and impact. In 2005, the Ventura Center for Dispute Resolution offered Rubio an executive director position. To bolster her skills, she undertook mediation training at Pepperdine University with top notch instructors **Judge Matthew Guasco** and **Nina Meierding**. Although Rubio enjoyed the diplomatic nature of her conflict resolution work with VCDS, she could not ignore a phone call from Henderson in 2013.

ACT THREE

Henderson advised Rubio that if she had any interest in being his successor, it was the perfect time to return to VCBA. Rubio rejoined VCBA as an associate director and, with Henderson's encouragement, earned her CNED credential. For the last three years, she has served as VCBA's executive director. Rubio says that the best part of being VCBA's executive director is working with the various committees. "VCBA is successful because of its volunteers . . . All of their behind-the-scenes work is like a film crew on a movie set. I am enamored by their presence, hard work and expertise."

Since Rubio's humility prevents her from fully explaining what she does for VCBA, Avila sums it up as follows. "Sandra has a clear vision of where the organization is going, and she works hard on a daily basis to make sure all of the organization's goals are met. Sandra knows she is primarily responsible for the organization's success, and she does everything in her power to make sure it succeeds from meeting with section chairs to organizing continuing legal education programs, being the point person to carry out all of the organization's in-person and Zoom meetings, personally handling the difficult LRIS clients staff

sends her way, to tackling IT issues herself. Due to the small operation she is running at VCBA, Sandra is multifaceted and wears different hats without difficulty. She is the first one to volunteer to take on a task and she makes pretty much anything look easy. Sandra does it all!"

LIMELIGHT REVIEWS

Goldwater: "The best part of working with Sandra was her demeanor. Even in the most stressful of times, Sandra was always positive, professional and pleasant. Running the Bar Association with [a] tight budget and deadlines is quite difficult, and she not only always makes it seamless, but also does it in such a calming way that it brings out the best of the people around her."

Clunen: "Without Sandra, it would have been a much harder (and more stressful) year for me to be president in 2020."

Strohman: "I have worked with Sandra on events and projects for VCBA, VCLA and the Law Day 5K for many years. I have really enjoyed working with her . . . During our Law Day 5K planning, she has come up with some innovative ideas and implemented them. She also has a secret weapon in her husband Joe, who showed up with her at 6:00 a.m. for pre-race set up."

Bartels: "Thanks to Sandra, meetings are timely and efficient. Bar programs are well-managed and organized, and if you are involved in a project with Sandra, you know there is a lot of integrity behind it."

Anderson: "I remember telling Sandra that I was just the face of the Bar for one year, but she was the heart of the Bar."

Clearly, the industry, resourcefulness, innovativeness, budget-consciousness and joie de vivre that Rubio learned as a child have not only benefited her family but also greatly benefited VCBA.



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HAVE YOU HEARD?

No sooner had HYH? reported that **Kristi Peariso** had become a Superior Court Commissioner than, on March 14, Governor Newsom appointed her as the newest judge of the Ventura Superior Court. She fills the position vacated when **Judge Kevin McGee** retired in 2021, and will begin her judicial duties immediately. Since 2007, Judge Peariso was a sole practitioner, representing private clients and appointed clients in criminal matters. From 2000-2007, she was a Deputy Public Defender for the Ventura County Public Defender's Office, in 2000, for the Santa Barbara County Public Defender's Office and from 1998-2000, for the Mendocino County Public Defender's Office. She was also an adjunct law professor at the Southern California Institute of Law from 2008 to 2017. Judge Peariso is a graduate of the University of California, Santa Barbara, and earned her law degree from California Western School of Law. Three cheers, hats off, and felicitations!

As of March 15, masks are no longer required in any court facilities. Also, the every-other-seat arrangement in the jury assembly room and courtrooms is no more. Still, the court strongly encourages mask wearing and social distancing.



Sad news recently that we've lost two longtime VCBA members, **Ed Buckle** and **Byron Wedemeyer**, as well as Arlene Briggie, the loyal legal secretary profiled by **Dave Ellison** in the February 2020 issue of CITATIONS. [Jhttps://www.vcba.org/wp-content/uploads/2020/02/February-Citations-Web.pdf](https://www.vcba.org/wp-content/uploads/2020/02/February-Citations-Web.pdf).



Congratulations to Leanne Tapper, who was recently appointed as Executive Director of the Conejo Free Clinic after serving as a clinic board member. The Conejo Free Clinic provides free legal, dental and medical services to those in need in Ventura County. Tapper brings her experience in the corporate and non-profit sectors to the new post. If you are interested in volunteering your services, contact ltapper@conejofreeclinic.org or the clinic's Legal Director, **Karen Oakman**, karen@clunenandoakman.com.


Asleep on the job? We just learned of a 2016 article in the journal of the Association for Psychological Science reporting that sleep-deprived judges (at least in the federal courts, on Mondays following the start of daylight savings time) imposed more severe sentences than those who spent more time sleeping. https://journals.sagepub.com/doi/full/10.1177/0956797616678437?utm_id=50123&sfmc_id=2572339. Not everyone agrees. <https://journals.sagepub.com/doi/10.1177/0956797617720239?icid=int.sj-challenge-page.similar-articles.2>.

The judges of the Ventura County Superior Court have announced proposed amendments to the Court's Local Rules and to official court forms to take effect July 1. You can see the proposed new and revised rules and forms at <http://www.ventura.courts.ca.gov/local-rules.html> and send comments to CommentsToProposedLocalRules@ventura.courts.ca.gov.

The Legal Aid Clinic is back. Starting April 5 and every first and third Tuesday of the month, Ventura County Legal Aid and the Ventura County Law Library will hold a clinic for Ventura County residents seeking


advice and assistance. Visit vlegalaid.org for more details. VCLA also needs the help of retired attorneys to volunteer as "emeritus" attorneys. The emeritus attorneys help answer calls to VCLA and direct the indigent clients to attorneys who can assist. The emeritus attorneys also volunteer at the twice monthly legal clinics at the Ventura County Law Library.

Last month's HYH? note omitted crucial details, so here's another try: The Pre-Law Society of California Lutheran University hopes to connect attorneys interested in collaborating with the club on several events for the Spring semester. Pre-Law Society of CLU hosts attorneys on campus for individual speaking events, panels, workshops, and more. If you are interested in connecting with pre-law students, reach out to club president Taylor Garman at tgarman@callutheran.edu. You may also contact attorney and adjunct professor **Mari Rockenstein** at mrockenstein@callutheran.edu for more information. The club meets weekly on Thursday evenings but hosts events any evening of the week. We look forward to connecting with you soon!



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IN REMEMBRANCE OF KATHERINE E. STONE

by Monte L. Widders

It is with deep regret and sadness that I must write of the passing of **Katherine Stone**, who preceded her husband and longtime partner **J. Roger Myers** in death, on Nov. 15, 2021, a short two months before Roger's passing. (See adjoining Remembrance of J. Roger Myers.)

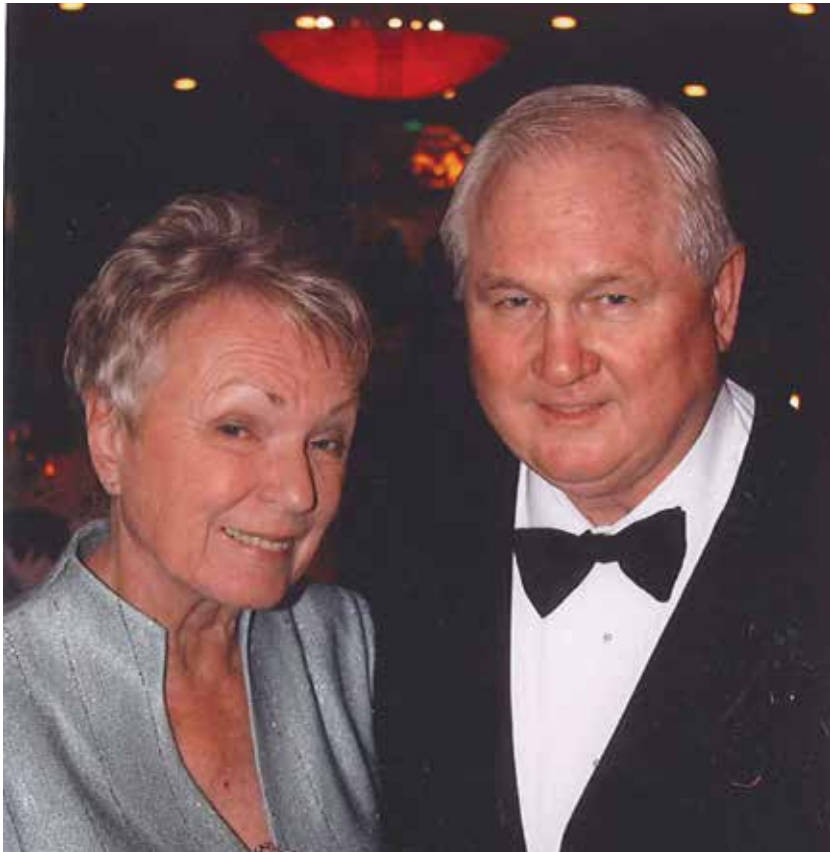
I first met Kathy in 1983.* I was the newly appointed City Attorney for Ojai and the City had recently denied a request for a large development project consisting of a shopping center and single-family housing. The developer, Howard Palmer, sued the City for writ of mandate and damages. (See *Palmer v. City of Ojai* (1986) 178 Cal. App.3d 280.)

Palmer was represented by long-time local attorney **Phil Drescher** and well-known Los Angeles land use attorney, Michael Berger. I needed help! I was eventually referred to Kathy, at that time a partner with Burke, Williams & Sorenson in Los Angeles.

As it turned out, Kathy was very familiar with Ventura County. She had previously been married to long-time attorney **Steve Stone** (who later became a justice of Division Six of the Court of Appeal), and lived many years in Santa Paula, where the couple had two children, Brian Stone and Julianna Stone de Melo. Steve and Kathy were divorced in 1970. Kathy, who had left UC Berkeley before graduating to marry Steve, went back to college. She received her undergraduate degree at UCLA and her law degree at Loyola Law School, where she graduated *cum laude* in 1974.

After graduation from law school, Kathy became a deputy attorney general for the State of California. She left the attorney general's office to enter private practice at Burke Williams in Los Angeles where she became a partner. She left Burke Williams to form her own firm, Freilich, Stone, Leitner & Carlisle in West Los Angeles.

Over the years, Kathy became a noted expert in land use and the California Environmental Quality Act. She represented many public agencies, including cities, counties and special districts. She was instrumental in preserving sensitive lands such as Bolsa Chica, Madrona Marsh, Ahmanson Ranch, and wetlands in Arroyo Grande, Bolinas



and Oceanside. She was a California State Bar certified specialist in appellate law. She argued six cases to the U.S. Supreme Court and many cases to the California Supreme Court, 9th Circuit Court of Appeals and the California appellate courts. She taught at UCLA and UC Santa Barbara. She was a lecturer at numerous seminars throughout the United States. She also served as chair of the Public Law Section of the California State Bar.

Shortly after engaging Kathy to help me with the defense of the *Palmer* case, I introduced her to my partner Roger. They hit it off immediately and began co-defending various cities and public agencies all over California from lawsuits brought by developers. Roger and Kathy, to nobody's surprise, married in 1994, and Kathy became Of Counsel to our firm.

Kathy was a brilliant lawyer and appellate specialist. In addition to saving the land in the *Palmer* case from development (the land eventually became City open space), she was instrumental in preserving sensitive land throughout California for the generations to come.

Kathy and Roger enjoyed traveling throughout the world and regularly attended opera and classical music performances in Los Angeles and San Francisco.

As an accomplished attorney and businesswoman, Kathy Stone was someone who all could look up to and try to emulate, but especially the generations of young lawyers who will follow her example. Her sharp wit and wide range of interests made her a delightful conversationalist, colleague and friend. I will miss her.



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*Although the CITATIONS style manual calls for last names after the first reference, we refer to Katherine Stone here as Kathy to avoid confusion with references to her former husband, retired Justice Steven Stone.

IN REMEMBRANCE OF J. ROGER MYERS

by *Kelton Lee Gibson*

On Jan. 18, Ventura County lost a 52-year pillar of the legal community when **John “Roger” Myers** unexpectedly passed away just two months after the death of his beloved wife, noted appellate specialist **Katherine Stone**. During his legal career, Myers received virtually every award the Ventura County Bar Association has to offer, mentored many young attorneys and, along with **Monte L. Widders**, founded what has become the county’s second oldest and second largest law firm.

“Hi, I’m Roger Myers,” were the first words I heard him say as he extended a big hand towards me to shake. This took place at a bar meeting I attended as a new deputy public defender in spring 1976. I still remember the camel hair sport coat he wore then and on many other occasions. After that he would become my mentor, friend and partner for the next 45 years.

Myers was born March 25, 1941, in San Diego, about nine months before the Pearl Harbor bombing. His family soon moved to the Midwest, where he attended a one-room Nebraska schoolhouse and then played football for the Nebraska Cornhuskers. After graduation and being in the university’s ROTC program he joined the U.S. Marine Corps, serving a tour in Vietnam and rising to the rank of Captain. Although he did not like to talk about it, he fought in direct combat in the jungles of Southeast Asia. He then attended Hastings College of Law in San Francisco, in the same class as other noted Ventura County attorneys **Ed Whipple**, **Terry Viele** and **Gary Jacobs**.

Upon graduation, Myers joined the Ventura County District Attorney’s Office, where he quickly rose to Chief Trial Deputy. In 1971 he joined future state senator **Omer Rains** in what became Rains & Myers. Rains left the practice when elected to the Senate, and the firm of Myers & Widders was hatched.

Back in those days it was the norm for all local firms to practice “door law” – that is anything that walked through the door. It was certainly the case with our firm. Myers’s broad practice included criminal defense (he was in the middle of a murder trial at the time I joined the firm in 1980), family law, estate planning, public entity law (he was contract city attorney for Fillmore



and counsel for Carpinteria Valley Water District for years), personal injury (he once represented and recovered for a client known as the “drunk walker,” who was struck while staggering across Hwy. 126, and was thankfully not killed due to his state of intoxication), condemnation, construction law, construction defect law, and just about anything else you can imagine.

Myers was active in the bar and the community. His contributions and accolades include being elected Ventura County Bar Association President in 1992, receiving the Ben E. Nordman Community Service Award in 2007, serving as president of two Rotary Clubs and of two homeowners associations, acting as founder and board member of two banks, election to the board of the Ojai Unified School District, serving as a member of the Ojai Parks and Recreation board, founding and supporting the Ventura County Stand Down for veterans, and being an active church member.

Myers was devoted to his wife Kathy, his two children, two stepchildren, two grandchildren and five step grandchildren.

Opposing counsel have often shared that if you had a case with Roger Myers, you had a case with a gentleman, one who treated you with respect and professional courtesy while

at the same time vigorously representing his client. He was quoted as saying, “Be civil to your colleagues, and give something back to your community.”

As noted by longtime partner Widders, “As long as I knew Roger, some 50 years, he never said a derogatory word about another lawyer, or for that matter, another person. He was at all times honest, truthful, reliable and supportive. What more can you ask of a partner or friend? He was indeed a gentleman in all sense of the word. Or, as one lawyer recently said to me, ‘He was a sweetheart.’”

We will all miss him.



Kelton Lee Gibson is a partner in Myers Widders Gibson Jones & Feingold, focusing on civil, business and real estate litigation and on construction and personal injury law. kgibson@mwgjlaw.com.



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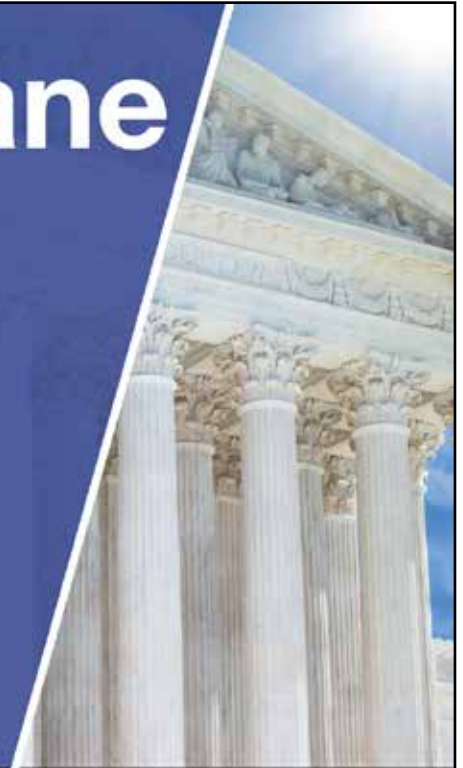
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UPDATE ON VENTURA COUNTY'S PUBLIC SAFETY RACIAL EQUITY ADVISORY GROUP

by *Rabiah Rahman*

Thurgood Marshall once said, “In recognizing the humanity of our fellow beings, we pay ourselves the highest tribute.”

On Nov. 10, 2020, the Ventura County Board of Supervisors passed a resolution declaring racism a public health crisis and pledged to promote equity, inclusion and diversity in housing, employment, economic development, health care and public safety. The resolution articulates the justification for the declaration: research shows that racism is linked to negative health outcomes. The cumulative experience of racism throughout an individual's lifetime can lead to chronic health conditions including depression, anxiety, hypertension, stroke, heart attack, diabetes, maternal death, premature birth, respiratory diseases and autoimmune diseases. County data shows that Black and Latinx individuals have the lowest life expectancy in Ventura County. Indigenous people and people of color visit Ventura County hospital emergency rooms for multiple chronic conditions at significantly higher rates than white people. The poverty rate for Black families in Ventura County is twice that for white families, and the poverty rate for Latinx families is more than three times the rate for white families. More than 65 percent of individuals in Ventura County experiencing homelessness are people of color. People of color are also incarcerated at a disproportionate rate.

In addition to multiple other commitments in the resolution, the County agreed to work with community groups and law enforcement agencies to establish a collaborative independent advisory group to help foster meaningful discussions and identify public concerns related to policing policies and procedures regarding matters such as hiring, training and misconduct. Over the last eight months, county representatives, public safety agencies and community groups have worked together to create the Public Safety Racial Equity Advisory Group (“PSREAG”).

PSREAG has fifteen members. Five represent public safety agencies: the Sheriff, a municipal law enforcement agency head, the District Attorney, the Public Defender and head of the Probation Agency. Ten community-based organizations are represented: the NAACP, Santa Paula Latino

Townhall, Black Lawyers of Ventura County, Latinx Bar Association, Mixteco Indigena Community Organizing Project (MICOP), Diversity Collective of Ventura County, We Belong 805, Pacific Clinics, Ventura County Asian American Bar Association and Conejo Valley Interfaith Association.

The purpose of PSREAG is to provide a forum where public safety and community stakeholders collaborate to improve communication and understanding amongst the parties and the greater public. PSREAG will work to identify potential solutions to improving law enforcement policies and procedures and community engagement. PSREAG will provide valuable input on issues surrounding public safety, equity and justice-oriented best practices to enhance policies, procedures and community interactions, while increasing access, transparency and fostering a mutual understanding.

PSREAG has two primary goals: 1. Improve communications by working together in a two-way dialogue between public safety agencies and community organizations that share an interest in advancing an equitable justice system and creating a community forum by which information, education and ideas are encouraged and exchanged; and 2. Improve policies and procedures by helping increase public understanding of public safety policies and procedures, as well as identifying areas of concern and offering potential solutions or strategies for enhancements. Findings, proposals or recommendations may be submitted in a report to the County CEO for placement on a Board of Supervisors meeting agenda at least every six months, or as needed, and will be distributed throughout the community.

Throughout American history, attorneys have assumed leadership roles and have played a critical part in advancing social equity. This remains true today. One-third of PSREAG's members are lawyers and members of the Ventura County Bar Association. The attorney-members of PSREAG understand the importance of our role and hope their efforts will contribute to equitable progress in Ventura County.

I am honored to serve as the Vice-President of Black Lawyers of Ventura County (BLVC) and our representative to PSREAG. During its first meeting, the group selected Ventura

County Public Defender **Claudia Bautista** and me to serve as co-chairs. Bautista says, “For the first time, ‘public safety’ is being conceptualized as not exclusively meaning police. Rather, the county, district attorney, public defender and community leaders [are] all collectively contributing to the **safety** of our community. For the first time, county leadership, community leaders, advocacy groups, civil rights advocates, have a platform upon which to express their ideas, grievances, suggestions, praise, to its members and to the public. As a department head, I want to be able to reach as many of our community members as possible. I want to inform them of the work we do and how we can improve our services to better serve them.”

Vanessa Valdez, President of the Latinx Bar Association (LBA), joined PSREAG because, “...oftentimes lawyers can be the catalyst of social change. We are law reformers that help resolve disputes and bring people and resources together in productive solutions. The vast majority of Latinx are not exposed to attorneys growing up, just like myself. As a result, these communities lack positive role models and lawyers become vital conduits who bring information to the people, and are at the frontlines demanding justice, accountability and fighting for equality.”

PSREAG seeks to collaborate and learn from one another. “The work of the PSREAG is vitally important. Bringing law enforcement, government, and community groups together fosters communication, understanding and trust,” says District Attorney **Erik Nasarenko**. “Dedicated leaders from our community bring the voices and concerns of the public to the group – alongside the input from the Public Defender, Probation and law enforcement agencies. I am honored to be a part of this outstanding group of people and look forward to continuing our work together.”

PSREAG members have a vision for the world they want to help build. **Jessica Wan**, president of the Ventura County Asian American Bar Association (VCAABA), said, “Since its inception, VCAABA has strived to do what it can to build a more tolerant, diverse, and inclusive community for all –

PIZZA GAIN (Italian Easter Pizza)

by Lou Vigorita

locally and on a larger scale...When I look around at the meetings, I am honored to be in a room with leaders, lawyers and community members who are willing to have hard, honest, but necessary conversations with one another about safety and racial equality."

It is often said that it is better to give than to receive. As lawyers, we have a lot to give. Former U.S. Attorney General Janet Reno said, "Being a lawyer is not merely a vocation. It is a public trust, and each of us has an obligation to give back to our communities." Be it through VCBA's president **Jacquelyn Ruffin's** initiative to work with high school students to increase access to the legal profession, **Karen Oakman's** work with the Conejo Free Clinic to help members of the community access medical, dental and legal services, or the various and diverse non-profit boards of directors and advisory boards our VCBA members sit on throughout the county and state, VCBA members recognize the importance of public service outside of the regular practice of law. This is precisely why five out of the fifteen members of PSREAG are lawyers.

Lawyers have undoubtedly played a role in creating inequitable systems throughout our nation's history. I personally believe that lawyers will also play critical role in correcting past mistakes, and that it is our responsibility as leaders in the community to work to ensure that we build a more equitable community for the generations to come.

Thurgood Marshall said, "Where you see wrong or inequality or injustice, speak out, because this is your country. This is your democracy. Make it. Protect it. Pass it on." At this critical juncture in our collective history, my hope for all of us is that we take a critical look at what we are passing on and work together today to make it a better place for the generations to come.



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Napoleon supposedly said that "An army marches in its stomach." Sustaining food gives the soldier gives him the energy to fight on. But if my grandmother had her way, La Grande Armée would be bogged down with this heavy dish, which is not for the faint of heart.

Pizza Gain is to be served at the end of the Lenten Fast (or the end of a pandemic?) and its purpose is celebratory. My nonna's desire was to fatten you up.

A quick Google search describes "*Pizza Gain (also known as Pizzagaina, Pizza Rustica, or Pizza Chiena*" as "*an Italian Easter Pizza that is unlike any pizza you have ever tasted. Forget the tomato sauce, this filled pizza is more like a cheese and salami pie with a pizza crust. With beautiful layers, this impressive pie is the perfect dish for Easter brunch!*"

Here is the best photo that I could find to capture this beauty as I remember those days:



This recipe is from my mother's handwritten notes, handed down orally from her mother.

Measurements were always "by eye" and "by feel" with these women, so those of you looking for more definitive measurements will have to look elsewhere. Just remember these recipes came with a whole bunch of love. My nonna, Amelia Sabella, was a native of Napoli and loved to cook for her family. It was not unusual to have fifteen people at family feasts during Easter and no one went home hungry.

Ingredients (I didn't promise a healthy dish, just a lot of love)

The Dough

2 heaping tbsps of lard
 $\frac{3}{4}$ cup tepid water
 Pepper-salt
 Flour (about 3 cups)

The Filling

3 pounds ricotta cheese (the good kind!
 Polio in New York)
 3 handfuls of grated cheese
 6 eggs
 2 tbsps minced parsley
 $\frac{1}{2}$ small mozzarella cheese ball diced
 1 $\frac{1}{2}$ pounds Italian sausage meat fried and drained. (If links, remove the sausage from the casing before frying).
 Black pepper (to taste)
 $\frac{1}{2}$ pound ham diced

Pan size: 10" round/ 2" high

Directions:

Make the pastry dough according to "pastry dough directions." Roll into a ball and set aside.

Using a mixer, beat the filling ingredients except the meat until well blended. Add the drained sausage meat and ham. Mix and blend with spoon. Set aside.

Divide the pastry dough in half. Roll out one sheet. Place into pan with some overlapping. Place filling on to the dough in the pan. Cover with second sheet of dough. Bring edges together. Seal carefully (here's where the extra love comes in!) **Do not prick the crust as in other pie recipes; leave sealed.**

Place in center of oven with a sheet of aluminum foil below and bake at 350 degrees for two hours. Cake will rise and may spill over a little (ergo the foil). After two hours let cool completely and refrigerate. It's at its best the next day.



Buon appetito!

Lou Vigorita is a retired lawyer in Ventura.



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BARRISTERS' CORNER: ZOOM MANDATORY SETTLEMENT CONFERENCES HERE TO STAY

by Ben Baumer

As the pandemic forced the closure of Ventura County Superior Court, former Assistant Presiding Judge **Kevin DeNoce** sought to ameliorate the situation by instituting the Zoom Mandatory Settlement Conference. The change has provided litigants a forum to resolve their civil lawsuits during the closure. Fortunately, as the pandemic wanes, the Zoom MSC will remain.

This remarkably effective forum brings decisionmakers together to unburden the courts from cases ripe for settlement. Not only is the overhead cost relatively modest, but Zoom MSCs facilitate prompt participation from remote decisionmakers at the click of a button. For example, now the East Coast senior insurance adjuster attends an MSC that would have otherwise been left to a junior adjuster with far less authority to settle the case. Additionally, the Zoom MSC fosters greater access to the courthouse by providing the flexibility some parties require to minimize time away from their jobs and/or loved ones. Having said that, Judge DeNoce hopes to be inviting parties back to the courthouse for in-person MSCs soon. So, for this edition of Barristers' Corner, I interviewed Judge DeNoce to discuss how to best use this robust tool now and when in-person MSCs become available again.

Judge DeNoce was assigned to the MSC calendar early in the pandemic. Drawing on his penchant for technological innovation to streamline court procedure (see March 2017 CITATIONS, https://www.vcba.org/wp-content/uploads/2018/03/March-Citations-2017_Web.pdf) Judge DeNoce gave life back to the civil calendar through the Zoom MSC.

Best practices

One of Judge DeNoce's favorite refrains comes from Mark Twain: "It ain't what you know that gets you into trouble. It's what you know for sure that just ain't so." To prevent any such trouble, Judge DeNoce observes:

CCP § 664.4: This statute permits the Court to retain jurisdiction to enforce a settlement agreement if the parties have stipulated to an agreement orally before

the Court. During the Zoom MSC, Judge DeNoce will Zoom in a court reporter to memorialize a stipulation, creating an enforceable settlement agreement.

Decorum: Judge DeNoce is a substance over form jurist, but he still expects participants to treat the proceeding with the same formality as an in-person court proceeding. If a Zoom MSC participant appears informally dressed or from a mobile location, Judge DeNoce appreciates an explanation.

Ripe for Settlement? Like a fruit on a tree, there is a sweet spot for achieving a settlement. Judge DeNoce notes that outstanding discovery causes many MSCs to fail. If this may be the case for your MSC, Judge DeNoce requests that you notify his staff so that the MSC can be rescheduled. Learning about incomplete discovery the day of the MSC prevents the court from using its time to oversee another MSC that is ripe for settlement. But don't wait too long either. In Judge DeNoce's experience, 60-90 days before trial is the sweet spot for an MSC. He is recommending the trial

judges set the MSC 60 days before trial.

Client Preparation: Attorneys should always confer with their clients before the MSC to ascertain the bottom-line settlement position. Clients may need to contemplate such important decisions overnight, not during the MSC.

Know CACI: The California Civil Instructions provide a straightforward, but invaluable, framework to understand your burden and the merits of your case. Judge DeNoce recommends using CACI to prepare for your MSC and/or a Motion for Summary Judgment.

On a personal note, my clients appreciate the Court's adoption of the Zoom MSC. It easily accommodates physical challenges presented by traveling to court without compromising the clients' participation in the proceeding.



Ben Baumer is a civil litigation associate at Louthorp Richards in Oxnard.

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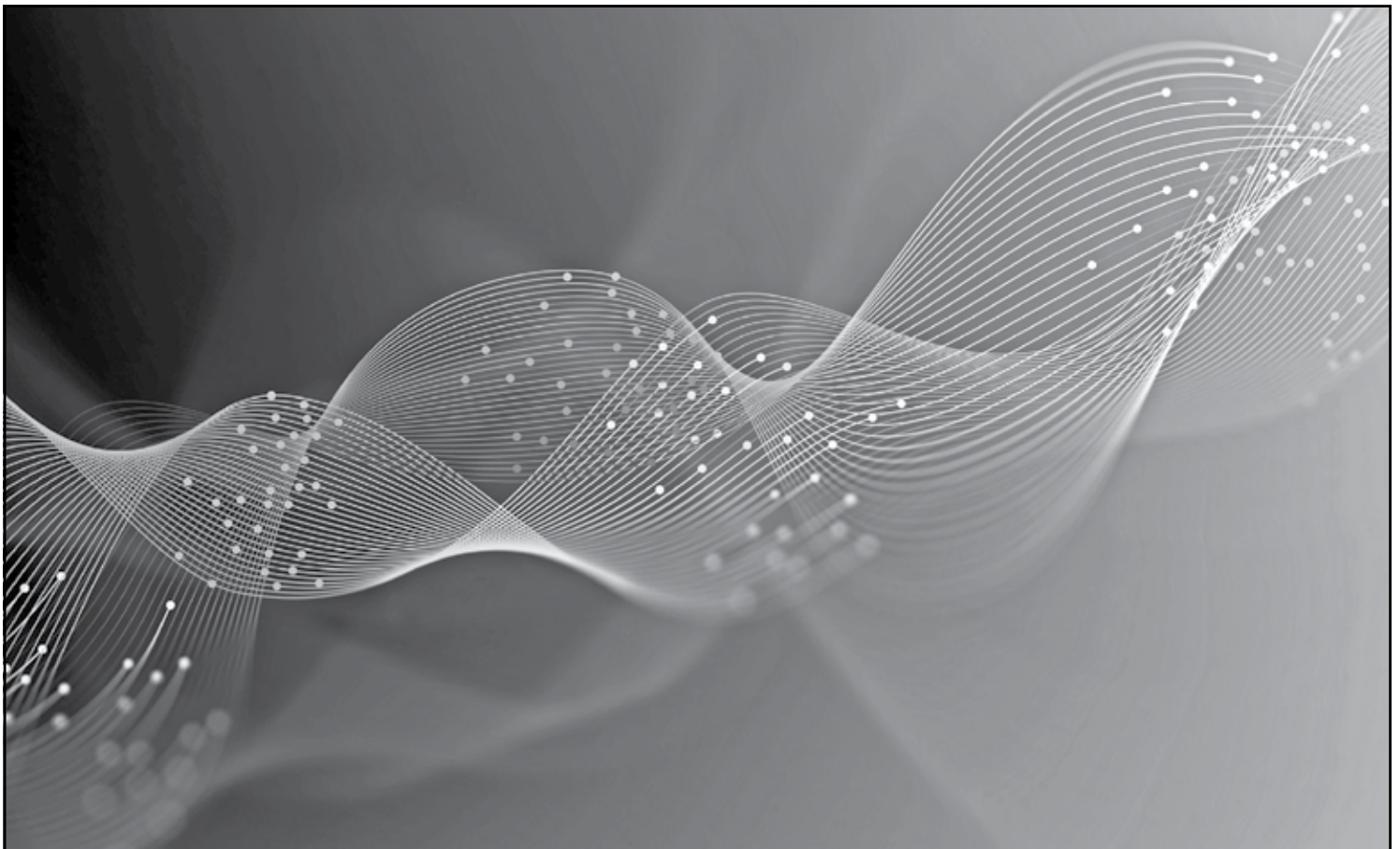
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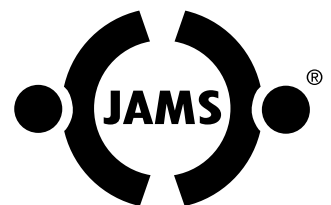
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