

# Young Attorneys

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## Technology helping lawyers save time, money

By DOUG SHERWIN  
The Daily Transcript

From cloud computing and e-discovery to Skype and social media, technology is continually changing the way lawyers practice law.

And with the proper application, attorneys can be more effective and efficient while saving time and money.

"As a solo practitioner, it [technology] levels the playing field," said Jim Crosby, a business litigation attorney in Poway. "The types and number of cases only big firms can handle is becoming smaller because of technology."

"But it's about servicing my clients, being efficient and generating work. It's a fast-paced world, and if you don't keep up and have a nimble, fast-paced practice, you'll lose business."

But all the advances don't come without their share of pitfalls. The enormous amount of information now available makes it a challenge for attorneys to manage the data and stay organized.

"If someone's a bad lawyer, technology is not going to make them a good lawyer," said Los Angeles attorney Rachelle Rennagel, the chief knowledge officer for Sheppard, Mullin, Richter & Hampton.

"If you're a good lawyer, technology will help make you a better lawyer or a more efficient and faster lawyer who can provide better client service."

Attorneys and firms are moving to a paperless environment, converting documents to — or producing them in — a digital format.

"I think it saves overhead considerably," said Crosby, who no longer employs a full-time secretary. "We don't spend time filing. We don't spend time indexing. I think the big losers in all this are legal secretaries and traditional legal staff."

Law libraries and courts are moving in the same direction, storing information electronically and making it available online. All federal courts allow pleadings, motions and other case documents to be filed electronically as well.

This has been a big help for boutique firms and solo practitioners, who lack the money and manpower to maintain comprehensive libraries like the big, national firms.

Also, with files readily available online, attorneys now can work anywhere they have a laptop computer and an Internet connection.

The concept of cloud computing has further enhanced an attorney's mobility, enabling files and databases

to be updated on three or more devices simultaneously.

"I think the biggest benefit is geographic flexibility," said Pat Swan, a San Diego partner with Luce, Forward, Hamilton & Scripps who leads the firm's technology committee. "I can essentially practice law anywhere, anytime with the technology our firm has and which is available to most firms."

Luce Forward is experimenting with the idea of "hoteling," in which a group of offices are not assigned to a particular attorney but rather are available to anyone who needs them. Swan said it could mean approximately 10-20 attorneys would share five offices.

Since the cost of leasing space is one of the biggest expenses for a firm, "hoteling" could enable a firm to save considerable money by consolidating its operations.

Cloud computing also is used to store case files in an online repository so clients and attorneys can view the documents whenever they want. Clients can watch the progress of their case online while lawyers in separate offices or firms can access the same information quickly.

"That's a big game changer because large firms used to have the capacity to set up extranets if they wanted to," said Crosby, the solo practitioner from Poway. "Now there's software so anyone can do that."

The concept of cloud computing is promising but also problematic, according to Sheppard Mullin's Rennagel. When a third party is storing the documents, there are questions regarding what is privileged, who can access the files and how safe they are.

"Firms are risk averse and treat confidentiality seriously," she said. "Clouds are scary because we don't control it. It has its benefits and its drawbacks. It's an area where you'll see some development."

Another development as a result of technology is the proliferation of video conferencing.

Depositions are being streamed online, allowing an attorney or expert witness to log on anywhere in the world and watch. And by using instant messaging or texting, an expert witness can give the attending attorney a question to ask during the deposition, according to Rosalie Kramm, president of Kramm Court Reporting in San Diego.

She said a lot of attorneys bring

See Technology on 10

## Transcript honors promising Young Attorneys in San Diego

The Daily Transcript

San Diego County law firms maintain a competitive edge by attracting top attorneys as well as grooming outstanding young talent. In this special publication, *The Daily Transcript* recognizes the San Diego legal community's up and coming stars with the fourth annual Young Attorneys honor.

These attorneys work for large, national firms, specialized boutiques, nonprofits and the justice system. Many are associates, and some have made partner. A few have even opened offices of their own.

Each of the 46 finalists has demonstrated common characteristics; they are hard working and detail-or-

ented, knowledgeable and enthusiastic, ethical and professional, and committed to furthering the interests of justice in society.

New attorneys with seven years of experience or less practicing law in private, public, contracts or federal patent practice were nominated by their peers and mentors, who answered the call to single out rising talent in San Diego County's courtrooms and legal hallways. They were judged by an independent panel of legal experts.

Keep your eyes on today's Young Attorneys — these honorees could very well be the Top Attorneys of tomorrow.

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## Firms look for continued use of alternative fee arrangements

By DOUG SHERWIN  
The Daily Transcript

When the economy collapsed in late 2008, the legal industry's standard model of pricing — the billable hour — collapsed right with it.

And while the economy has begun to recover, the use — and variety — of billing practices by law firms continues to rise.

In a recent survey by the Association of Corporate Counsel, 29 percent of in-house counsel reported an increase in their use of alternative fee arrangements in 2010.

San Diego firms, both large and small, are using alternative fee arrangements with regularity as well.

"The trend in the past was for our lawyers to think — and we were trained this way — about how to deliver the absolute best legal product, no matter how much time it takes," said Kurt Kicklighter, managing partner of the San Diego office of Luce, Forward, Hamilton & Scripps. "Clients now are saying we're not willing to pay for that last hour that will give the absolute best value. They want us to be efficient rather than give them the last, best chance in the contract."

"That's a change from being a profession to being a business."

Kicklighter said the initial push to create different billing plans came from clients, who were looking for the best value in a difficult economic environment.

"Now it's one of the things we don't wait for the clients to ask for," he said. "We start talking about it earlier in the relationship."

Susan Hackett, the senior vice president and general counsel for the Association of Corporate Counsel, said the trend began earlier than the recent recession.

She said there has been a strain in

the relationship between corporate legal departments and outside counsel for a long time, arising mainly over the cost of legal fees.

"I think a lot of people came to the table as a result of the downturn, but the pot has been simmering and ready to boil over for more than a couple of decades," she said. "The question has been whether there was the political will to turn things on its head, and were they going to focus on a more efficient business model."

Hackett said clients are looking at increasing the expectation that the value of the services received more closely matches the prices charged. In 2007, well before the market turned sour, her organization started working on the ACC Value Challenge, a project designed to study the different types and uses of fee arrangements.

"Generally talking about fees with clients is a good thing," said David Sunkin, a Los Angeles partner with Sheppard, Mullin, Richter & Hampton and one of the firm's four "alternative fee czars." "Being transparent in both directions is a good thing. I think that for lawyers, we can be better advocates and counselors if we understand what the client's business endgame is."

One alternative to the billable hour is a fee deferral, most commonly used for startups and young companies. The law firm can accept delayed payments in exchange for equity in the company or future work from the client.

A popular option for transactional work is a flat fee for certain elements.

Other types of alternative fee arrangements include blended rates, caps on fees and payment based on how successful the lawyers are. If a firm does well, it gets a bonus; if not, the firm only gets percentage of what

it normally receives.

"The key is really talking to your client and understanding what it is their objectives are, what the challenges are and working out a solution that works for both parties," said Sheppard Mullin's Sunkin.

In some cases, law firms are leaning one of their attorneys to the client to participate as an in-house lawyer. The associate's salary then gets paid by the company while he or she learns more about the client's needs.

Luce Forward is working on an arrangement where one of its clients would give the firm all of its litigation work in California for a fixed amount. Kicklighter said he doesn't expect that to be commonplace, but in this one instance it could result in the firm getting extra business.

"The client is looking for lower legal fees; we're looking for more volume," he said. "The [alternative fee] arrangements work best when there is history of a relationship and trust."

In the past, Kicklighter said, the flexibility of small to mid-sized firms to offer alternative fee arrangements used to give them an advantage over the bigger, national firms. But now the AmLaw 100 firms are being forced to offer different payment schedules as well.

"National firms are much more astute about this," Kicklighter said. "They've changed with the market."

Before tinkering with billing fees, the ACC's Hackett recommends that firms look at their staffing structures to make sure the work is being done by the right people. Senior partners, junior associates and paralegals all should be used to their highest capacity and their strengths should be defined ahead of time.

She said firms also should be gathering data on a company's record in

See Fee on 11

## Judge refuses to stop sale of California buildings

By JUDY LIN  
The Associated Press

SAN FRANCISCO — A judge on Friday refused to stop the sale of 11 state properties to a group of private investors, handing Gov. Arnold Schwarzenegger a legal victory as he seeks to close the deal before leaving office.

Superior Court Judge Charlotte Woodard denied a request for an injunction to halt the sale, saying she did not think there was enough support to bring the case forward and show that taxpayer funds are being wasted. Opponents vowed to appeal.

The state is selling the buildings — including the Ronald Reagan building in Los Angeles and the San Francisco Civic Center — for \$2.3 billion to California First LLC, a consortium of investors led by a Texas real estate firm and a private equity firm based in Irvine.

The state Department of General Services is trying to close the deal by Dec. 15. After construction loans are

paid off, the state expects to generate more than \$1.2 billion to help fill the state's general fund. The state will continue to use the space by entering into a 20-year lease with the new owners.

"We're very satisfied with the judge's ruling today," said DGS spokesman Eric Lamoureux. "It confirms what we've always known, that the sale-leaseback transaction is valid. We will be moving forward to close the escrow process and complete the sale at this point."

The lawsuit was brought by two former state building authority members, Jerry Epstein and A. Richmond Doms, who were ousted by Schwarzenegger after they asked the state to perform a cost-benefit analysis and questioned the long-term consequences for taxpayers.

In affirming a tentative ruling she made earlier in the day, Woodard said Epstein and Doms lacked sufficient standing to bring the case. Their attorney, Joseph Cotchett,

said he would file an immediate appeal.

Cotchett said an injunction was sought to stop the sale so it could be considered on its merits. "One understands that this was just a stop along the way; the case goes on," he said.

Opponents of the sale contend the deal should not continue without the consent of the Judicial Council, which has authority over buildings housing the state's appellate courts. They also claimed the proposal constitutes a waste of taxpayer money and an illegal gift of public assets to a private party.

If President Obama and the Congress decided to sell the United States Supreme Court (building) to investors foreign and domestic, you can well imagine the uproar," said Louise Renne, an attorney representing former building authority member Don Casper, who also objected to the sale. "Well, we have the same thing going on right here in the state of California."

The 11 office complexes contain 24 separate buildings and were sold to help close the state's budget deficit in the current fiscal year. Even with the sale, the state faces a \$6.1 billion deficit this year.

An analysis by the nonpartisan Legislative Analyst's Office found the deal will end up costing taxpayers at least \$1.4 billion over 35 years. The state will pay an effective interest rate of 10.2 percent to rent back the buildings it now owns, about double what the state pays on existing bonds used to build its offices.

Opponents also questioned the bidding process. During a deposition of state Treasurer Bill Lockyer, they found that investors had sought to arrange to give a \$500,000 "finder's fee" to Santa Ana Mayor Miguel Pulido if the sale goes through.

Until the lawsuit was filed last month, the state refused to release information about the losing bids.

"This bidding process was a sham," Cotchett said. "It's a situation where they're running something up the

flag pole at the last moment, giving the taxpayers no transparency whatsoever."

Mary Maloney Roberts, who represented the Judicial Council's administrative office, argued the council should have a say over two of the buildings, which house a variety of court offices, including the California Supreme Court and two courts of appeal.

"Council has not spoken, it has not had the opportunity to speak at all," Roberts said.

Cotchett noted at the hearing that the state is not fixing an immediate cash shortage and questioned the Republican administration's intent to close the deal this month when the state fiscal year doesn't end until June 30.

"Why the rush here to close this transaction?" Cotchett said. "This audience knows why we're in court. We're in court because they want this matter to close before there's a new

See Judge on 12

## Young Attorneys finalists

### Practicing 1-2 years

**Erika D. Anderson**  
GCR LLP

Erika Anderson is an associate in the San Diego office of GCR LLP. Practicing in civil litigation, education law, and labor and employment, she has specialized in labor practice disputes and discipline matters. In her civil litigation practice, Anderson recently worked on a complicated international contract dispute, helping GCR's client reach settlement on the eve of trial. While in representation of school district clients across the state, she has participated in contentious contract negotiations and worked to address grievances and unfair practice charges filed on behalf of represented employee groups.

Anderson recently co-authored an article about student privacy rights in the sphere of social media and has previously published an article on employee privacy rights for the American Bar Association's "Employment Law & Litigation" newsletter.

Anderson serves as a board member for the San Diego La Raza Lawyers Association and is a member of the San Diego County Bar Association, Young New Lawyers Division, the San Diego Lawyers Club and the California Council of School Attorneys.

She received her J.D. from Harvard Law School. While in law school, she was a member and vice president of the Harvard Legal Aid Bureau, representing indigent clients in a variety of cases, including housing and eviction, benefits and family law cases often dealing with difficult issues of domestic violence and drug abuse. In addition, she served as a senior editor on the Harvard Environmental Law Review; was a project chair for legal research and special projects for Harvard Law School's chapter of the American Civil Liberties Union, working with the local

chapter to address discriminatory enforcement of federal immigration laws by state police officers and the potential abuse of taser in apprehending nonviolent suspects; and interned with the Massachusetts Appellate Center for Law and Justice, where she helped craft legislation on educational rights for homeless children while simultaneously working on a class-action suit against the state of Massachusetts regarding inequality in funding for minority school districts.

While completing her undergraduate degree, Anderson volunteered as a victim and witness advocate with the Boulder County District Attorney's Office, helping victims of violent felony crimes navigate the confusing and often impersonal criminal justice system while trying to transition back into their normal lives.

**Robert J. Bello**  
Berman & Riedel LLP

Robert J. Bello grew up in Park Ridge, Ill., and attended Northwestern University, where he earned his bachelor's degree, majoring in both economics and political science. While at Northwestern, Bello played on the school's varsity baseball team and



after graduating, he played professional baseball in Italy for two seasons.

Bello then moved to San Diego to attend law school. He earned his

J.D. magna cum laude, from Thomas Jefferson School of Law. While at Thomas Jefferson, Bello received several distinguished accolades, including making the honor roll/distinguished honor roll every semester, being named a member of Law Review, and being selected to be a student representative of the notable Wallace Inn of Court. Bello was also chosen to serve as a Judicial Extern for the Hon. Leo S. Pappas at the U.S. District Court, Southern District of California, and for the Hon. Judith L. Haller at the California Court of Appeal, Fourth District, Division One. Bello also helped found Thomas Jefferson's Dual Degree MBA Program with San Diego State University, and was the first graduate of the official program, earning both his J.D. and M.B.A. at SDSU. Bello was recognized as the 2009 Outstanding MBA/JD Graduate and was named a member of the distinguished Phi Kappa Phi national honor society.

Bello joined Berman & Riedel LLP as an associate attorney in 2010. His practice areas include catastrophic injury, wrongful death and elder law. Bello is admitted to practice in California, Illinois and the U.S. District

Court, Southern District of California. Bello holds dual citizenship with the United States and Italy, and speaks fluent Italian. In his free time, he enjoys surfing, traveling, playing competitive baseball and spending time with his wife Erin, who is also an attorney.

**Theresa Bowen**  
The Gomez Law Firm

A trial attorney at The Gomez Law Firm, Theresa Bowen devotes herself to plaintiff's personal injury cases, focusing on catastrophic personal injury and product liability. Her goal is to bring justice to ordinary



people through hard work, preparation and a commitment to the ethics of the legal profession.

Since 2009, Bowen has worked on Saylor v. Toyota et al. to bring justice to the surviving family members of California Highway Patrol Officer Mark Saylor, Cleofe Lastrella Saylor, Mahala Saylor and Chris Lastrella. Mark, Cleofe, Mahala and Chris were tragically killed when their Lexus unexpectedly accelerated out of control in San Diego County in 2009. Their story has gained international attention and has been the focus of Congressional testimony in Washington, D.C. Bowen has played an active role in investigating the product liability case against Toyota and the negligence case against Bob Baker Lexus.

Since starting with The Gomez Law Firm in 2008, Bowen has been fortunate to have been mentored by Trial Lawyer of the Year Award winner John Gomez and Robert Hamparyan, and Outstanding Trial Lawyer Award winner James Iagmin.

Under their guidance and mentorship, Bowen has achieved numerous milestones in her first two years of practice. Shortly after being sworn in to the California bar, Bowen cross-examined a witness in a high-value real estate broker fraud/elder abuse case, Lafranboise v. Krebs et al. Bowen has taken and defended approximately 75 depositions, and has also written and opposed numerous motions, including summary judgment and discovery motions. Bowen has been given tremendous autonomy in handling all facets of case preparation. She has assisted in recovering more than \$20 million for the firm's clients.

Previously, Bowen worked as a print and broadcast writer for the Associated Press and as a television news reporter in Baltimore and San Diego. A 1999 graduate of the University of Virginia and a 2008 cum laude graduate of the University of Baltimore School of Law, Bowen is the

only person in her immediate family to have graduated from college.

Bowen is a member of the State Bar of California, Consumer Attorneys of San Diego, Consumer Attorneys of California, the San Diego County Bar Association, American Association for Justice, Attorneys Information Exchange Group and the American Bar Association.

Bowen's commitment to helping those in need includes volunteering for the Special Olympics, Autism Speaks, St. Vincent De Paul Village and the National Latino Police Officers Association.

**Shawn Cobb**  
Latham & Watkins

Shawn Cobb is an associate in the San Diego office of Latham & Watkins and is a member of the firm's Litigation Department. He specializes in securities litigation and professional liability, and is also a member of the firm's intellectual property group.

Cobb recently completed a nearly two-year litigation engagement to verdict involving highly publicized allegations of fiduciary fraud against a Fortune 500 company. After more than four months of trial and a nine-figure damage claim by plaintiffs, the jury returned verdict in favor of the defense. Cobb was primarily responsible for the defense's legal arguments.

Over the course of trial, Cobb prepared numerous briefs and engaged in over three full weeks of oral argument addressing a host of contested legal issues, ranging from the intricacies of unclear contracts to usury law to economic and non-economic damage limitations in fiduciary fraud cases.

Prior to attending law school, Cobb worked for five years with Northrop Grumman Inc. as a consultant, where he primarily advised the U.S. Department of Defense and various members of the U.S. intelligence community in the areas of risk identification and analysis.

During this time, Cobb also led an independent risk analysis team tasked with assessing Northrop Grumman's exposure on its highest-risk current and proposed operations. During a three-year period, he led dozens of engagements involving contracts valued at between eight and 11 figures. In this capacity, Cobb routinely presented results in highly adversarial proceedings against opposing financial and technical experts before a panel of corporate executives.

Cobb received numerous awards for his service, including the President's Award from Northrop Grumman/TASC and an

award from the Deputy Director of Central Intelligence.

Cobb also served for nine years in the U.S. Army Reserve. He initially served in the Medical Corps as an enlisted Medical Specialist assigned to a field hospital unit and later as a commissioned officer in the Medical Service Corps assigned to Walter Reed Army Medical Center. In 2002, he transferred to the Military Intelligence Corps, where he served as the Battalion Intelligence Officer (S-2) for the 11th Psychological Operations Battalion, 2nd PSYOP Group until 2005. Cobb was honorably discharged in 2007.

Cobb received his J.D. from the University of Virginia School of Law in 2008, an M.A. from Georgetown University in 2001 and a B.S. at Virginia Polytechnic Institute & State University, School of Business in 2000.

**N. Ben Cramer**  
Mulligan & Banham

N. Ben Cramer is an associate at Mulligan & Banham, where he specializes in medical malpractice, elder abuse and personal injury cases. In only his second year as an attorney, Cramer has participated in a wide range of legal activities including taking and defending depositions, multiple mediations and second-chair in a successful jury trial.

As the son of a Marine Corps officer, Cramer was born in Fort Belvoir, Va., and grew up on both coasts, before eventually going to high school in Carlsbad. Cramer graduated from the University of California at Los Angeles in 2005 with a B.A. in history with an emphasis in religious studies and the Civil War. While at UCLA, Cramer was a member of the UCLA Mens Rowing Team and his lightweight four boat finished 2nd in the Pacific Coast Rowing Championships.

After UCLA, Cramer received his J.D. from Thomas Jefferson School of Law in 2008. He competed in numerous national Moot Court Competitions and was awarded Top-Ten Oral Advocate at the American Bar Association National Appellate Advocacy Competition in Boston, Mass. He is an active member of San Diego, Lawyers Club of San Diego, San Diego County Bar Association and the American Bar Association.

Cramer is an ongoing mentor to a young boy whose father is incarcerated, through the Y-FRIENDz program of the YMCA. He is also actively involved as a volunteer with the Emilio Nares Foundation, helping children who are battling cancer. In his spare time, Cramer

enjoys competing in triathlons, half marathons and golf tournaments.

**Ahmed S. Diab**  
Green Bryant & French LLP

Ahmed Diab is an associate attorney at the law firm Green Bryant & French LLP. His practice centers on representing plaintiffs in catastrophic personal injury cases including elder abuse and medical malpractice. Diab also litigates financial elder abuse and employment cases.

His most recent victory at trial came in May with Green Bryant & French partner, Joel Bryant. Bryant and Diab obtained a \$324,800 verdict on behalf of a 68-year-old gentleman who fell and injured himself while exiting a stage. The gentleman was preparing for a speech at a dinner and the hotel's employees failed to properly attach the adjoining step to the stage. Diab credits his rapid growth and maturity as a young attorney to Bryant's willingness to guide and involve him on all aspects of their cases, from client intake through the conclusion of trial. In the last year, he has participated in three civil trials and one probate trial with Bryant.

Diab grew up in Los Angeles and went on to complete his undergraduate education at the University of California at Davis, obtaining a bachelor's degree in economics with a minor in the history of modern Europe. In 2008, he obtained a high law degree from California Western School of Law in San Diego. During law school, Diab assisted victims of torture obtain asylum while interning at Casa Cornelia Law Center. He also served as a teacher for the Street Law program designed to teach troubled youth at the high school level about law, democracy and human rights.

Diab is a member of the Consumer Attorneys of San Diego, Consumer Attorneys of California and the San Diego County Bar Association. He enjoys spending his free time with his fiancé and family. He also holds a black belt in The Kwon Do and enjoys playing basketball, football and tennis.

**Dawn Fonseca**  
Littler Mendelson

Dawn Tehorston Fonseca is an associate in Littler's San Diego office. She represents employers and management with respect to employment matters including wage and hour class actions and audits, and every type of discrimination, harassment and wrong-



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### The Daily Transcript

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## Gomez Law Firm continues to shine in 2010

Only 5 years old, the Gomez Law Firm continues its rapid ascension as one of California's top injury and trial firms. This year again, the firm's lawyers achieved some remarkable successes. Attorney Robert Hamparyan obtained a \$1.4 million verdict in Los Angeles for a woman that suffered a knee injury when she was struck by a vehicle while crossing a street. He also was named a "Super Lawyer" in the personal injury field, and received an "Outstanding Trial Lawyer" award from Consumer Attorneys of San Diego for his recent \$13 million dollar verdict in a brain injury case.

Attorney James Iagmin teamed with John Gomez to obtain a \$1.7 million verdict on behalf of a local police officer who was a Marine Corps reservist who struck a car stalled out on the freeway at night. He received two "Outstanding Trial Lawyer" awards for that case, and a teacher-student sex abuse case. Cobb received numerous awards for his service, including the President's Award from Northrop

Grumman/TASC and an award from the Deputy Director of Central Intelligence. Cobb also served for nine years in the U.S. Army Reserve. He initially served in the Medical Corps as an enlisted Medical Specialist assigned to a field hospital unit and later as a commissioned officer in the Medical Service Corps assigned to Walter Reed Army Medical Center. In 2002, he transferred to the Military Intelligence Corps, where he served as the Battalion Intelligence Officer (S-2) for the 11th Psychological Operations Battalion, 2nd PSYOP Group until 2005. Cobb was honorably discharged in 2007.

Perhaps most importantly, the Gomez Law Firm is a community leader. This year, the firm's attorneys and staff volunteered for and trained on causes ranging from "La Cuna," The Chicano Federation, the National Latino Police Officers Association, Malashack Dance, San Diego Volunteer Lawyers, the San Diego County Bar Association, the Community Youth Athletic Center and Special Olympics.

In just five years, the Gomez Law Firm has made a difference and will continue to make a difference for years to come.

Submitted by the Gomez Law Firm

## Young Attorneys finalists

Stricter Conflict of Interest Standards," was published in 2008 (7 S. Cal. Interdisc. L.J. 569). While in law school, Ransom clerked for the Los Angeles Office of the Public Defender, served as a research assistant to professor Christopher Stone, and worked part-time for Allen Matkins' Century City office.

### Geoffrey Spreter

*Law Offices of Alex Schack*  
Geoffrey Spreter is an associate with the Law Offices of Alex Schack, where he focuses on consumer fraud, mass tort and antitrust. Spreter is currently involved in several class actions, including in re Bayer Corp. Combination Aspirin Products Marketing & Sales Practices Litig. In re: TFT-LCD (Flat Panel) Antitrust Litigation; Joel L. Ross and Thomas Santos v. Honeywell International, Inc. et al; Branning v. Apple Computer, Inc. et al.

He has also served as class counsel and resolved two consumer class actions in his first two years of practice. During his first year in practice, Spreter tried a five-day investment fraud case to verdict. Currently, he is actively involved in the litigation relating to the 2007 San Diego Wild Fires, where he serves on the Policies, Budget, and Insurance and Single Enterprise Liability discovery committees.

Spreter received his J.D. from the University of San Diego School of Law in 2008, and his B.S. in business administration with an emphasis in finance from San Diego State University in 2002. He also obtained a post-baccalaureate certificate in accounting from San Diego State University. Prior to law school, he worked as a financial analyst for a national brokerage firm. During law school, Spreter interned with the San Diego Public Defender's Office. He is admitted to practice in California and the U.S. District Court, Southern District of California.

### Susan Woo

*Contract attorney*

Susan Woo is a second-generation Korean-American. She is currently contract attorney practicing in the areas of immigration law,

family law and civil litigation. Her proudest accomplishment to date has been her involvement on the Fred Korematsu Day ad hoc committee. Along with other committee volunteers, she helped draft legislation and find a legislative sponsor to designate a day in the state of California to recognize the importance of preserving our civil liberties and specifically, Asian Pacific American contributions towards those efforts. The first Fred Korematsu Day of Civil Liberties and the Constitution will be celebrated on Jan. 30, 2011.

She earned her undergraduate degree from the University of Arizona in 2004, and her juris doctor degree from the University of San Diego School of Law in 2009, where she served as president of the Asian Pacific American Law Students Association and was a founding member of the Diversity Committee. As a law student, she interned at the U.S. District Court for the Southern District of California, USD Immigration Clinic, Casa Corrales Law Center, San Diego County District Attorney's Office and Center for Public Interest Law. After law school, she practiced at a mid-sized civil litigation firm defending premises liability claims.

She currently serves on the board of directors for Women

of Color in Law Inc., helping coordinate two additional luncheons geared at women in the legal field. In her spare time, she enjoys yoga, cooking and eating, and Phoenix Suns basketball.

### Practicing 3-5 years

#### Cecilia Brennan

*GCR LLP*  
Cecilia Brennan joined GCR LLP as an associate in 2008. Her work is principally focused on municipal law, education law and labor and employment issues. She serves clients in federal and state law compliance, administrative hearings and procedure, and general litigation matters. As a bilingual attorney, Brennan also handles matters involving Spanish-speaking clients. In addition to her work at GCR, Brennan is also active within the local legal community, as a member of the San Diego and Los Angeles County Bar Associations, the San Diego La Raza Lawyers Association, Latinos in the Law and San Diego Lawyers Club.

Brennan's current work is informed by her genuine passion for public interest issues and an extensive professional background in community economic development, education policy and nonprofit management. Prior to pursuing her J.D. at University of California, Los Angeles School of Law, Brennan co-founded two Los Angeles-based nonprofit organizations focused on education and community development. While in school, she was instrumental in founding the historic National Latino/Latino Law Student Association, which now has active chapters in nearly every state in the United States.

In her free time, Brennan commits her energy to furthering access to affordable housing and joining efforts to address homelessness. Currently, she is an active member of Girls Think Tank, a San Diego-based organization founded by attorneys and dedicated to finding solutions to homelessness in San Diego. Brennan also gives her time to teaching and promoting traditional music and mentoring high school students interested in pursuing a career in law.

#### Marissa Drago

*GCR LLP*  
Marissa Drago is an Attorney at GCR LLP and represents employers in all types of employment-related litigation such as discrimination claims, wrongful termination, harassment, and wage and hour violations. In the short time she has been working as an attorney after law school, Drago has had many successes, in and out of court, for Fortune 100 clients, single owner companies and everything in between. Drago provides the full range of legal services required by municipal and governmental entities of all sizes and is an expert in contract and tort-based claims.

During her second year in practice, at the age of 27, Drago successfully litigated an all-defense verdict in a trial involving employment-related issues against a San Diego hotelier, where the damages sought exceeded half a million dollars. Drago served as second chair, and argued a number of successful motions in limine.

Drago is actively involved with the local legal and Hispanic communities. She frequently volunteers to read and speak to socioeconomically challenged children throughout the San Diego community through a number of programs, including San Diego La Raza Lawyers and

Lawyers' Club read-ins and the San Diego County Career Day. Currently, she is the director for the Hermanitas Program of MANA de San Diego, the largest Latina mentorship organization in the U.S.

Dragoo values the importance of mentorship, and realizes that her life was largely shaped by others who took the time to mentor her. As a result of the invaluable impact that various individuals have made on her, Drago has always dedicated a significant portion of her time and efforts to mentoring others throughout her life.

She also serves as a board member for the San Diego La Raza Lawyers Association, the San Diego La Raza Lawyers Scholarship Fund, New Lawyers Division and MANA de San Diego. Drago was recently honored as one of San Diego Metropolitan Magazine's Top 40 Under 40.

#### Kriste Draper

*Children's Advocacy Institute, USD School of Law*

Kriste Draper serves as staff attorney for the Children's Advocacy Institute (CAI) at the University of San Diego School of Law. Her primary role is directing the Homeless Youth Outreach Project (HYOP), providing legal services and related assistance to homeless youth throughout San Diego County.

Draper's work on behalf of homeless and disadvantaged children began at age 17, when she worked with Stand Up For Kids as an outreach counselor. She continued her work with homeless youth while obtaining an undergraduate degree in social work. She then attended and graduated from the USD School of Law, where she participated in CAI's academic program and was a co-recipient of the James A. D'Angelo Outstanding Child Advocate Award in 2006.

Upon graduating from law school, Draper created HYOP as part of a two-year Equal Justice Works Fellowship, continuing her lifelong commitment to working on behalf of homeless youth. The fellowship ended in 2008, but Draper has kept the program in operation by raising fund-

ing from Sony Electronics Inc., the San Diego County Bar Foundation; the Simon Strauss Foundation; Campaign on the Bay; the McCarthy Family Foundation; and others. With their generous support, Draper is able to

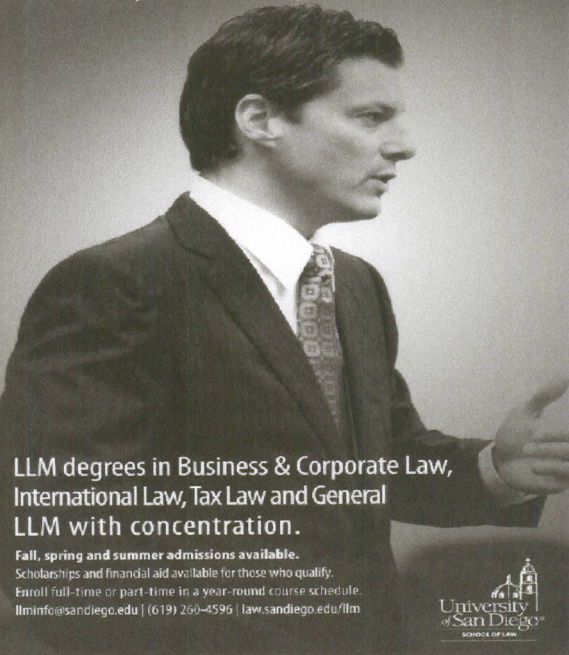
serve the legal needs of homeless youth, and in so doing, help them get off the streets and get on with their lives. Draper is a member of the State Bar of California, the National Association of Counsel for Children, the San

Diego County Bar Association, the American Bar Association, California Coalition for Youth and Stand Up For Kids. She was born in British Columbia, Canada.

See Finalists on 6

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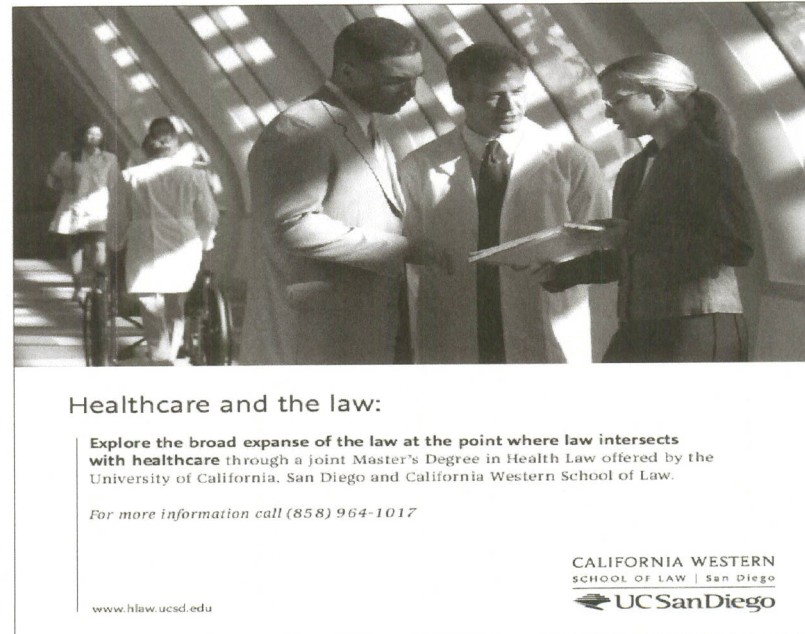
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## Young Attorneys finalists

**Andrew Gregor**  
*Foley & Lardner LLP*  
Andrew D. Gregor is an associate at Foley & Lardner LLP, where he focuses on employee benefits, ERISA, executive compensation under Internal Revenue Code Section 409A and related issues pertaining to implementing and maintaining retirement and welfare plans. Gregor's employee benefits work covers a wide array including traditional ERISA defined benefit and 401(k)

plans, non-ERISA cash balance plans, church-sponsored 403(b) plans, government 457(b) plans and employer provided health insurance. In 2010, Gregor's work focused primarily on implementing the changes brought about by the health care reform acts passed by Congress in March. Gregor is active in Foley & Lardner LLP's pro bono prac-

tice. He works with AARP's Tax-Aide program to prepare income tax returns for elderly and low-income individuals. Through his work with AARP, Gregor has obtained advanced training in individual income tax issues and has provided thousands of dollars of federal Earned Income Tax Credit to residents of San Diego County. Outside of work, Gregor co-captains his adult kickball team, works with the Leukemia & Lymphoma

Society to help make blood cancers a thing of the past, and plays a mean game of ping pong (mean as in average, not angry). Gregor received his law degree from Harvard Law School in 2008 and his B.A. from the University of California, Berkeley in 2005.

**Ben Howard**  
*Neil Dymott*  
Ben Howard was born in Brainerd, Minn. He attended the U.S. Military Academy at

West Point, N.Y., where he earned his bachelor's degree in psychology. Howard received his master's in human relations from the University of Oklahoma. He attended University of Iowa College of Law, where he was president of the Hammond Chapter of Phi Alpha Delta, an honorary legal fraternity. Howard worked as a law clerk at Neil Dymott before he joined as an associate in 2005. In 2009, he was awarded the "Distinguished Young

Attorney Award" by the San Diego Defense Lawyers Association for his professionalism and dedication to excellence. Howard was also recognized by *The Daily Transcript* as one of 2007's "Young Attorneys." In 2009, he was elected to serve on the San Diego Defense Lawyer's Board of Directors, and was elected as the organization's treasurer for 2010. Howard's practice areas include general and professional liability matters, personal injury and the defense of medical malpractice claims.

In addition to his legal career, Howard served in the U.S. Army for five years as an infantry officer. Following graduation from the U.S. Military Academy, Howard served as company executive officer at the President in Monterey, Calif. From 1998 to 2001, he served as a rifle platoon leader and the battalion adjutant in Hohenfels, Germany. Howard is a recipient of the Airborne and Air Assault Badges, as well as the Ranger Tab.

He is married to his wife of 11 years, Jeanne, and has three children with her. He volunteers with the Boy Scouts of America as a Scoutmaster, and attends at least 75 percent of the weekly meetings and monthly campouts. He enjoys reading, history and backpacking, completing the John Muir Trail (from Yosemite National Park to Mount Whitney) in 2005 and Yosemite's North Rim in 2010.

**Michael Kinslow**  
*Zalkin Law Firm PC*

Michael Kinslow is a trial lawyer. Inspired by Robert Kennedy's call to dedicate ourselves "to tame the savagery of man and make gentle the life of this world," Kinslow represents people who have been physically, emotionally and psychologically harmed by others. Since becoming admitted to the practice of law in California in 2005, his principal area of work is representing survivors of childhood sexual abuse.

This work has taken Kinslow into courtrooms throughout the state and across the nation, helping to stem the damage caused to his clients and society by the epidemic of childhood sexual abuse. These efforts include both the litigation of individual cases and active participation in complex coordinated proceedings against large corporations who provided pedophiles access to children.

In addition to childhood sexual abuse cases, he has represented survivors of product defects, brain injury and medical malpractice, and families faced with a wrongful death. On a pro bono basis, Kinslow represents disabled dependents of active duty and retired military personnel in administrative appeals before the U.S. Department of Defense. These cases involve an appeal of the denial of life-sustaining medical and home nursing care benefits through the DOD's health care system known as TRICARE. He has testified as a legal expert before the Defense Subcommittee of the U.S. House of Representatives' Appropriations Committee regarding needed reforms within the TRICARE system involving the manner in which disabled individuals are provided or denied health care. While in law school he assembled and coordinated a coalition of advocates that successfully reformed TRICARE's treatment of disabled individuals, resulting in the passing of positive legislative and regulatory changes.

Kinslow is a cum laude graduate of The Catholic

## Law Firms

Listed by Number of Local Attorneys

Firm Name URL	Number of Local Attorneys	Number of Local Partners	Number of Local Associates	Areas of Practice	Executive(s) & Title(s)	Year Established in San Diego	Year Established
<b>1</b> DLA Piper US LLP www.dlapiper.com	124	51	3,500	60	Amitrust, appellate, bankruptcy, complex litigation, corporate and securities, employment, estate planning, First Amendment law, IP and technology, licensing, litigation, mergers and acquisitions, patent, privacy, real estate, tax and trusts, trademark	2005	1927
<b>2</b> Precopio, Cory, Hargreaves & Savitch LLP www.precopio.com	112	58	112	22	Full-service firm	1946	1946
<b>3</b> Luce, Forward, Hamilton & Scripps LLP www.luce.com	103	62	171	44	Full-service law firm with eight major practice areas: business, business litigation, bankruptcy, insurance, labor and employment, real estate, real estate and environmental litigation, family wealth and exempt organizations	1873	1873
<b>4</b> Latham & Watkins LLP www.lw.com	101	28	2,000	68	Patents, trademarks, copyrights, trade secrets, false and misleading advertising, models and designs, geographical indications, rights of privacy and publicity, grey market, unfair competition, e-Commerce, Internet regulation, online theft of intellectual property, cybercrime	1980	1934
<b>5</b> Gordon & Rees LLP www.gordonrees.com	96	45	405	49	Full-service firm including corporate litigation and transactions, securities, labor and employment, environmental, toxic tort, real estate, IP, construction, bankruptcy, health care, maritime, insurance, tort and product liability	1980	1874
<b>6</b> Cooley LLP www.cooley.com	91	27	644	57	Antitrust/trade regulation, bankruptcy/restructuring, commercial class action litigation, credit finance, employment and labor, environmental, estate planning, IP litigation, international, Internet law, life sciences, M&As, real estate, tax litigation, venture capital, white collar, regulatory defense	1982	1920
<b>7</b> Robbins Geller Rudman & Dowd LLP (formerly Coughlin Stora Geller Rudman & Robbins LLP) www.rgrdlaw.com	89	32	180	47	Litigation, securities fraud, shareholder derivative litigation, corporate governance, options backdating litigation, corporate tax/overseas litigation	2004	1976
<b>8</b> Sheppard, Mullin, Richter & Hampton LLP www.sheppardmullin.com	81	38	551	49	Corporate and securities, entertainment and media, finance and bankruptcy, IP, labor and employment, litigation, real estate and securities, environmental, tax, trusts and estate planning, white collar defense	1986	1927
<b>9</b> Morrison & Foerster LLP www.mfo.com	72	20	1,032	46	Patents, trademarks, copyrights, trade secrets, technology transfer and licensing arrangements, alternative dispute resolution, litigation	1999	1883
<b>10</b> Selzer Caplan McMahon Vitek www.scmv.com	68	0	68	22	Civil and business litigation, real estate, general corporate, securities, taxation, land use, probate, estate planning, white collar crime, environmental law, family law, bankruptcy, IP, employment law	1948	1948
<b>11</b> Higg, Fletcher & Mack LLP www.higgflaw.com	60	42	60	20	Full-service firm with business, transactional and litigation practice areas	1939	1939
<b>12</b> Knobbe, Martens, Olson & Bear LLP www.kmob.com	51	26	259	25	Litigation, offensive portfolio strategy, internal IP audits, market clearance risk management, design around strategy and investment, acquisition diligence	1984	1962
<b>13</b> Foley & Lardner LLP www.foley.com	47	21	926	26	Corporate, environmental, litigation, health, IP, securities, taxation, real estate, construction, labor and employment, bankruptcy, venture capital	1986	1842
<b>14</b> Lewis Brisbois Bisgaard & Smith LLP www.lbb.com	44	23	699	22	Full-service firm	1984	1979
<b>15</b> Allen Matkins Leck Gamble Mallory & Natisa LLP www.allenmatkins.com	39	25	215	13	Real estate, litigation, corporate and securities, bankruptcy creditors rights, labor and employment, tax, IP	1987	1877
<b>16</b> Fish & Richardson PC www.fr.com	37	n/a	373	19	Patent litigation, patent prosecution, trademark and copyright, business litigation	1995	1878
<b>17</b> Paul, Hastings, Janofsky & Walker LLP www.paulhastings.com	36	10	1,059	24	IP litigation, patent prosecution, securities litigation, corporate, employment law, litigation	2003	1951
<b>18</b> Best Best & Krieger LLP www.bbklaw.com	35	15	177	18	Employment and labor, eminent domain, water rights, land use, municipal, schools, environmental and natural resources, real property, title insurance, trust, general business litigation	1993	1891
<b>19</b> Pillsbury Winthrop Shaw Pittman LLP www.pillsbury.com	36	13	737	21	IP and technology, biotechnology, health care, information technology, communications, multi-media software and computers, real estate	1976	1868
<b>20</b> Wilson Sonini Goodrich & Rosati PC www.wsg.com	35	6	600	25	IP counseling and patents, IP litigation; technology; Internet and copyright litigation; technology transactions; trademarks, copyrights and advertising; global outsourcing transactions	2004	1961
<b>21</b> Klindinst PC www.klindinstlaw.com	33	n/a	56	13	Employment and labor, real estate, professional liability, business litigation, IP, environment defense	1983	1983
<b>22</b> Jones Day www.jonesday.com	32	13	2,621	14	IP, labor and employment, products liability and general litigation, labor and employment, products liability, civil and business litigation, white collar criminal litigation and defense	2004	1893
<b>23</b> Mintz Levin Cohn Ferris Glovsky and Popeo PC www.mintz.com	32	16	443	14	IP, real estate, corporate, bankruptcy, employment	2006	1933

Data Source: The firms and their websites, listed by Number of Local Attorneys. This is a partial list; a more complete listing can be found at [sources.sfd.com](http://sources.sfd.com). N/A: Not Applicable; n/a: not available; w/d: would not disclose. In the case of a tie, firms are listed alphabetically. It is not the intent of this list to endorse its participants nor to imply that the company's size or numerical rank indicates quality of service. We reserve the right to edit listings or to exclude a listing due to insufficient information. The following firms did not respond to our survey: Bley & Mett LLP, Lerner, Greenfield & Paster LLP, Latham and Rose Attorneys at Law, Baker, Spaulding, McGeer & Byrne, Branton & Wilson APC. Compiled by Kelly Scott, [kellyscott.sfd.com](http://kellyscott.sfd.com). Last updated 4/2010.

See Finalists on 7

# Meet the judges

**Tiffany Bailey**  
*Blood Hurst & O'Reardon LLP*

Tiffany Bailey is an attorney with the law firm of Blood Hurst & O'Reardon LLP, practicing in the area of complex class action litigation involving consumer fraud.

After graduating from the University of San Diego School of Law, Bailey worked in securities litigation before taking a position as a legal recruiter for Robbins Umeda LLP.

Bailey has a demonstrated commitment to serving fellow members of her community. Since 2008, she has been the co-chair of the San Diego County Bar Association/Association of Corporate Counsel - San Diego Diversity Fellowship Program. She serves on the board of directors as a Young New Lawyers Division of the SDCBA as Networking and Diversity committee. Bailey also serves as vice-chair of the SDCBA's Ethnic Relations and Diversity Committee. She is an active member of the Earl B. Gilliam Bar Association and San

Diego La Raza Lawyers. Bailey also donates her time as a board member for Culture Shock San Diego, a 501(c)(3) nonprofit that provides opportunities for dancers of all ages to develop their craft.

**William Eigner**  
*Proceptio*

William Eigner, a partner at Proceptio, has been called the "go-to guy for emerging companies." He has also been recognized by his peers as a Top Attorney in the San Diego region in The Daily Transcript for 2008, 2009 and 2010 for transactional law.

Eigner's practice emphasizes venture capital and the financing, governing, operating, buying, selling and merging of growing technology, clean tech and other businesses. He serves as a director of the San Diego Venture Group, CommNexus and San Diego Police Foundation. Eigner serves on the board of the publicly traded Mundoval Fund mutual fund (MUNDX) and on a number of boards of advisers.

**Cara Mitnick**  
*School of Law*

Cara Mitnick is assistant dean for career services at University of San Diego School of Law. She works closely with students to help them achieve their career aspirations. Before arriving at USD, Mitnick was director of career services at California Western School of Law. Before that, she was, for nearly a decade, an employee benefits associate in the New York City office of Jones Day. Prior to law school, Mitnick worked for several years as a research analyst for the U.S. House Judiciary Subcommittee on Criminal Justice.

Originally from Long Island, Mitnick graduated from Northwestern University School of Law and Tufts University. She has a 15-year-old daughter, a 12-year-old son and a husband who is a professor and associate dean for academic affairs at Thomas Jefferson School of Law. She also has an apricot Labradoroodle named Lucy.

**Kristin Rizzo**  
*Higgs, Fletcher & Mack LLP*

Kristin Rizzo is an attorney at the law firm of Higgs, Fletcher & Mack LLP. She handles a variety of complex litigation matters in the area of civil tort and business litigation, with concentration in employment law, health care law and personal injury. Rizzo is a recipient of the 2009 Daily Transcript "Young Attorneys" award, which annually recognizes the area's most promising young associates.

Rizzo is a committed bar leader and an active participant in the legal community. In 2010, she served the San Diego County Bar Association as president of the New Lawyer Division, and will serve as past-president of the division in 2011. She has created and developed continuing legal education programs and mentoring programs for the San Diego County Bar Association. Rizzo has served as a long-time mentor for the San Diego County Bar Association and the Lawyer's Club of San Diego, where she is committed to mentoring and guiding newer attorneys in the practice

of law. In recognition of her significant service to the legal community, Rizzo was a recipient of the San Diego County Bar Association's "Bar Stars" award in 2009 and 2010.

**Jacquelyn Slotkin**  
*California Western School of Law*

Jacquelyn Slotkin is professor of law and director of the LL.M. program for foreign lawyers at California Western School of Law. She is a former legal research and writing program director at California Western. She teaches Introduction to U.S. Law and the U.S. Legal System and Legal Research and Writing. She has studied women since the 1970s, beginning with her doctoral research on role conflict among college-educated women. Her recent law review articles focus on women lawyers. Her first book, *It's Harder in Heels: Essays by Women Lawyers Achieving Work-Life Balance*, written and edited with her daughter (a "young attorney" in Los Angeles), was published in late 2007. Their second book,

*Sharing the Pants: Essays on Work-Life Balance by Men Married to Lawyers*, was published in December 2009. She has managed to juggle a satisfying career with marriage, raising a family and volunteering in the community.

Slotkin received her bachelor's degree from the University of Pittsburgh, her master's from West Virginia University and a Ph.D. from the University of Arizona. She received her J.D. from the University of San Diego.

**Judith Tropp**  
*Thomas Jefferson School of Law*

Judith Tropp is an adjunct professor and serves as director of the Clinical Externship & Pro Bono Programs at Thomas Jefferson School of Law. She received her J.D. from the Fordham University School of Law and her B.A. cum laude, from Smith College.

She formerly served as assistant district attorney in the Appeals Bureau in Brooklyn, N.Y., and was previously a deputy public defender for the county of Los Angeles.

# Young Attorneys finalists

University of America, Columbus School of Law, where he was a member of The Journal of Contemporary Health Law and Policy, Moot Court and the National Trial Team. He was a regional champion and national semi-finalist in American Bar Association competitions. At graduation he was awarded the Alumni Society Award, in recognition of "Academic Excellence, Participation in Extra-Curricular and Co-Curricular Activities, and Service to the Law School, University and Community." Currently, he is an associate with the Zalkin Law Firm PC. He is a member of The Honorable William B. Enright American Inn of Court, and a member of the National Partnership to End Interspousal Violence Across the Lifespan.

**Maureen E. Mueller**  
*Robbins Geller Rudman & Dowd LLP*

Maureen Mueller is an associate in the San Diego office of Robbins Geller Rudman & Dowd LLP, where her practice focuses on prosecuting securities class action lawsuits on behalf of aggrieved investors for violations of the federal securities laws. She received her J.D. from the University of San Diego School of Law in 2007. During law school, she served as lead articles editor of the San Diego Law Review. Mueller joined Robbins Geller as an associate after law school. She is admitted to the State Bar of California as well as the U.S. District Court for the Northern, Central and Southern Districts of California.

Mueller was a member of the Robbins Geller trial team in *Jaffe v. Household Int'l, Inc.*, No. 02-C-5893 (N.D. Ill.). During the pre-trial conference, she briefed, argued and won a key motion in limine, which prevented defendants from introducing certain evidence at trial. On May 7, 2009, after a six-week trial in Chicago, the jury returned a verdict in favor of investors on liability and an award of per share damages, an extremely rare outcome in securities fraud cases. Although the Household litigation is ongoing, the verdict is expected to yield in excess of \$1 billion for investors. Mueller was also a member of the team of attorneys responsible for recovering a record-

breaking \$925 million for investors in *In re UnitedHealth Group Inc. PS/RA Litig.*, No. 06-CV-1216 (IMR/RLN) (D. Minn.).

Mueller was born and raised in Anchorage, Ala. She received her bachelor's degree in psychology from Trinity University in 2002. While at Trinity, she was a member of the women's varsity soccer team and served as team captain. In 2000, her team reached the Final Four of the NCAA Division III National Championship. Additionally, they were the Southern Collegiate Athletic Conference champions in 1998, 2000 and 2001.

Mueller is also involved in San Diego's military community. While her husband, a captain and F/A-18 instructor in the U.S. Marine Corps, was deployed for Operation Iraqi Freedom, she provided emotional support and humor for her fellow military spouses. She also participates in Operation Homefront's "Adopt-a-Family" program, which provides financial assistance to local military families during the holidays.

**Justine M. Phillips**  
*Baker & McKenzie*

Justine Phillips is an associate in Baker & McKenzie's Employment and Dispute Resolution Practice Groups in San Diego. Her experience includes successfully representing individuals and business entities in litigation and employment matters. She concentrates her practice on complex commercial disputes, employment litigation and advice. In her five years practicing law, Phillips has defended and deposed hundreds of individuals, argued dozens of motions in law, and has tried numerous arbitrations all resulting in favorable results for her clients.

Phillips regularly speaks on litigation issues to industry and trade associations, and appears frequently as a legal analyst for KUSI News, providing live on-air commentary on current legal issues. She is a member of Lawyers Club of San Diego, California Women Lawyers, SDCBA Children at Risk and the San Diego County Bar Association. She also serves as president for the Scripps Mercy Auxiliary, a board member for Scripps Mercy Foundation, a founding member and immediate past president of Mother Attorney Mentoring Association of San Diego

(MAMAS), a founding board member and immediate past president of Women in Enterprise San Diego, and chair of the American Bar Association's New Products Subcommittee for Technology for the Litigator. She was previously selected as one of The Daily Transcript's Young Attorneys in 2007 and 2008.

Prior to joining Baker & McKenzie, Phillips spent five years at Seltzer Caplan McMahon Vitke, where she obtained significant experience in all areas of complex business litigation.

Phillips received her B.A. cum laude, from the University of San Diego in 1999. She earned her J.D. magna cum laude, from the USD School of Law in 2005. While in law school she was a member of the San Diego International Law Journal and member of the Phi Delta Phi International Legal Fraternity and participated in the McLennon Moot Court Competition in 2003. She was also named to the Order of the Coif.

Phillips is the proud mother of Eliana (7), Kabe (4) and Kai Reef (2), and is actively involved at St. Columba Elementary School, where she volunteers her time and efforts.

**Puja A. Sachdev**  
*Law Offices and Mediation Services of Julia M. Garwood APC*

Puja Sachdev practices family law with the Law Offices and Mediation Services of Julia M. Garwood APC handling dissolution, child custody, child and spousal support, and property division matters in addition to temporary and permanent domestic violence restraining orders.

Sachdev graduated cum laude from Thomas Jefferson School of Law in San Diego, California with her J.D. in business administration from the University of Nevada, Reno with a dual major of marketing and management and a minor in Japanese in 2000. She completed her M.S. in business administration with a concentration in financial and tax planning at San Diego State University in 2009 and received the certificate for personal financial planning from San Diego State University in 2009. Sachdev is the only family law attorney in the greater San Diego area with the designation of Certified Divorce Financial Analyst. With an extensive business and financial background, Sachdev has a distinct advantage in under-

standing the financial issues in a family law matter.

As well as being a member of numerous organizations, Sachdev is the treasurer of the South Asian Bar Association and the chair of seminars of the 2011 Women's Resource Fair Task Force of Lawyers Club. She is also actively involved in the Ethnic Relations and Diversity Committee of the San Diego County Bar Association and the San Diego Standing Committee of the Family Law Executive Committee of the State Bar.

Prior to her career in law, Sachdev worked as a research analyst for Franklin Templeton Investments. She is the recipient of the American Jurisprudence Award in Legal Research and Writing and received the undergraduate work at the University of California at Santa Barbara, graduating in 2001 with a B.A. in global studies with an emphasis in economics and politics. In 2005, Sachdev received his J.D. degree from California

Western School of Law. He proceeded to obtain his LL.M. in taxation from University of San Diego in 2006.

Schlinger is licensed to practice law in California and before the U.S. Tax Court. His notable accomplishments include an American Jurisprudence Award in International Taxation, the Miller, Monson, Peshel, Polacek & Hoshaw scholarship for academic excellence in tax courses, and the Graduate Law Merit scholarship from University of San Diego.

Schlinger currently serves as chair of the Executive Committee of the Young Tax Lawyers section of the State Bar of California Taxation Section. Additionally, he serves as co-chair of the San Diego Young Tax Lawyers section of the State Bar of California Taxation Section. Recently, he was chosen to attend the annual California

**Jason R. Schlinger**  
*Worden Williams APC*

Jason Schlinger focuses his practice on estate planning, trust administration, probate, tax, business and real estate transactions. Schlinger is experienced in planning for individuals, families and businesses. He works with families and individuals in the drafting and implementation of basic and advanced estate planning documents. He works with fiduciaries and beneficiaries to represent their interests in the administration of estates and trusts and he assists his clients with transfer tax (gift, estate and generation-skipping) planning. Additionally, Schlinger advises corporations, limited liability companies and partnerships, among other entities, in the formation and operation of their businesses.

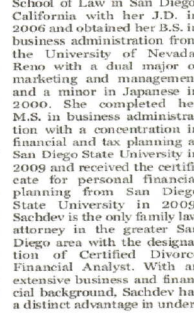
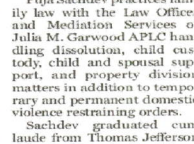
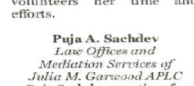
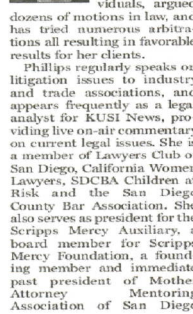
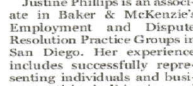
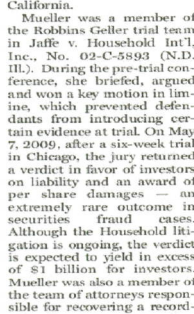
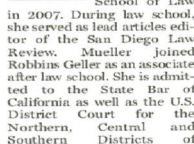
Schlinger completed his undergraduate work at the University of California at Santa Barbara, graduating in 2001 with a B.A. in global studies with an emphasis in economics and politics. In 2005, Schlinger received his J.D. degree from California

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See Finalists on 8



We congratulate our attorneys for being selected as finalists for The Daily Transcript's Young Attorneys 2010

**Mhairi Whitton Ransom**  
Litigation

**Ted Fates**  
Bankruptcy & Creditors' Rights

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# Young Attorneys finalists

Bar Executive Committee of Taxation's Washington D.C. delegation to present a paper that he co-authored entitled, "Common Ground ... Conservation Easements: Matching Conservation Values to the Public with Tax Benefits to the Donors." The paper was presented to various agencies throughout Washington, D.C., including the Internal Revenue Service's Office of Chief Counsel and the Treasury Department.

**Daphne Zubieta Skogen**  
*Herald of Sager*  
Daphne Z. Skogen is an associate with Herold & Sager. Her practice focuses on insurance coverage and complex litigation, including representation of insurers in related litigation such as actions for declaratory relief and additional insured recovery. Skogen has served as outside coverage counsel in more than 100 title coverage claims, including individual claims involving policy limits of over

\$50 million, and successfully negotiated and resolved numerous complex real estate matters related to title, secured lending and construction. Prior to her work in San Diego, Skogen and her husband moved to the Gulf Coast in the aftermath of Hurricane Katrina where they both provided legal services to the U.S. Small Business Administration and hurricane victims. Skogen continues to be an active volunteer in the San Diego legal community and offers particular expertise in homeowner related issues. She regularly volunteers at Housing Opportunities Collaborative's HOME Clinics, providing housing counseling and education to homeowners regarding the rights and responsibilities of ownership. She has served as speaker and author of various workshops including SBA



Disaster Relief Loan Procedures for SDCBA's legal training program to provide San Diego residents with wildfire assistance. Skogen's participation with other organizations includes SDCBA's Diversity Fellowship Program, the Mentor/Mentee program with Pan Asian Lawyers of San Diego and she currently serves as the incoming president for Filipino American Lawyers of San Diego. Skogen also enjoys practicing classical ballet and

recently completed her first sprint triathlon. Skogen earned her bachelor's degree from Santa Clara University and her juris doctor from University of San Diego, School of Law.

Devin Storey

*The Zalkin Law Firm PC*  
Devin Storey joined The Zalkin Law Firm PC (formerly Zalkin & Zimmer LLP) in December 2004. Since that time, he has handled a wide range of personal injury matters including product defect, wrongful death, medical malpractice and brain injury cases. He has also zealously represented victims of childhood sexual abuse, obtaining remarkable results for the firm's clients.



Storey has been one of the lead attorneys representing victims of sexual abuse by Catholic clergy in the statewide coordinated action entitled The Clergy Cases. He has successfully briefed and argued motions affecting hundreds of plaintiffs in these complex matters, and successfully opposed a motion to publicly identify scores of victims of childhood sexual abuse who had otherwise been permitted to proceed anonymously. Storey participated in negotiating the groundbreaking \$198 million settlement of 144 clergy sexual abuse claims against the Roman Catholic Bishop of San Diego, and worked with a team of attorneys to secure the public release of thousands of pages of church documents relating to Catholic priests accused of abusing children in Southern California.

Storey continues to take a lead role in handling appeals throughout the state that involve legal issues affecting sexual abuse victims. He has briefed and argued several appeals in various District Courts of Appeal, as well as before the Supreme Court of California. He has won reversal of numerous trial court rulings, secured denial or writ petitions, and obtained dismissal of multiple appeals.

Storey has given his time to help victims of abuse obtain psychological care and counseling, and has worked with abuse victims to remove abusers from positions of authority where they had access to children. He has donated hundreds of hours of his time to help victims of childhood sexual abuse by filing amicus curiae briefs in the Supreme Court of California, as well as the First, Second and Third District Courts of Appeal. Storey graduated magna cum laude from Whittier Law School, where he was a member of the Law Review and Moot Court Honors Board. Prior to graduation, he interned with the California Department of Justice, and the Law Office of Gordon G. Phillips. Storey received his B.A. from Long Beach State University in 2001.

Shawn Tafreshi

*San Diego County District Attorney's Office*  
Shawn Tafreshi is a felony trial deputy with the San Diego County District Attorney's Office. He is currently assigned to the Superior Court Division. Previously, he worked at the Vista Branch, Pretrial, Juvenile and the Major

Pharmaceuticals Division. He has prosecuted more than 30 jury trials and grand jury proceedings to verdict, and over 20 juvenile trials as well as hundreds of preliminary hearings. He also litigates civil commitment trials of mentally disordered offenders and people considered legally

## Intellectual Property Law Firms

Listed by Number of Local USPTO Registered Attorneys

Name URL	# of Local USPTO Registered Attorneys	# of Local Patent Attorneys	# of Local Trademark Attorneys	# of Local IP Attorneys	IP Practice Areas	Executive(s) & Title(s)	Year Established in San Diego	Year Established
1 Knobbe, Martens, Olson & Bear LLP www.kmob.com	48	55	18	18	Patents, trademarks, copyrights, trade secrets, rights of publicity, unfair competition, related litigation and licensing	Neel A. Isaacson, Office Managing Partner, San Diego Office; Weslie Ferrus, Office Administrator	1984	1962
2 Wilson Sosnini Goodrich & Rosati PC www.wsg.com	18	19	3	3	IP litigation, internet and copyright litigation, technology transactions, IP property counseling and patents, trademarks, copyrights and advertising, global outsourcing transactions	Jeff Guise, Partner, IP - Patents and Innovations	2004	1961
3 Morrison & Foerster LLP www.mfo.com	17	16	0	0	Adversarial patent licensing negotiations, clean tech IP, copyright, patent litigation, technology transactions, trade secrets, trademark, venture IP	Mark C. Zebrowski, Managing Partner, San Diego; Keith C. Westmore, Chair of the Firm; Pamela J. Reed, Managing Partner of the Firm; Harold J. McElhinny, Managing Partner of the Firm	1999	1883
4 DLA Piper US LLP www.dlapiper.com	16	33	2	2	Licensing, litigation, patent and trademark, copyright	Francis B. Busch Jr., Global Chairman; Lee I. Miller, Firm Joint CEO; Sir Nigel Knowles, Firm Joint CEO; Terry O'Neilley, Managing Partner, U.S. Offices; Robert W. Brownlie, Managing Partner	2005	1927
5 Foley & Lander LLP www.foley.com	15	15	0/0	0/0	Biotechnology and pharmaceutical, chemical and pharmaceutical, electronics, green energy technologies, IT and outsourcing, IP litigation, IP transactions and licensing, life sciences, mechanical & electromechanical technologies	Ralf Reinhard Boer, Chairman/CEO; Van A. Tengberg, Managing Partner; San Diego; G. Peter Albert Jr., San Diego/Del Mar Office IP Dept. Chair; Deborah Wasson, Regional Director of Administration; Virginia Cushman, Office Administrator	1996	1842
6 Jones Day www.jonesday.com	15	15	0	0	Patent prosecution and strategy, patent litigation, licensing and technology transactions, due diligence for M&A and financings, ITC litigation, appellate litigation, trade secrets, trademarks and copyrights	Tom Briggs, Licensing/Technology Transactions Team Co-Chair, Firmwide; Anthony Inagone, Pharmaceutical Team Co-Chair, Firmwide; Dale Hieser, Ph.D., Office Patent Prosecution Coordinator; Greg Pines, Medical Device Team Co-Chair, Firmwide	2004	1883
7 Fish & Richardson PC www.fr.com	12	12	3	3	Patent, trademark, copyright, trade secret	Pete Devlin, President; Roger A. Denning, Managing Principal, San Diego	1995	1878
8 Procopio, Cory, Hargreaves & Savitch LLP www.procopio.com	12	11	12	12	Domestic and international patent prosecution; trademark and copyright registration; acquisition, development, licensing	Thomas W. Turner Jr., Managing Partner; Michael J. Chang, Partner; Craig A. Remsever, Partner; Sandra L. Shippey, Partner; Craig P. Segin, Partner	1846	1946
9 Mintz Levin Cohn Ferris Glusky and Pope PC www.mlc.com	10	11	5	5	Biotech patent prosecution, high-tech patent prosecution, patent litigation, trademarks, copyrights, due diligence, licensing, options, copyright litigation, trademark litigation	Eddie Wang Rodriguez, Managing Partner, San Diego; Robert I. Bedian, Firm Managing Partner	2005	1933
10 Sheppard, Mullin, Richter & Hampton LLP www.sheppardmullin.com	9	16	5	5	Patent trademark, copyright, trade dress, trade secrets and consumer law rights including litigation, prosecution, licensing	Guy N. Helgen, Chairman; Dane J. Dunwoody, Administrative Partner, San Diego; Richard L. Kutz, Administrative Partner, San Diego/Del Mar	1985	1927
11 Cooley LLP www.cooley.com	7	9	3	3	International and U.S. trademark, copyright and advertising, patent counseling and prosecution, trade secret litigation, dispute counseling	Frederick T. Muto, Partner in Charge, San Diego	1982	1920
12 Pillsbury Winthrop Shaw Pittman LLP www.pillsbury.com	7	7	1	1	IP and technology litigation, IP audits and strategic planning, patent prosecution, trademarks, copyrights, licensing and technology transfer, trade secrets, open house, media and entertainment, virtual worlds and video games	James Bishwain Jr., Firm Chair; Stephen Hutter, Exec. Vice Chair, Washington D.C.; James G. Gatto, Firmwide IP Chair; Northern Va.; Michael Garratt, Managing Partner, San Diego; John K. Westermarck, San Diego IP Practice Leader	1976	1868
13 Duane Morris LLP www.duaneandmorrison.com	6	6	3	3	IP litigation, patents, trademarks, copyrights, trade secrets, unfair competition	John J. Soroko, Chairman; Charles J. O'Donnell, COO; Daniel Sheeran, CFO; Mark Messing, CMO; John Sroka, CIO	2003	1905
14 Fitch Even Tabin & Flannery www.fitch.com	5	6	n/a	n/a	Counseling, patent preparation and prosecution, trade secrets, trademarks, copyrights, litigation, release and re-examination proceedings, portfolio management, transactions, international	Scott Morgenthau, Partner; Richard Wazewyniak, Partner; Steve Freedland, Partner; James Schumann, Counsel	1889	1889
15 Gordon & Rees LLP www.gordonrees.com	5	5	11	11	Patent, copyright, trademark, trade secrets, unfair competition, prosecution, litigation, counseling, licensing, franchising	Kevin Alexander, Managing Partner; Don Connors, Firm Managing Partner, San Francisco	1980	1974
16 Luce, Forward, Hamilton & Scripps LLP www.luce.com	4	4	9	9	Patent, trademark, copyright, trade secrets, licensing, entertainment, cyber law, related litigation	Richard C. Bigelow, COO; Kurt Kalkbrenner, Managing Partner	1873	1873
17 Townsend and Townsend and Crew LLP www.townsend.com	4	7	1	1	Patent litigation, patent prosecution and counseling, technology transactions, antitrust and unfair competition, trademark and copyright	Thomas Franklin, Partner; Shane Hunter, Partner; Iris Sockel Mirreks, Partner; Kenneth Jenkins, Ph.D., Partner	2003	1850
18 Baker & McKenzie LLP www.bakermkt.com	3	5	3	3	Patent litigation, counseling and licensing, trademark, copyright litigation and counseling	Ali M.M. Mojdehi, Managing Partner	1988	1949
19 Covington and Burling LLP www.cov.com	3	11	0	0	Litigation; strategic patent prosecution; trademark, copyright, false and misleading advertising; Internet monitoring, enforcement and litigation; IP audit; asset management	Robert D. Fram, Co-Chair, Patent Litigation; Timothy C. Hester, Managing Partner, Firm	2008	1919
20 Latham & Watkins LLP www.lw.com	3	9	0/0	0/0	Patents, trademarks, copyrights, trade secrets, false and misleading advertising, models and designs, geographical indications, rights of privacy and publicity, grey market, unfair competition, e-Commerce, internet regulation, Online Theft of IP	Bruce P. Shepherd, San Diego Managing Partner; Local Chair/Partners: Scott Wolfe, Corporate; Robert Howard, Environment, Land & Resources; Kelley Gale, Finance; Michael Weaver, Litigation	1980	1934
21 McDermott Will & Emery www.mwe.com	3	8	0	0	Patent prosecution, portfolio management and counseling, patent litigation, licensing and due diligence across a diverse range of technologies	John Hankins, Partner, San Diego Office Head; Peter Sacchini, Co-Chairman; Jeffrey Stone, Co-Chairman; Sheila Carter, Office Administrator	2003	1934
22 Allen Matkins Lack Gamble Malloy & Niels LLP www.allenmatkins.com	1	0	3	3	Patents, copyrights, trademark, trade secrets	Joe Davidson, Managing Partner, San Diego/Del Mar Offices	1987	1977
23 Klineand PC www.klineandpc.com	1	n/a	6	6	Licensing and litigation relating to copyright, trademark, patent infringement, trade secrets, cyberspace	John D. Klineand, CEO; Greg Garbarco, COO; Carey Cooper, Co-CEO; Heather Rosing, CFO; Kurt Campbell, CRO	1983	1983

Data Source: The firms and their websites. Listed by Number of Local USPTO Registered Attorneys. In the case of tie, firms are listed alphabetically. This is a partial list; a more complete listing can be found at [sourcebook.add.com](http://sourcebook.add.com). N/A: Not Applicable, n/a: not available, w/o: would not disclose. It is not the intent of this list to endorse its participants, nor to imply that the company's size or numerical rank indicates its quality or service. The following are a few firms that did not respond to our survey: Fair, Hastings, Jarboe & Kistner; Bush and West; Intertec; & Rowley LLP; Catalytic Law Group APC. We reserve the right to edit listings or to exclude a listing due to insufficient information. Compiled by Robyn Scott, [robinscott@sdtranscript.com](http://robinscott@sdtranscript.com). Last updated 3/2/10.

See Finalists on 9







Fee

*Continued from Page 1*  
litigation and seeing how certain cases fared over a 10- or 15-year timeframe. It could help determine how much it costs to litigate certain cases. "If you analyze the data, you should have an indication of what the ballpark (price) is," Hackett said. "Look at what strategies were employed."

She said the alternative fee arrangements are the new normal, preferring to call them "value-based" arrangements. "What appeals to in-house attorneys the most about this — besides predictability, quality of life, money savings — is the ability to get back the 20 hours a week they spend arguing about outside counsel

bills," Hackett said. Sunkin, the fee czar of Sheppard Mullin, thinks the variety of fee arrangements are here to stay. "Anything that gives a client better certainty as to what something's going to cost — that is here to stay," he said. [doug.aherwin@sddt.com](mailto:doug.aherwin@sddt.com)  
Source Code: 20101215CR

## California Western graduates provide broad perspective needed to solve nation's leading problems

San Diego maintains a strong connection to the issues that shape our nation and world. Many of those responsible for the perspective behind key decisions were educated at the region's schools, including California Western School of Law. A number of California Western alumni — thanks to their skills, circumstances, or both — find themselves working in areas that attract the spotlight, and which potentially could impact thousands, if not millions of lives. Just scratching the surface, it is easy to find California Western alumni deeply involved in everything from major government financial reform and legal battles over the BP (NYSE: BP) Gulf oil spill to protecting the treatment of war captives. In each case, these alumni rely on the skills they acquired in law school in combination with what they learned in rising to the top of their respective legal fields. Their high degree of professionalism and ethics has created a reputation for the school as a home for ethical thought leaders. Working behind the scenes to help craft a fiscal recovery plan for the United States, California Western graduate Joshua Odintz balances competing interests to develop new ideas to balance the national budget by 2015. Odintz served as chief tax counsel to the president's National Commission on Fiscal Responsibility and Reform, which issued its final report in December. In this role, Odintz presented tax reform options to the bipartisan commission, co-chaired by former Republican Sen. Alan Simpson and former Clinton administration official Erskine Bowles. His broad perspective allowed him to

navigate technical, legal and political realities to develop innovative new ideas for containing costs and increasing revenue. The committee's recommendations will guide future discussions of this crucial national issue. Leading by example defines the career of Brig. Gen. Kevin M. Sandkuhler (Ret.), former U.S. Marine Corps Staff Advocate to the Commandant. In a legal memorandum addressed to military leaders, he objected to the interrogation methods used with terrorism suspects at Guantanamo Bay, Cuba. When declassified by Congress, his legal memorandum thrust him into the national spotlight and helped shape the national debate over issues of torture and human rights. Even in the face of opposition among military leadership and the public, Sandkuhler held to his belief that the United States ought to act within the spirit of the law and honor its obligation to humanely treat all prisoners of war. Hundreds of miles from the nation's capital, another California Western alumnus works to protect the vulnerable and uphold the rule of law. Leading trial attorney Richard Meadow helps manage one of the first class action suits filed in the wake of the April Gulf oil spill, designed to protect the rights of Gulf Coast residents and provide a layer of transparency for those responsible for the worst environmental disaster in decades. Through their engagement in vital national issues and their principled work on behalf of clients, these advocates reflect the values that help make California Western School of Law what law school ought to be.

Submitted by California Western School of Law



## The Gomez Law Firm Congratulates Theresa Bowen for Being Selected One of San Diego's Top Young Attorneys.

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# Young Attorneys 2010

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## CONGRATULATIONS TO SAN DIEGO'S YOUNG ATTORNEY FINALISTS

### 1-2 YEARS

- Erika Anderson, GCR LLP
- Robert Bello, Berman & Riedel, LLP
- Theresa Bowen, Gomez Law Firm
- Shawn Cobb, Latham & Watkins LLP
- Benjamin Cramer, Mulligan & Banham
- Ahmed Diab, Green Bryant & French, LLP
- Dawn Fonseca, Littler Mendelson
- Renee Galente, Thornsen Bartolotta
- Eric Ganá, Law Offices of Eric Ganá
- Andrew Haden, United States Attorney's Office
- Kimberly Kirkpatrick, Law & Mediation  
Offices of Garrison Klueck
- Araceli Martinez, Law Offices of Araceli Martinez
- Kevan McLaughlin, McLaughlin Legal
- Mhairi Ransom, Allen Matkins
- Geoff Spreter, Law Offices of Alexander Schack
- Susan Woo, Law Offices of Susan Woo

### 3-5 YEARS

- Cecilia Brennan, GCR LLP
- Marissa Dragoo, GCR LLP
- Kriste Draper, Children's Advocacy Institute
- Andrew Gregor, Foley & Lardner
- Ben Howard, Neil Dymott
- Michael Kinslow, Zalkin Law Firm PC
- Maureen Mueller, Robbins Geller
- Justine Phillips, Baker & McKenzie
- Puja Sachdev, Law Offices of Julia Garwood
- Jason Schingler, Warden Williams, APC
- Devin Storey, Zalkin Law Firm PC
- Shawn Tafreshi, San Diego District Attorney's Office
- Benjamin Wagner, Mintz Levin
- Colleen Warren, Lewis & Warren, APLC
- Daphne Zubieta Skogen, Herald & Sager

### 6-7 YEARS

- Andrew Abrams, Fish & Richardson
- Elizabeth Barros, Federal Defenders  
of San Diego, Inc.
- Gray Buccigross, Sheppard Mullin
- Courtney Bunt, Duane Morris LLP
- Ted Fates, Allen Matkins
- Bibianne Fell, Fleming PC
- Lara Garner, Fish & Richardson
- Jennifer Hansen, Hooper Lundy
- Jeremiah Moffitt, Luce Forward
- Ronson Shamoun, Law Offices  
of Ronson Shamoun
- Josh Sanne, Hecht Salberg
- Matt Steiner, Morrison & Foerster
- Tamera Weisser, Jones Day
- David Zachry, Pracopia
- Bryan Ziegler, County of San Diego

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## Court to decide lawsuit over generic drug labels

WASHINGTON (AP) — The Supreme Court on Friday agreed to decide whether generic-drug makers can be sued for not warning about potentially dangerous side effects on their drug labels even when they follow federal rules that only require their labels to match those of their brand-name equivalents.

The high court agreed to hear an appeal from **PLIVA**

Inc. and other drug manufacturers. Gladys Mensing took metoprololamide for four years to help fight diabetic gastroparesis. She alleges that taking the drug gave her a severe neurological movement disorder, tardive dyskinesia, but none of the generic drug's manufacturers and distributors made any effort to include warnings on the label.

She sued, and the generic

drug's manufacturers and distributors asked for the lawsuit to be thrown out. They said government regulations require them to have the same label on metoprololamide as is on its brand-name equivalent, Reglan. Reglan did not have a warning about tardive dyskinesia while Mensing was taking metoprololamide.

A federal judge agreed, saying the lawsuit was pre-empted by the federal regulations

requiring the two labels to match.

But the 8th U.S. Circuit Court of Appeals in St. Louis overturned that ruling, saying more should have been done to warn consumers about possible risks.

"The generic defendants were not compelled to market metoprololamide," the appeals court said. "If they realized their label was insufficient but did not believe they could even propose a label change, they could have simply stopped selling the product. Instead, they are alleged to have placed a drug with inadequate labeling on the market and profited from its sale."

The Food and Drug Administration ordered warnings about tardive dyskinesia to be added to Reglan and metoprololamide in February 2009. The high court accepted two other appeals Friday.

One involves a division among federal appeals courts over how much local telephone companies may charge new competitors for access to their existing networks. The other case asks whether federal judges may impose a longer prison sentence so that an inmate can take part in a treatment or other rehabilitation program.

The cases will be argued in the spring.

The generic labeling case is **PLIVA Inc. v. Mensing** 09-595.

Source Code: 20101215crh

## Judge

Continued from Page 1 administration."

Gov.-elect Jerry Brown, a Democrat, will be sworn in Jan. 3.

Andrew Stroud, an attorney for the state, called Cotchett's arguments about the loss of the iconic buildings "rhetorical flourish." He suggested politics was in play, noting that Lookyer and state Controller John Chiang are

## Discharged gay veterans sue for reinstatement

By LISA LEFF

The Associated Press

SAN FRANCISCO — Three military veterans who were discharged under the law that prohibits gays from serving openly in uniform sued the government Monday to be reinstated and to pressure lawmakers to repeal the "don't ask, don't tell" law before a new Congress is sworn in.

The lawsuit filed in U.S. District Court in San Francisco also seeks to have the ban on openly gay troops declared unconstitutional and therefore unenforceable for any service members.

"I don't feel like I'm going up against the military. I really don't. I just feel like this is a necessary step for doing away with this policy," said former Air Force Staff Sgt. Anthony Loverle. "I believe the military, the majority of troops I've served with, and those who have been studied to death are with us."

The 31-year-old Loverle is working in Iraq for a private military contractor that's providing the Army with technical support. The lawsuit was also filed on behalf of former Air Force Maj. Michael Almy, 40, and former Navy Petty Officer Second Class Jason Knight, 28.

Source Code: 20101215crj

The legal action came four days after the U.S. Senate for the second time this year blocked a military spending bill that also would have repealed the 17-year-old ban on openly gay troops.

Sens. Susan Collins and Joe Lieberman have introduced a standalone measure, but it's uncertain if it will be brought for a vote before the Senate and House adjourn for the holidays.

The director of the Servicemembers Legal Defense Network, Aubrey Sarvis, said the lawsuit was meant as a warning to lawmakers that if they don't act to repeal "don't ask, don't tell" the courts could step in and order an integration timetable that is less to the Pentagon's liking.

"If the Senate fails to act in the lame duck session, we are prepared to litigate this aggressively," said Sarvis, whose group coordinated the lawsuit and prepared it with lawyers from a private law firm.

"From my perspective, this is the first shot over the bow," he said.

The move also was aimed at validating the concerns of Defense Secretary Robert Gates, a named defendant in the suit, along with the service chiefs of the Navy and Air Force.

A Pentagon study unveiled this month found that two-thirds of troops thought repealing the gay ban would have little effect on their units. Gates then joined President Barack Obama in urging the Senate to end "don't ask, don't tell."

He reiterated Friday that if lawmakers do not act, military leaders could end up "at the mercy of the courts and all of the lack of predictability that that entails."

Source Code: 20101215crk

## USD School of Law applauds its Young Attorney honoree

The University of San Diego School of Law warmly congratulates Kriste Draper for being recognized as one of the top 2010 Young Attorneys by *The Daily Transcript*. Draper, who directs the Homeless Youth Outreach Project (HYOP) at USD School of Law's Children's Advocacy Institute (CAI), began helping homeless youth at age 17 when she worked as an outreach counselor for Stand Up For Kids, providing food, clothing and mentoring to youth on the streets. After graduating from USD School of Law in 2006, Draper started HYOP as an Equal Justice Works Fellowship project. In her work with HYOP, Draper provides legal services and advocacy for San Diego County's homeless youth, helping to bridge the gap of access to available resources, housing, government agencies, courts, schools and other vital resources and services.

Draper holds weekly legal clinics at the Stand Up For Kids Outreach Center in downtown San Diego and partners with more than 15 different agencies that serve homeless youth throughout San Diego County. In addition to providing information, referrals and general assistance to hundreds of homeless youth each year, she represents a smaller number of youth in their individual legal and advocacy matters involving access to education, housing, health insurance and health care, mental health treatment, government benefits, etc.

These youth are not your typical clients — they have extremely important basic needs that must be addressed in order for Draper's legal advocacy to be successful. Whether it's

buying a young person breakfast prior to a court appearance, getting a trolley pass so a youth can get to an interview or securing a birth certificate so that a client can get enrolled in school or get a job, Draper's commitment to these youth goes far beyond the four walls of a courtroom.

In her work at HYOP, Draper has helped expand San Diego's Homeless Court Program to include homeless youth and their service providers in its proceedings. She works tirelessly to inform and educate our courts, schools, service providers and the public about the growing number of homeless youth and the unique needs of this specific population; create community awareness of issues commonly faced by homeless youth; and stimulate grassroots efforts to change the way society views and addresses youth homelessness. Having first-hand knowledge of the issues and barriers these youth face, Draper also advocates for systemic change by participating in CAI's state and federal legislative and regulatory advocacy and impact litigation.

USD School of Law would also like to recognize and thank some of the funders who support Draper's work, such as **Sony Electronics Inc.** (NYSE: SNE); the San Diego County Bar Foundation; the Simon-Strauss Foundation; Compland on the Bay; and the McCarthy Family Foundation, to name a few. With their generous support, Draper is able to serve the legal needs of homeless youth, and in so doing, help them get off the streets and get on with their lives.

Submitted by University of San Diego School of Law

**Samuel Flores, Jr.**  
Retired Marine Corps LtCol  
Founder & CEO, PKL Services, Inc.

they had me at "hello"

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