



Young Attorneys

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Training program new associates add to practice of law

By DOUG SHERWIN
The Daily Transcript

Many local law firms and bar associations have unique ways of helping new associates make a smooth transition to the practice of law.

Luce, Forward, Hamilton & Scripps holds an intensive, week-long "attorney training college."

Fish & Richardson puts some of its new recruits through a two-day "boot camp."

And the San Diego County Bar Association offers a mentoring program for junior associates that features a Greek theme.

"It's a jarring transition," said Heather Rosing, president of the San Diego County Bar Association and a shareholder with **Klinedinst**. "There's a lot to learn. You can feel like a fish out of water for the first couple of months or maybe even a year."

The San Diego bar's mentoring program is called Lyceum, named for the school where Aristotle taught in ancient Athens.

Senior attorneys mentor junior associates and law students. The mentors are part of the Socrates group. The young lawyers are placed in the Plato group, while the law students are in the Aristotle group.

Rosing said the program is crucial, especially for law students who aren't joining the bigger firms or governmental agencies.

The mentors meet with their protégés several times during the six-month program. Participants are encouraged to attend bar events, like a civility seminar the bar recently hosted.

Several other legal organizations have mentoring programs, including La Raza Lawyers, Pan Asian Lawyers and the Lawyers Club of San Diego.

Rosing said the young attorneys are most curious about work-life balance issues and how best to develop their career.

The bar also has a law student outreach and program commit-

tee, which orga help law schu make the tran tice of law.

The young/r sion of the bar, the mentoring activities desig young attorney nity and puts classes design basics of certai

Luce Forv training colleg plex hypothetic that gives ne opportunity to igation and tra

A few mont at the firm, first-year associates are taken out of their normal assignments and enter the training college. Participants work on a contract agreement and an ensuing trial, which includes mock depositions and motions. Local judges allow Luce Forward to use their courtroom for the exercise and, in some cases, even participate.

"It's super moot court," said Ken Stipanov, a real estate transactions partner with Luce Forward and head of the training program. "We do it as an intense, introductory immersion program."

As part of that week, Luce trainers teach its associates ethics, firm culture, practice management, the beginnings of business development and how to get involved in the communi-

Luce Forward also holds meetings and seminars throughout the year for new attorneys. If a partner has given an MCLE course to the outside public, he or she will present a shortened version in-house.

"Each department has its own training regiment, some more formal than others," Stipanov said.

The continuing education helps associates understand the industries that they're serving and enables them to hone their

See **Training** on 3

Honoring San Diego's promising Young Attorneys

The Daily Transcript

San Diego County's 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 some of the rising stars in the San Diego legal community with the second annual Young Attorneys honor.

These attorneys work for large, national firms, specialized boutiques and the justice system. Many are associ-

ates, and some have made partner. A handful have even opened offices on their own.

Yet each of the 32 finalists has demonstrated common characteristics; they are hard working and detail-oriented, 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 the 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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See Page 2 for Finalists

duced new state legislation that is still evolving, as the various environmental agencies, attorneys, city councils and industry learn to navigate new territory.

These new areas include measuring carbon emissions, determining the amount of carbon credits to be purchased, mitigating the impact of industrial projects on the environment with compensatory measures and assessing water supply.

California has led the nation in signing a spate of new legislation to reduce greenhouse gas emissions, spearheaded by Gov. Arnold Schwarzenegger's vow to make the state an exemplary model in fighting global warming.

It began with the landmark Assembly Bill 32, the California Global Warming Solutions Act of 2006, which requires the California Air Resources Board (CARB) to develop regulations and market mechanisms to reduce greenhouse gas emissions to 1990 levels by 2020. This would be a 25 percent decrease from current levels and will bring the state close to complying with the Kyoto protocol provisions.

Other legislation includes the low carbon fuel standard (LCFS), which sets standards for clean burning fuel. The Renewable Portfolio Standard (RPS) calls for 20 percent of the state's energy to come from

ing on reducing greenhouse gas emissions by curbing urban sprawl. This sweeping legislation targets land use and encourages "smart growth" — high density, sustainable communities located in or around cities.

This will counteract the Wild West pattern of far-flung developments typical of California's major hubs, with distant suburbs leading to long commutes, traffic jams, smog and loss of valuable farmland, as communities develop in outlying areas.

Most recently, in mid-November, the governor signed an executive order that directs staff to prepare for global warming and adapt changes in land-use planning. He directed state agencies to factor in rising sea levels when planning infrastructure and transportation projects.

The changing landscape in regulations and compliance has opened up new areas of legal practice.

"No one looked at greenhouse gas emissions even at the end of 2006, when I was preparing reports. The middle of 2007 was when it became an issue for the agencies and city councils," said Christopher Garrett, a partner at **Latham & Watkins LLP**.

Garrett has extensive experience in CEQA (California Environmental Quality Act),

"Where is your section on greenhouse gas emissions" and "Where are the solar panels" when they go for permits," Garrett said.

With different agencies creating the regulations, which continue to evolve, the permitting process is akin to reinventing the wheel, since there is no precedent.

"The first time we write it is very hard. The office of the County Counsel released guidance on what information you have to include (when filing for permits), which helps," Garrett said.

Brian Fish, a partner with **Luce Forward, Hamilton & Scripps LLP**, is the real estate practice group co-leader and part of the climate change and sustainable technology interdisciplinary group. His practice areas are land use, redevelopment, environmental and real estate matters.

"It does make it very difficult for clients and for us, but it is not dissimilar to what people have to go through to get project approval," he said, adding "SB 375 was passed to try to make the rules a little more certain, but it is still in its infancy. The issue we've had is to come up with how to analyze the impact (on the environment) in the absence of standards."

Fish said he has seen increased interest, especially

use and environmental law assist clients who need approval on projects by analyzing the impact, recommending measures, negotiating carbon credits, ensuring compliance with legislation and handling litigation related to compliance with CEQA and NEPA (National Environmental Policy Act).

A Latham & Watkins client, **Poseidon Resources Inc.**, intends to build a desalination plant at the Aqua Hedionda Lagoon in Carlsbad that will produce 50 million gallons of drinking water a day.

Water is pumped from Northern California to cover the water shortage in the region, but a court ruling limited the amount that could be imported in order to protect the Delta Smelt, an endangered species of fish that was impacted by the pumps.

The California Coastal Commission approved the desalination project with 22 conditions, two of which were recently resolved.

Garrett and partner Rick Zebur, who has expertise in negotiating with the Coastal Commission, led a team of attorneys on behalf of Poseidon, primarily focusing on negotiating the carbon credits to offset the greenhouse gas emissions resulting from the project's

See **Practice areas** on 3

What all attorneys need to know about professional liability insurance

By W. BRIAN AHERN
Ahern Insurance Brokerage

Young attorneys as well as their more experienced colleagues need to understand the importance of professional liability insurance. While malpractice is an aspect of practicing law most attorneys would prefer to not think about, having proper coverage from the day you begin your law practice is extremely important.

The following Q&A is designed to help you better understand professional liability insurance and to determine what types of coverage you need.

What does professional liability insurance cover?

A professional liability policy covers an attorney's legal liability resulting from professional services and personal injury arising out of the delivery of legal services.

What are the various types of legal services covered under the policy?

Services that are covered may include providing legal advice for a client, acting as a mediator, arbitrator, notary public or a title agent, as an

administrator, conservator, executor, guardian, trustee, receiver or in any similar fiduciary capacity, provided that such services are performed in connection with and incidental to an attorney's practice of law; as a member of a bar association or other legal or lawyer related ethics, peer review, accreditation, licensing or similar board, committee or organization; or as an author, but only for the publication or presentation of research papers or similar work and only if the fees generated annually from all such work are less than \$25,000.

What types of personal injury are covered?

Personal injury encompasses malicious prosecution, abuse of process, defamation, false imprisonment or wrongful eviction.

What should I know about my policy?

Your policy will include several terms that are important to understand, including the following.

• Claims made and reported: For a claim to be covered, it must be asserted against the

insured party and a written notice must be received by the insurance company within the policy term (or stipulated reporting period) in which the firm first became aware of the claim.

• Full prior acts coverage: Provides coverage for a claim that resulted from services rendered since the named insured's inception date. This date is normally the date the firm first purchased professional liability insurance, provided they have been continuously insured. It usually coincides with the date the firm began practicing.

• Retroactive date provisions: Retroactive date provisions preclude coverage for claims caused by wrongful acts that took place before the retroactive date — even though the claim is made against the insured during the policy period. The purposes of a retroactive date are (1) to eliminate coverage for possible wrongful acts committed in connection with some event (known to the insured) that took place prior to policy inception and (2) to restrict coverage for stale

claims caused by wrongful acts that took place far in the past, even if unknown to the insured.

• Extended reporting periods (ERPs): Also known as "tail" provisions, ERPs give an insured the right to report claims after a policy has expired or been canceled. ERPs do not, however, increase or reinstate the policy's limit of liability.

• Discovery provisions: "Notice of potential claim," "awareness" or "incident reporting provisions" allows an insured to trigger coverage under a policy for potential claims. This provision is designed to allow the insured the opportunity to report any act, error, omission or circumstance that the insured has a reasonable basis to believe may turn into an actual claim.

Why would I purchase an ERP?

If your firm dissolves or merges with another firm, most policies will allow an insured to purchase an extended reporting period (ERP).

If your firm is not renewed by its current carrier and the

new carrier is unwilling to provide full prior acts or retroactive date provided under the expiring policy, then you should consider an ERP. Attorneys retiring from established firms may not need an ERP as long as the firm continues and has continuing coverage in place with proper prior acts language. Some policies provide a free ERP in the event of disability or if an attorney retires during the policy period and has been insured with the company for a period of time (e.g., four years).

What claims should I report?

Report all claims. Failure to report could result in denial of coverage, as virtually all policies have the following exclusion: "Any claim arising out of acts, errors or omissions that occurred prior to the effective date of this policy if, on or prior to such date, any insured knew or had a reasonable basis to believe either that a professional duty had been breached or that a claim would be made."

Your duty to report is especially important when filing out an application or renewal

form. If you disclose a potential claim on an application to a new insurer, they will specifically exclude the claim. By concurrently reporting the potential claim to the firm's current carrier, this claim will be covered under the expiring policy.

How do I go about getting a policy?

Young attorneys tasked with getting insurance may find the process daunting. Working with an insurance brokerage who has access to multiple insurance carriers and can help you determine what type of coverage you need is recommended. A brokerage will be able to compare rates as well as help you through the application process. Also, check with your local bar association. Many offer special policies specifically for attorneys who have only practiced a few years.

Ahern, RPLU, is CEO and president of Ahern Insurance Brokerage, one of the largest independently owned insurance brokerage firms specializing in the insurance needs of law firms.

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Young Attorneys finalists

ment issues. She represents clients in civil matters, drafts law and motions and appears in court.

Previously she was an inde-

JOSEPH C. KRACHT

Lawton Law Firm

Joseph Kracht received both his B.A. and M.A. degrees from the Monterey Institute of International Studies and went on to attend Thomas Jefferson School of Law, where he earned his J.D. degree in 2003.



During law school, Kracht was a published member of the law review and interned for both the San Diego County Public Defender's Office and the San Diego Mayor's Office.

After graduating from Thomas Jefferson, he joined Lawton Law Firm as an associate, where his practice focuses on complex civil litigation, writs and appeals.

Kracht has represented clients in first- and second-chair capacities in both state and federal trial courts, before the California Court of Appeal, the San Diego City Council, and in arbitrations and mediations. The subject matters of the litigation he has handled have included state and federal civil rights claims, patent litigation, partnership disputes, securities fraud, and wage and hour disputes, among others.

Prior to joining Lawton Law Firm, Kracht served as an intelligence specialist in the U.S. Navy.

in all aspects of entity formation, dissolution, purchases, sales, joint ventures, contracts, buy/sell agreements, intellectual property issues and tax reduction strategies. He also advises individuals and businesses in real estate transactions including purchases, sales, transfers, joint ownership agreements and deeds.

Previously he was with DenHerder & Associates, where he advised high net worth individuals and families, privately held businesses and tax exempt organizations.

Schlinger is a member of the California Bar and U.S. Tax Court. He graduated from the University of San Diego School of Law with his LL.M. in Taxation in May 2006. He received his J.D. from California Western School of Law in May 2005, and his B.A. in global studies from the University of California at Santa Barbara in 2001. He has been the recipient of the American Jurisprudence Award in International Tax and the Miller, Monson, Peshel, Polacek, and Hoshav Tax Scholarship.

Practicing 3-5 years

RAFAEL CASTELLANOS
Solomon Ward Seidenwurm & Smith LLP

Rafael Castellanos practices real estate and corporate and business law as an associate with Solomon Ward Seidenwurm & Smith LLP. He represents public and private companies and individuals in entity



formation, purchase and sale of business entities and assets, risk minimization planning, and drafting and negotiation of a variety of business agreements and transactions.

Prior to joining Solomon Ward, Castellanos was a real estate associate with Loeb & Loeb LLP in Los Angeles.

He graduated from the University of Chicago Law School in 2002 with his J.D. and received his B.A. in history, summa cum laude, from Arizona State University in 1999.

He is a member of the California State Bar Association, the San Diego County Bar Association and La Raza Lawyers Association. He is fluent in Spanish. Interests include boxing, traveling and history.

Castellanos' community service includes preparing all aspects of a 2001 political asylum petition on behalf of a Vietnamese refugee, and a 2005-2006 political asylum petition on behalf of a Salvadoran refugee. He organized and led Solomon Ward's team in the 9th annual Baja Challenge - 2008, building homes for destitute families in Eastern Tijuana, and also led the firm's team in the Fall 2008 Facelift, a NeighborWorks joint project between Community HousingWorks and volunteer groups within City Heights and the city of San Diego to clean up the Swan Canyon neighborhood area.

JOSEPH C. KRACHT
Lawton Law Firm

Joseph Kracht received both his B.A. and M.A. degrees from the Monterey Institute of International Studies and



went on to attend Thomas Jefferson School of Law, where he earned his J.D. degree in 2003. During law school, Kracht was a published member of the law review and interned for both the San Diego County Public Defender's Office and the San Diego Mayor's Office.

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Prior to joining Lawton Law Firm, Kracht served as an intelligence specialist in the U.S. Navy.

JOSEPH S. LEVENTHAL
Cooley Godward Kronish

Joe Leventhal is an associate in Cooley Godward Kronish's Litigation department. He joined the firm in

2004 and is resident in the San Diego office.

Leventhal's practice focuses on complex commercial, intellectual

property and securities fraud litigation. He has handled matters for large and emerging companies in cases involving copyright and patent rights, online speech and conduct and commercial contract disputes, among other matters, and has handled class actions and derivative suits.

Recently, Leventhal was part of the Cooley team that represented The Salk Institute For Biological Studies against Ligand Pharmaceuticals Inc. in a three-judge AAA arbitration over intracellular steroid and assay technology used to identify the cancer drug Targretin and payments owed to The Salk under a patent license, resulting in a settlement valued at more than \$17 million.

Leventhal is committed to pro bono matters. He was recently involved in Cooley's efforts as a San Diego County coordinating firm for the national pro bono project assisting Holocaust survivors to apply for reparations from the German government. He also provides pro bono legal services to a nonprofit organization that provides vocational training to wounded veterans. In addition, he has helped Hurricane Katrina victims navigate the FEMA process.

Prior to joining Cooley Godward Kronish, Leventhal served as an attorney in the White House. There, he acted as deputy assistant to the vice president with responsibilities that included functioning as the final substantive control point before information reached the vice president, managing complex policy and political issues and representing the vice president's interests on all policy matters within the administration. Leventhal began his legal career at Kirkland & Ellis LLP.

He received his J.D., cum laude, in 2002 from the Georgetown University Law Center, where he was an editor of the Georgetown *Immigration Law Journal*. He remains active with Georgetown as an adviser to the *Immigration Law Journal*. He graduated from the University of California, San Diego in 1999 with a degree in political science.

He is active with the San Diego Regional Chamber of Commerce, serving on its public policy committee and on its legislative affairs subcommittee. He is a member of the American Bar Association, the San Diego County Bar Association and the Federal Bar Association. He is admitted to practice before all federal and state courts in California.

KATHERINE MAYER
Latham & Watkins LLP

Katherine Mayer is a litigation associate in the San Diego office of Latham & Watkins. Her practice focuses

on state and federal court appellate litigation. She also has experience with public entity claims and trial practice.

Prior to joining Latham, Mayer served as a law clerk to the Honorable M. Margaret McKeown of the U.S. Court of Appeals for the Ninth



Circuit. She has also served as an honors attorney for the U.S. Department of Justice.

Mayer is admitted to practice in California, as well as in the Ninth Circuit Court of Appeals. She is coordinator of Latham & Watkins' pro bono work for the California Innocence Project and its pro bono work representing indigent immigrants for bond determinations. She is a member of the Lawyers' Club of San Diego and an Associate of the Inn, American Inns of Court Louis M. Welsh Chapter, San Diego County Bar Association's Appellate Court Committee, Federal Bar Association and

ing estate planning, gift planning, tax planning, fiduciary administration, accountings, closely held corporations and family limited partnerships. He has served as second chair trial attorney for



trust beneficiary in successful bench trial against trustee for breach of fiduciary duties, resulting in removal of trustee and finding of damages. He successfully represented guardian ad litem for minor beneficiaries in contested proceeding regarding interpretation of no contest clauses of \$25 million trust, and negotiated a \$150,000 settlement for personal representative of estate in defense of attorney malpractice action brought by creditors, in which creditors sought over \$14 million in damages.

Previously, he was with Hughes & Luce LLP in Austin, Texas; Nelson Mullins Riley & Scarborough LLP in Charleston, S.C.; and

received a B.A. in political science with distinction, and a double minor in English and history, from Iowa State University in Ames, in 2000.

LESLIE B. OVERMAN
Foley & Lardner LLP

Leslie B. Overman is an associate with Foley & Lardner LLP, where he is a member of the Biotechnology & Pharmaceutical Practice. His experience includes providing clients with patent



prosecution and counseling; preparing competitive patent landscape analyses, freedom to operate, patent invalidity and noninfringement opinions; and drafting partnering and licensing agreements. He has also worked on drafting master service, manufacturing, supply, clinical trial, nondisclosure and material transfer agreements. He has also assisted in patent litigation and performed patent due diligence for financings

LAWTON LAW FIRM

Extends Congratulations To

JOSEPH C. KRACHT

Finalists:

Daily Transcripts Young Attorneys 2008



Practice Areas

- business torts
- shareholder derivative actions
- patent infringement
- theft of trade secrets
- partnership dissolutions
- governmental liability under the federal Administrative Procedure Act and federal and California Tort Claims Acts and 42 U.S.C. section 1983
- race and sex discrimination

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president of the USD Tax Law Society for one year and organized more than 14 event speakers for the society, receiving a certificate of merit from USD in recognition of her service. She earned a B.A. mathematics and economics from the University of California, San Diego. Sales was on the UCSD Swimming and Diving Team and was the sixth ranked NCAA Division II National Competitor. Today she serves as an assistant coach and exemplar diver for a high school springboard diving team. Other interests include windsurfing, wakeboarding and snowboarding.

JASON R. SCHINGLER
San Diego Law Firm

Jason R. Schingler is an associate attorney with William R. Simon, Jr., APC at the San Diego Law Firm. Schingler advises families in all aspects of estate planning, probate, trust administration and federal and state tax issues. He advises businesses



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with the Royal Society of Chemistry's Young Investigator Award. Jenkins received his J.D. in 2002 from the University of California, Hastings College of the Law while externing for the Hon. Phyllis J. Hamilton of the U.S. District Court for the Northern District of California.

Jenkins is a member of the board of directors for the San Diego Intellectual Property Law Association. He is also a member of the BIOCUM Intellectual Property Committee as well as the CON-NECT Frontiers in Science & Technology Committee.

He is admitted to the State Bar of California and the U.S. Patent and Trademark Office.

ERIC L. LANE

Luce, Forward, Hamilton & Scripps LLP

Eric Lane is an intellectual property attorney with broad-based expertise and experience in both international general practice law firms and intellectual property boutique firms. He drafts and prosecutes patent applications in complex technologies such as medical devices, chemical arts and clean technology and energy efficiency systems.



With a background in the life sciences, Lane has provided freedom to operate and due diligence opinions in pharmaceutical and medical device technologies. He has counseled small companies and entrepreneurs in patent, trademark and copyright matters, assisting them in protecting the intellectual property assets critical to their livelihoods.

Lane also handles patent and trademark litigation in federal courts and U.S. Patent & Trademark Office proceed-

ings and has experience in antitrust issues arising in intellectual property litigation. While defending an international pharmacy against patent infringement claims, Lane briefed novel issues relating to the patent notice requirement, and this successful summary judgment motion limited potential damages and led to a favorable settlement for the client.

Previously he was an associate with Heller Ehrman LLP in San Diego. Before that he was with Morgan & Finnegan LLP in New York City and served as a part-time law clerk for Foley & Lardner in Washington, D.C. He was also a research technician at the Albert Einstein College of Medicine, working to develop antibodies and diagnostic testing for Alzheimer's Disease.

Lane is admitted to the California state bar; the U.S. District Court for the Southern District of California; the New York state bar; the U.S. District Courts for the Southern and Eastern Districts of New York; and registered to practice before the USPTO. He is a member of the San Diego Intellectual Property Law Association, Clean Tech San Diego Science & Technology Committee and the San Diego Renewable Energy Society.

Lane is the author of Green Patent Blog, greenpatent-blog.com, a Web site dedicated to discussion and analysis of intellectual property issues in clean technology and renewable energy. He has published articles on a wide range of legal subjects in such publications as the John Marshall Law School Review of Intellectual Property Law, New York Intellectual Property Law Bulletin, *New York State Bar Association Labor & Employment Newsletter* and Mealey's (Lexis-

Nexis) "Litigation Report on Intellectual Property."

He earned a J.D. from George Washington University School of Law in Washington, D.C., in 2002 and a B.A. in biology from Wesleyan University in 1995.

DANIEL F. LINK

San Diego District Attorney's Office

Daniel F. Link is a felony trial deputy with the San Diego County District Attorney's Office.



His felony caseload has included murder, robbery, molestation, burglary, crimes of violence and drug offenses. He has tried more than 45 jury trials, 25 of which were felony trials, and has adjudicated more than 600 preliminary examinations. Link is currently in the Family Protection Unit.

Previously he was with Thorsnes, Bartolotta, McGuire, where he performed all levels of trial work for complex civil litigation practice.

He has taught for the National District Attorney's Association, guest lectured at San Diego State University, California Western Law School and University of California San Diego Law School on such topics as trial advocacy, criminal law and ethics, and drug court programs. He also conducts law enforcement training, teaching officers how to properly testify in court.

Link is a member of the San Diego County Bar Association Board of Directors. He runs and serves on multiple committees: Judicial Election Evaluation, Membership and Community Service. He also participates in Project Lead, a 10-week law-related program targeting fifth-graders

throughout the county. He is also a member of the Habitat for Humanity; an literacy program teaching local junior high school students about the importance of reading and higher education.

He received his J.D. from the University of San Diego School of Law in 2000 and B.A. in political science from the University of California Los Angeles in 1997.

WILLIAM D. McMINN

San Diego Unified Port District

William McMinn is deputy port attorney for San Diego Unified Port District, where he practices in various public age-



departments, concerning public works contracts, public bidding, leases, agreement transactions, Brown Act, Public Records Act, Political Reform Act, general conflict of interest, land use issues and other public entity municipal law issues.

The litigation portion of practice focuses on civil rights violations, personal injury and election law. He recently appeared for argument before the Ninth Circuit Court of Appeals, involving allegations of civil rights violations under 42 USC 1983. He routinely conducts seminars at the Port regarding Brown Act, public records and ethics.

He received his J.D. from California Western School of Law in 2000. At Chico State University, while studying law, he was a Moot Court Semi-Finalist, as well as Academic Scholar and Recipient from California Western School of Law.

McMinn is a member of San Diego County Bar Association.

San Diego County Bar Foundation helps lawyers provide access to justice

By MEREDITH BROWN

San Diego County Bar Foundation

While legal representation is provided for defendants in criminal cases, those who are involved in civil cases must find their own legal representation. Often those who cannot afford legal representation are denied justice.

Seventy-five percent of Californians do not receive the civil legal services they need.

There are many ways for practicing lawyers to help alleviate this problem, including volunteering. Young attorneys may find providing pro bono counsel is a great way to gain exposure to different areas of law as well as give back to the community. There are many fine programs in the San Diego area that need volunteers, even for just a few hours each month.

Young and seasoned lawyers alike can help not only by volunteering but also by donating.

However, finding a program that is vetted and will provide assurance that your monetary donation will be utilized to its maximum potential may be daunting.

The San Diego County Bar Foundation (SDCBF) is an effective resource. Financial support of the foundation is a powerful philanthropic investment. By donating to the SDCBF, donors can be assured that they are helping to deliver legal services and improve the administration of justice.

The only organization of its kind in the region, the SDCBF has been supporting legal aid and public interest organizations throughout the county that help San Diego's neediest residents for 25 years.

Through its grantmaking process, the SDCBF offers a convenient and effective means for the legal community to come together to improve access to justice by

evaluating each of the non-profits and determining which organizations will utilize the grant in the best and most effective way to ensure that legal services are provided to those who would otherwise be denied.

Through grants, SDCBF can ensure that individuals can receive access to justice in extremely important areas such as domestic violence, elder law, disability rights, immigration, housing, justice for children and homelessness.

Twice each year, grant applications are submitted to SDCBF for review. After determining which candidates qualify for funding, two representatives of the foundation make a site visit to each organization and do an in-depth interview that includes questions about programs, finances and governance. Then the Grants Review

Committee meets to make recommendations for board approval as to which organizations are eligible for funding and how much money should be granted to each agency.

The foundation does all the due diligence. The organizations are evaluated to determine where the areas of greatest need are and which organizations will be the most effective in serving the needs. All attorneys need to do is to donate, and they can trust their money is going to an organization that will help cause.

Last year, the San Diego County Bar Foundation granted more than \$230,000 to various organizations.

Brown is president of San Diego County Bar Foundation and a partner with Brown & Brown.

Source Code: 20081126

Lawton Law Firm's 'top-flight lawyer'

Joe Kracht practices commercial and patent litigation at **Lawton Law Firm**, a four-attorney firm based in downtown San Diego. In only five years' time, Kracht has racked up an impressive number of wins at both the trial and appellate court level on behalf of both plaintiffs and defendants.

During the last year alone, Kracht was lead trial counsel in three Superior Court trials resulting in judgments favorable to his clients. In one, *Gong v. Gong*, Kracht won a judgment on all counts for his clients, defendant-landowners in a "bet-the-company" case dispute brought by the co-owner of several parcels of land used to operate a chain of Valvoline "quick lube" stations in Southern California. The judgment included adverse credibility findings against the plaintiff. The result enabled Kracht's clients to save the business from the destructive result of partition.

In Kracht's biggest victory, he represented **Calexico Hospital Management Group** against the state of California in a nine-week jury trial in 2006, arguing a novel civil rights claim against state officials who had shut down Calexico Hospital. Kracht's work, which spanned five years, resulted in a jury verdict and attorneys' fees award exceeding \$14 million — the third-largest judgment in the history of Imperial County.

Kracht also represented plaintiff Maureen Pechacek in a landmark recent case that ended sex discrimination at *Fairbanks Ranch Country Club, Pechacek v. Fairbanks Ranch Country Club*, a case which drew local and national media attention.

"The private country club is the last bastion of unabashed

sex discrimination in America," said Dan Lawton. "Joe's work on this case clinched a great result for the client and for many other women."

Kracht's work in the Court of Appeal has mirrored his success at the trial court level. At Kracht's urging, the Court of Appeal overruled its prior decision in *Fenelon v. Superior Court* in order to make new law concerning the absolute nature of the California litigation privilege. (*Navarette v. Holland* 109 Cal.App.4th 13.)

"Joe Kracht is the brains of our operation," Lawton said. "He combines top-notch scholarship and strategy with first-rate courtroom skills. In a small firm, picking your battles wisely against large and well-financed adversaries is critical. His analytic skill and savvy enables us to do it."

A 2003 graduate of Thomas Jefferson School of Law, Kracht was a published member of the law review who finished in the top 10 percent of his class. While in law school, he interned for then-San Diego Mayor Dick Murphy and the San Diego County Public Defender. Before attending law school, Kracht served as an intelligence specialist in the U.S. Navy, briefing aircrews aboard an aircraft carrier prior to their missions.

Kracht balances the heavy demands of his practice with devotion to his family, wife Elaine and children Sean and Erin.

"Joe is a top-flight lawyer, but he is a family man first," Lawton said. "The word 'balance' is often overused in our profession, but Joe is a model for how to achieve it. He is a role model for other young attorneys in our community who seek professional excellence without compromising family responsibilities."

Submitted by Lawton Law Firm

Casey Gerry associate a tireless contributor to community, professional organizations

Jessica E. Klarer is an up and coming associate attorney with **Casey Gerry Schenk Francavilla Blatt & Penfield LLP**.

A member of the Casey Gerry staff since 2006, this active young litigator stays busy with a slew of community and professional organizations.

She serves on the board of governors for the new lawyers division of the American Association for Justice (AAJ) — the world's largest trial bar — working on various projects and activities related to AAJ membership. Klarer is also board member with the San Diego County Bar Association (New Lawyers Division), a member of the Consumer Attorneys of San Diego, the

Consumer Attorneys of California, La Raza Lawyers Association and an associate member of the American Inns of Court (Honorable J. Clifford Wallace Chapter).

Adding to her roster of activities, she is an active member of Big Brothers Big Sisters — a nonprofit organization dedicated to improving the lives of children by creating and supporting one-to-one mentoring relationships — and spends much of her spare time with her "little sister," 8-year-old Brianna.

An Orange County native, she previously worked as a certified law clerk at **Girardi and Keese** in Los Angeles. There, she helped work on serious personal injury and products liability cases.

Klarer is a valuable member of the Casey Gerry legal team, and concentrates her practice on products and premises liability automobile collision, asbestos litigation and other serious personal injury cases.

In addition, she is bilingual in Spanish and works closely with Casey Gerry's Hispanic clients. She received her J.D. from USD School of Law and was also a certified intern at the USD School of Law Civil Clinic. She has also received training from the California Academy of Mediation Professionals as a mediator, and has a B.A. degree in English from the University of California, Irvine.

For more information, call 619-238-1811 or visit the Web site, caseygerry.com.



Jessica Klarer

Submitted by Casey Gerry Schenk Francavilla Blatt & Penfield LLP

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