

The LITIGATOR

VOLUME VI

OFFICIAL PUBLICATION OF THE CAPITOL CITY TRIAL LAWYERS ASSOCIATION

ISSUE 2



If you haven't joined CAOC, you're missing a good thing

By: John N. Demas, CCTLA President

As a young lawyer opening my practice nearly 15 years ago, a close friend and longtime plaintiff's attorney gave me a bit of advice: join the Consumer Attorneys of California (CAOC), at the time known as the California Trial Lawyers Association (CTLA). I have followed this advice to this day. CAOC has been one of the best organizations I have been involved with, and has helped my practice grow and improved my skills as a lawyer.

As president of CCTLA, I encourage all of you to become members of CAOC. Currently, only half of our members are members of CAOC. Many of our members have let membership with CAOC lapse or have never joined. Although both organizations are extremely important, they serve very different roles.

CCTLA serves its members with timely and important educational seminars, luncheons, problem solving clinics, etc. Our excellent and well respected speakers are primarily drawn from our local trial bar. In addition, CCTLA plays an active role in local community outreach and charitable events. However, CCTLA does not have the extensive resources and legislative influence CAOC does. CAOC provides unique resources and benefits including:

Legislative Work: CAOC has a full in-house legislative team that works tire-

lessly to protect consumer rights and turn your own practice. Every year there are hundreds of bills that are proposed by insurance companies, big businesses, and manufacturers that could wipe out many of the rights of injured victims and drive us out of business.

If you are interested in viewing any of these bills, email me and I will provide you with a summary of some of the legislation that has been proposed in the last couple of years. Simply put, there is no other organization that protects us and attempts to further our interests with progressive pro-consumer legislation.

On-line resources: One of the most useful and practical benefits to CAOC members is the availability of CAOC list-serves. Attorneys from across the state with an extensive breadth of knowledge and experience answer questions, share strategies, tactics, legal forms or any other information in response to a list-serve question. Having a diverse group of attorneys providing assistance to plaintiff's attorneys can help level the playing field against the defense industry. If you would like to try using a CAOC list serve to see how beneficial it is, please contact me, and I will arrange a free two-week trial.

Additional Resources: There are a number of additional benefits CAOC provides including the Forum magazine,

fantastic educational seminars and networking opportunities.

Any one of the CAOC benefits mentioned here is worth the small membership fee, I urge all of you who are not already members to please consider joining. The organization relies on membership dues to sustain itself. Joining CAOC is a small sacrifice to make when your livelihood is at stake. Don't assume others will join and carry the load. To join, please go to www.caoc.com to fill out an application or call (916) 442-6902 for more information. If you are interested in joining but cannot afford it, contact me to see if a discounted membership fee can be arranged.

On a different note, please plan to join us at our annual Spring Fling reception and charity auction on May 24. It is a great social event for a good cause. Don't forget to also register for the David Ball seminar to be held on Saturday, June 2. Spaces are filling up fast, so sign up now!

For More Information

- ✓ David Ball Seminar

See Page 7

- ✓ Spring Fling

See Page 8



Allan's CORNER

By: Allan J. Owen

Here are some new cases since our last edition. Remember, these cases are culled from a review of the Daily Journal and are not necessarily finally published in the official reports. Be sure to check the official reporter for correct citations and to be sure the cases are not depublished before citing them.

• Our first interesting case is Van Horn V. Watson, 2007 DJDAR 3913, dealing with the Good Samaritan doctrine and statute (Health and Safety Code section 1799.102). In Van Horn, the defendant removed the plaintiff from a vehicle after a collision out of fear that the vehicle might catch fire. In removing the plaintiff, the defendant allegedly caused further injury rendering the plaintiff a paraplegic. Trial Court granted summary judgment based upon the Good Samaritan doctrine/statute. Appellate Court reversed, finding the doctrine/statute only applies to emergency medical care, and removing the plaintiff is not considered medical care. Case may proceed based upon negligence theories.

• In County of San Bernardino V. Calderon, 2007 DJDAR 3887, the Court held that a Hospital lien on a P.I. case is not created on rendering of service, but instead comes into existence only upon giving the notification of the lien to the responsible third party as required by Civil Code 3045 et. Seq. Equally important is the holding that the lien does not have priority over earlier created liens such as other provider liens and liens for attorney fees.

• In Marci V. Romero, 2007 DJDAR 3982, Plaintiff withdrew a CCP 998 offer to settle before the 30-day statutory time and before it was accepted. Plaintiff still attempted to get the augmented costs for beating the offer at trial. Not too surprisingly, the Courts found that a CCP 998 offer withdrawn before the statutory expiration time frame is a nullity and has no effect on costs.

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Thanks to your "Law Suits," others get a helping hand

The Capitol City Trial Lawyers Association recognizes the serious issue of homelessness and poverty in our city, and would like to help solve the problem—with our "Law Suits" Campaign. We are collecting suits and other professional attire from our members, to be donated to the Sacramento Food Bank to assist the less privileged during their search for employment.

We will be accepting these donations until the end of May, at all CCTLA functions. To schedule a pick-up, please contact Jill P. Telfer at 446-1916 or email her at jilltelfer@yahoo.com.

Many thanks to Jason Allen Ewing, Robin Brewer and John Demas for their generous donations.



• Finally, in Bostic V. Flex Equipment Company, Inc. 2007 DJDAR 1306, the court confirms that Proposition 51 (partially abrogating joint and several liability) does not apply to Product Liabil-

ity actions as between the manufacturer and other defendants because Product Liability actions involve a single indivisible injury and liability is imposed irrespective of fault.

“Pillah” Talk[©]

with Retired Judge Michael Virga,
former presiding Judge of Sacramento Superior Court

An ongoing series of interview with pillars in the legal community

By: Joe Marman

Q. Judge Virga, Have things changed in the legal community from when you first started practicing law?

A. Yes, Joe, when I first joined the DA's office in 1959, until now, there have been dramatic changes in our Sacramento legal community. In 1959, there was one courthouse that encompassed one half of the city block bound by 6th, 7th H and I Streets. The other half of the block consisted of the City Police Department, city hall, and sheriff's department. The police department was just behind the courthouse. The current law library used to be the police department. The upper floor was the jail and the lower floor was for the police detectives. The DA's and the Public Defenders and some police officers all played on the same softball team.

There were seven Superior Court judges and three Municipal Court judges, as well as the entire District Attorney's Office, the entire Public Defender's Office and the entire Probation Department in the courthouse. The courthouse was the hub of the legal community and had the atmosphere of an intimate social club. Today, courthouse facilities are spread through out the county at six different locations, with a bench of 50 judges, and 16 commissioners and referees.

We had a small close-knit legal community where everyone knew everyone else. Attorneys were typically general practitioners with few specialists.

There was an atmosphere of civility and collegiality among attorneys and judges and experienced attorneys would go out of their way to help the new attorneys. I tried cases against my best friends where we would battle it out during the day, and then socialize together when the day was over. The practice of law in the early 60's was a man's world. I recall only three women attorneys practicing in Sacramento at that time. Today, I would not be surprised if the majority of lawyers are women.

Although, some attorneys prefer nasty to nice, they are a small minority. Sacramento has one of the best legal communities in the state. The most vivid example of legal civility is when a group attempted to recall Judge Loren McMaster for making a decision that they did not agree with. I co-chaired a committee in support of Judge McMaster, where I enlisted the aid of every legal association in town. One of the most enthusiastic was Craig Sheffer, former president of CCTLA, who got the full and enthusiastic support of the CCTLA plus state CAOC, and other local associations. John Quincy Brown President of Sacramento ABOTA was also very motivated. We got the group to abandon its recall attempts.

Q. How have things changed in the civil and criminal law from when you first started to practice law in 1959?

A. The Supreme Court under Chief Justice Earl Warren was accused of changing the law by revolution rather than evolution. More criminal cases were overturned by the Warren Court than the total of all courts before it. Those changes have made for more and longer criminal trials. For example, if a criminal defendant refused to give a statement to a police officer, after a defendant was arrested, he was taken to the

Continued on page 9

RECENT VERDICTS

CRIMINAL TRIALS

CCTLA member Joel Deckler had a major victory in a criminal trial with a 9-3 for acquittal. The client was a third-strike candidate accused of stabbing the victim, who he knew, four times. Joel Deckler raised the defense of third-party culpability, pointing the finger at the girlfriend of the victim. The D.A., thinking he had such a strong case, did not make a plea-bargain offer; thus the client was facing 25-to-life. With the jury hung, the D.A. dismissed the case. The trial was in Dept. 35, Sacramento Superior Court, Judge Mmith-Steward presiding.

On March 6, 2007, CCTLA board member Mike Jones secured a dismissal during trial in Placer County for his 19-year-old client who was beaten up and attacked by a sheriff's canine as a part of the arrest. Judge Garbolino found willful government misconduct against the Placer County D.A.'s Office. Some of the prosecutorial tactics included failing to turn over evidence in violation of a court discovery order, attempting to exclude from jury selection all Asian jurors, and violating court orders regarding the exclusion of evidence.

Mike Jones successfully moved the judge for discretionary dismissal based upon prosecutorial misconduct. As a result, the D.A. then sought to have the judge recused. When the D.A. sought to eliminate prospective Asian jurors, Mike Jones successfully won a Wheeler motion and won a mistrial. When the D.A. and deputy (in round two of the trial) violated a motion in limine, Mike successfully won a motion for

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Almost 150 persons attended the two-day educational seminar March 23-24 in South Lake Tahoe, co-sponsored by CCTLA and CAOC (Consumer attorneys of California). In addition to the six classes offered, Don Galine, CCTLA and CAOC hosted a reception Friday evening, and DK Global, Inc., sponsored lunch on Saturday. Many thanks to Lori Sarracino, Wendy Murphy, CCTLA's Tahoe Committee, the speakers, moderators and participants.



Top left: Roger Dreyer
 Top right: Michael Azevedo and David Smith
 Above left: a group with Bob Mikel at far right
 Above right: Elisa Zitano, Don DeCamara and Dan Wilcoxon at right
 Left: Bob Bale, foreground, with Sharon Arkin and Margaret Doyle
 Below left: Al Stoll at the podium, with Todd Schneider, Wendy York and Chris Dolan
 Below right: John Demas and Margaret Doyle



Uninsured Motorist Primer

HIT AND RUNS - SPECIAL CONSIDERATIONS

A FIVE PART SERIES: PART THREE

BY: Allan J. Owen, CCTLA Past President

Previous Litigator issues discussed "What is an Uninsured Motor Vehicle and an Underinsured Motorist" and "Who Is Covered." Future publications will address "Procedural and Evidentiary Issues," and "Credits, Release and Subrogation." These materials are not intended as a substitute for careful research of the particular issue involved nor is this article meant to be complete in and of itself without reference to other and more complete discussions of the topic of uninsured and underinsured motorists. The reader is referred to Insurance Code §11580.2, "Clifford, California Uninsured Motorist Law" (6th Ed.), and CEB, "California Uninsured Motorist Practice." Insurance Code §11580.2 provides the minimum requirements for uninsured motorist coverage in the State of California.

A hit and run situation arises where the owner or operator of the other vehicle is unknown or that their information could not be ascertained. The Insurance Code does not require that the other driver flee the scene; it only requires that the insured prove that the owner or operator of this vehicle is unknown. This distinction can be crucial. Where your client stops at the scene of the accident but obtains a phony drivers license number or where the client failed to get any information because the impact was light or because the client feels he is not injured at the scene, an uninsured motorist situation arises in spite of the fact that your client could have ascertained the owner or operator of the other vehicle but failed to do so.

Many insurance carriers will refuse to extend uninsured motorist benefits to this situation—it is respectfully submitted that they are acting in bad faith to their own insureds by refusing to provide coverage where the identity of the other vehicle could have been but was not for some reason ascertained at the time of the incident.

The Insurance Code requires physical contact of the uninsured "automobile" with the insured or with the auto occupied by the insured. Because

the legislature chose to use the word "automobile," it is unclear whether or not physical contact is required where the vehicle as to which the owner or operator is unknown was a truck, a dune buggy, a motorcycle, etc.

Physical contact has been held to exist where the "phantom" vehicle strikes another vehicle causing the second vehicle to strike the insured motor vehicle or the insured. Interinsurance Exchange v. Lopez, (1965) 238 Cal App 2d 441. Early cases held that where the phantom vehicle drops a rock or drops a piece of ice which contacts the insured, there was no physical contact. See, e.g., Page v. Insurance Company of North America, (1969) 3 Cal App 3d 121.

These cases relied on the concept that a collision of some sort (such as the phantom vehicle striking a rock in the road and propelling it into the insured vehicle) was required. The same court that decided Lopez decided the case of Pham v. Allstate, (1988) 206 Cal App 3d 1193. That case holds that if there is contact with the uninsured motor vehicle, something falling off of the uninsured motor vehicle, or something that the uninsured motor vehicle struck or otherwise put into motion, physical contact exists.

Prior to the Pham case, it

seemed clear in California that where the insured struck an object lying on the roadway, there was no uninsured motorist coverage. In fact, the author of this article, serving as the arbitrator, denied coverage in a situation even though it was clear to everyone that the roadway obstruction had to have been left by an unknown vehicle since there was no other way for the debris to have gotten onto this particular roadway (an elevated freeway).

For years, I thought that under the rationale of Pham v. Allstate, if the same case were presented to the author as arbitrator, there would be a finding of coverage since clearly a vehicle whose owner or operator is unknown had dropped the load on the roadway and thus the Pham case would extend liability to this situation. Unfortunately, the California courts have not agreed. See Barnes v. Nationwide Mutual Insurance Company, (1986) 186 Cal App 3d 541, holding that the statute requires a direct application of force.

The physical contact requirement is designed to prevent fraud. Many authors have suggested that the physical contact requirement is on the way out and that sooner or later the legislature will delete the physical contact requirement in favor of the more familiar proximate cause determination. (Author's note: This sentence was written in 1990; nothing has changed.) Whether or not this prophecy proves to be correct, it is clear that for the time being, physical contact is required and thus counsel representing victims in uninsured motorist cases are currently still required to prove some sort of physical contact in order to validate the hit and run claim. See Boyd v. Interinsurance Exchange, (1982) 136

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Saturday, June 2, 2007
Capitol City Trial Lawyers Association

Presents

DAVID BALL ON DAMAGES



In a very special event, the Capitol City Trial Lawyers Association is bringing nationally acclaimed damages and juries expert David Ball to Sacramento.

David Ball has drawn sold-out audiences to his presentations across the country and wowed attorneys with his lessons on case analysis and presentation, advocacy skills, damages strategies and jury selection. Hear and learn from this dynamic speaker during this very special event.

David Ball is best known for his insight into methods of explaining difficult cases, identifying case weaknesses, turning case problems into strengths, and particularly, damages strategies. He is author of the groundbreaking, best-selling David Ball on Damages and a popular speaker.

You cannot afford to miss one of the leading speakers in the country.

Limited seating available! Reserve your space now!

EARN 6 MCLE CREDITS*

*This activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 6 hours, of which all will apply to general civil litigation. CCTLA certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education. CCTLA will maintain your MCLE records for this seminar."

Registration Fees:
(LIMITED TO PLAINTIFF
ATTORNEYS ONLY)

\$175 CCTLA/CAOC/TLA Member
(without Dr. Ball's book)

\$250 CCTLA/CAOC/TLA Member
(with Dr. Ball's book)

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DAMAGES SEMINAR PRE-REGISTRATION FORM

Date: Saturday, June 2, 2007

Time: 9:00 a.m. to 4:00 p.m.

Location: Capitol Plaza Holiday Inn
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Web site: www.cctla.com

***The 2007 CCTLA Officers and Board
cordially invite you to the***

***5th Annual Spring Reception
& Silent Auction***

Date: Thursday, May 24, 2007

Time: 5:30 p.m. to 7:30 p.m.

***Place: At the Home of Allan J. Owen & Linda K. Whitney
2515 Capitol Avenue, Sacramento***

This reception is free to honored guests, CCTLA members, and one guest per invitee. Hosted beverages and hors d'oeuvres will be provided.

Reservations should be made no later than Friday, May 18, 2007, by contacting Debbie Keller @ 916/451-2366 or debbie@cctla.com

We hope to see you there!

JOHN N. DEMAS, President, & the Officers and Board of CCTLA

All silent auction items have been donated
and all proceeds will go to
Sacramento Food Bank and Family Services.

“Pillah” Talk[©]

with Retired Judge Michael Virga,
former presiding Judge of Sacramento Superior Court

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DA's office for the police interview, their silence could be brought up in court as “consciousness of guilt.” There was no right to silence and no Miranda warning. If the defendant did not take the witness stand, the jurors could consider that as evidence of guilt. Now of course all of that has changed.

In my first year at the DA's office, within one month, I was in trial on a felony burglary case, and thereafter, I tried at least two to three felony trials a month, including rape, robbery and murder cases. That could never happen today. In those days, we called it “trial by ambush.” There were almost no depositions, there was no written exchange of discovery, no expert disclosure, and we relied on more investigative work. Trials lasted usually no more than four to five days, and no one settled unless on the courthouse steps. Sometimes now I wonder why there are so many depositions of expert witnesses, since you already have their reports.

The majority of changes in the civil law were in the fields of discovery, employment law, civil rights, public policy torts and insurance bad faith. Discovery motions seem to bring out the worst in attorneys. I have discontinued acting as a discovery referee for that reason.

Another change is the value of cases. In 1966, I obtained a verdict of \$225,000 for the wrongful death of a housewife, which was a record verdict at that time. Today, it would not be in the top 100. Million dollar verdicts were unheard of in the 60s.

Do you recall any interesting events or cases during the years while you were on the bench in Sacramento?

A. Some of the most notorious criminal cases were the Black Muslim murder

trial and the trials of serial killers, Morris Solomon and Dorothea Puente.

In the Black Muslim case the prosecution claimed that four young Black Muslim religious members decided that white men were devils and should be exterminated. Four Black Muslims were driving late at night in North Highlands, looking for a white man to kill when they saw a white man sitting at his kitchen table. They walked up to the window, where they shot and killed him. The trial was racially sensitive and caused much controversy in Sacramento.

The Morris Solomon case was one where, Morris, a Vietnam veteran suffered from PTSD. He worked as a handyman and was charged with the murder of six young women and burying at them at the work site where he worked. He was sentenced to death.

I was the criminal trial judge in the trial of Dorothea Puente, the woman charged with killing nine of her tenants and burying them in her back yard while continuing to receive their Social Security payments. Puente said she was a thief, not a killer. Puente convincingly claimed that prior tenants of her house buried those bodies, so the police originally released her, as she was such a perfect grandmotherly type, but was the most convincing liar. Once she was released, she went to LA and began to work the men's drinking establishments, where she was found drugging men at bars and stealing the men's money. She was convicted of three counts of murder with special circumstances.

Q. Are murder cases like that emotionally draining on you?

A. No, I was privileged to have quite outstanding attorneys presenting the case, and that takes a load of aggravation off of any judge's mind. John O'Mara and Peter Blautin were the prosecutors, and

Kevin Clymo, was the excellent defense attorney. In fact, great attorneys made my job a pleasure. I consider trial attorneys to be “noble warriors” out to protect the little guys in society. There is no greater calling than to be a trial attorney.

Q. Do you think there should be professional jurors to avoid the problems where jurors do not want to be in court listening to other people's problems, they do not get paid enough and it creates financial hardship for many jurors?

A. No, I am a great believer in the jury system and that jurors approach their jobs very conscientiously, though sometimes they can be unreasonable. I can think of only two to three cases where I think the jury was wrong

Q. Can you provide us with some final thoughts on your legal and judicial career?

A. I have thoroughly enjoyed every moment of my career, especially the wonderful friends I have made. The law is an honorable profession that I am proud of and privileged to be a part of. I now enjoy handling mediations.

It is also very satisfying to have my other family members be part of the legal profession. My son, Michael, former presiding judge of the Sacramento Superior Court and is now supervising judge of the Civil Settlement Conference Program; my brother John Virga, is one of the top criminal defense attorneys and civil personal injury attorney in Sacramento; my niece, Megan Virga, daughter of John, is a recent attorney following in John's footsteps.

My granddaughter, Natalie Virga, a junior at Santa Clara University, aspires to attend law school. So, prepare for another Virga in the Sacramento legal community.

Uninsured Motorist Primer

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Cal App 3d 761; Orpustan v. State Farm, (1972) 7 Cal 3d 988.

The Insurance Code requires that the insured report the accident to the police in the city where the accident occurred within 24 hours. The courts have given a very liberal interpretation of this requirement—the carrier must prove some prejudice from the insured's failure to timely file a police report before this requirement will defeat coverage. Beck v. State Farm, (1976) 54 Cal App 3d 347; CSAA v. Blanford, (1970) 4 Cal App 3d 186. In the Blanford case, an adjuster's testimony was to the effect that a report

to the police or insurance company allows interviews with neighbors and views of physical evidence which may help determine if an accident did occur and help identify the other driver. This was enough to uphold a finding of prejudice.

Finally, the insured is required to file a statement under oath with the carrier within 30 days stating that the insured has a cause of action against a person unknown and set forth the facts supporting this claim.

Again, in order to defeat coverage due to the insured's failure to comply with this requirement, the carrier needs to show prejudice. Hanover v. Carol, (1966) 241 Cal App 2d 558.

RECENT VERDICTS

Continued from page 3

dismissal.

The now second judge who granted Mike Jones's motion to dismiss in the middle of the second trial told the jury that in his history of being on the bench, he has only dismissed a case twice, this case being the second case.

CIVIL VERDICTS

CCTLA past president Clay Arnold and Tony Ontiveros Trial Verdict (\$1,167,543)

Complicated product liability case against Nations Rent. Client was 40 years old, with a non-surgical disc with \$20,000 in medical bills. Future wage-loss claim was based on his lost fringe benefits.

After a three-and-a-half week trial in front of Judge Lloyd Phillips, the jury made the following award: past pain and suffering - \$101,000; future pain and suffering, \$259,200; past economic loss - \$207,343; future economic loss, \$600,000. Total Award - \$1,167,543. Comparative fault: ZERO, Employer negligence: ZERO. Settlement Conference offer: \$15,000. Offer after jury was selected: \$100,000. Both offers were rejected. Our last demand was \$400,000 (they should have taken it).

During jury selection, settled with Bobcat of Sacramento, Clark Equipment Company and Western Traction for \$85,000. Purchased the \$92,000 Worker's Comp lien for \$4,000.

5th annual Spring Reception & Silent Auction Donation Sign-Up Sheet

CCTLA's 5th annual Spring Reception & Silent Auction is scheduled for Thursday, May 24, at 5:30 p.m. at Allan Owen's home.

The Silent Auction will benefit Sacramento Food Bank and Family Services, and the committee is seeking donations. Good examples include event tickets (basketball, baseball, theater, etc.), golf at a private country club, lessons, vacation home/timeshare use, artwork and services.

To donate an item for the Silent Auction, please let the Capitol City Trial Lawyers Association office know, by providing the following information:

Your name: _____

Phone or email: _____

Donation: _____

Value: _____

How do you want donor's name to be listed: _____

Description of donation:
(Number of tickets, date/time of event, limitations, etc): _____

Minimum Bid Amount, if any: \$ _____

Mail this information to the CCTLA office
at PO box 541, Sacramento, CA 95812-0541 or
Fax it to (916) 451-2206 or send an email to debbie@cctl.com.

For more information, contact the CCTLA office at (916) 451-2366

CONSUMER ATTORNEYS OF CALIFORNIA
LEGISLATIVE WATCH
GUIDE TO THE 2007 SESSION
March 22, 2007

This is the second of continued updates brought to you by your advocates at the CAOC State Office. Thank you for all of your assistance throughout the year.

TOP NEWS

Almost 3000 bills were introduced last month! Your advocates at CAOC are reviewing each to monitor for changes that affect your clients and your practice.

- Assembly Member Nicole Parra introduced a "spot bill" (AB 1505) to restrict class actions. The tort reform group, the Civil Justice Association of California, is sponsoring the bill.
- Senator Tom Harman has introduced a bill (SB 432) to limit punitive damages to three times compensatory damages.
- Assembly Member Greg Aghazarian introduced a bill (AB 1549) to create a 10-year statute of repose in product liability cases.
- Senator Harman has also introduced a spot bill (SB 117) on loser pays attorney's fees.
- Four spot bills were introduced on ADA issues. We are continuing to work with Senator Corbett and others on this issue.
- CAOC is sponsoring three civil procedure spot bills by Assembly Members Eng (AB 1264), Lieu (AB 500) and Evans (AB 926). We are working with representatives of the Judicial Council and the CA Defense Counsel as part of our on-going efforts to address issues on electronic discovery, mandatory court acceptance of court call, consistent statewide electronic filing parameters, OSC's re service, OSC's re dismissal after settlement, excessive appearances, and court dates.

Additionally, we will be working with the California Employment Lawyers Association on AB 1043 (Swanson) and SB 549 (Corbett). AB 1043 voids employment contracts that require employees to use a forum other than California for employment disputes. SB 549 gives employees the right to take time off for bereavement leave.

INTRODUCED BILLS

As the year proceeds, you can access any bill CAOC is tracking on the CAOC website. There will also be bills we will send for special review. To join a legislative review committee, contact Erin Havey at Erin@caoc.org.

This week's Committee Schedule and Legislative Deadlines:
Senate and Assembly Judiciary Committees are now meeting on Tuesdays.

MICRA

Changing MICRA remains a continued top priority for CAOC. With your help, CAOC has been very successful in educating new Legislators during the last three election cycles about the horrible impact MICRA has on patients. These efforts have led to a much better understanding by Legislators of the problem. As part of its ongoing commitment on this issue, CAOC has contracted with a terrific new outreach organizer, Shawnda Westly, to organize local meetings for local TLA members with their legislators. To help this effort in your area, contact Shawnda at Shawnda@Westlyconsulting.com.

Inside This Issue

Capitol City Trial Lawyers Association
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Sacramento, CA 95812-0541

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MAY

Tuesday, May 1

CAOC Lobby Day
Registration 8 a.m.
Program 8:30 a.m. to 5 p.m.
Reception 5 p.m.
For more information, contact:
Anna Lewis, CAOC, 442-6902

Tuesday, May 8

Q&A Luncheon
Noon - Vallejo's (1900 4th Street)
CCTLA Members Only.

Thursday, May 17

CCTLA Problem Solving Clinic
Topic: TBA - Speaker: TBA
Location: Sacramento Courthouse, Dept 5
Time: 5:30 to 7 p.m.
CCTLA Members Only - \$25.

Friday, May 18

CCTLA Luncheon
Topic: TBA - Speaker: TBA
Location: Firehouse Restaurant
Time: Noon
CCTLA Members Only - \$25.

Thursday, May 24

CCTLA's 5th Annual Spring Reception & Silent Auction
Location: Home of Allan Owen & Linda Whitney
Time: 5:30 to 7:30 p.m.

JUNE

Saturday, June 2

CCTLA & ACCTLA Seminar
Topic: Damages Speaker: David A. Ball, Ph.D.
Location: Holiday Inn
Time: 9 a.m. to 4 p.m.
Cost: \$250 with book; \$175 without book

Tuesday, June 12

Q&A Luncheon
Noon - Vallejo's (1900 4th Street)
CCTLA Members Only.

Thursday, June 28

CCTLA Problem Solving Clinic
Topic: TBA - Speaker: TBA
Location: Sacramento Courthouse, Dept 5
Time: 5:30 to 7 p.m.
CCTLA Members Only - \$25.

Friday, June 29

CCTLA Luncheon
Topic: TBA - Speaker: TBA
Location: Firehouse Restaurant
Time: Noon
CCTLA Members Only - \$25.
Contact Debbie Keller at CCTLA, 916/451-2366 for
reservations or additional information regarding any of the
seminars.

CCTLA COMPREHENSIVE MENTORING PROGRAM

The CCTLA Board has developed a program to assist new attorneys with their cases. If you would like to receive more information regarding this program or if you have a question with regard to one of your cases, please contact:

Jack Vetter: jvetter@vetterlawoffice.com
Chris Whelan: chwdefamation@aol.com
Cliff Carter: cliff@cclawcorp.com

CCTLA CALENDAR OF EVENTS