

BAR BULLETIN

8291 Utica Avenue, Suite 102-B ~ Rancho Cucamonga, CA 91730

Volume XIII, Issue 7

www.wsbcbba.org

September 2012



REMARKS FROM THE PRESIDENT'S DESK —

By: Laurel A. Hoehn

“My favorite poem is the one that starts ‘Thirty days hath September because it actually tells you something.’ – Groucho Marx

It hardly seems possible that we are already in the month of September. Where did the summer go? Kids are back to school and hopefully, everyone is back in their usual routines. The Bar Association has finally settled into our new office and we welcome you to come by and say hi to Noreen.

The annual Bench/Bar Barbecue is coming up on September 21st, and is again being graciously hosted by Brian and Camille Brandt. For those of you who have attended in the past, you know what a great event this is and a wonderful opportunity to mingle in a beautiful setting with your fellow attorneys and judicial officers. If you have not previously attended, I encourage you to come out for some great food, wine and conversation!

Additionally, and in continuation of the Bar Association's goal to offer informative and practical MCLE events, we will be hosting an upcoming luncheon, titled “Foreclosures: Pitfalls and Profits” by Christian Spring, Esq., on September 13, 2012, at the Old Spaghetti Factory. October will be a busy month, with two MCLE lunches; “State of the Courts - Impact on San Bernardino County” with Hon. Joseph Brisco, Hon. Keith Davis and Hon. Christopher Marshall speaking in Dept. R10 of the Rancho Cucamonga Courthouse on October 4, 2012 and David Ricks and Hon. Gilbert Ochoa will be presenting “Nuts and Bolts of Expedited Jury Trials” at the Old Spaghetti Factory on October 11, 2012. I would be remiss if I did not thank our speakers and judges for taking the time to prepare and present these lunchtime topics. The amount of work that goes into the MCLE presentations is substantial and they do so without hesitation and complaint.

Mark your calendars for October 25, 2012 when we will hold the Annual “Installation and Awards Ceremony for the Jennifer Brooks Lawyer of the Year and Legal Assistant of the Year” Ceremony.

WESTERN SAN BERNARDINO COUNTY BAR ASSOCIATION

*Invites you to attend its
2012/13
Installation of Officers and
Awards Ceremony*

CONGRATULATIONS!
*Recipient of the
Jennifer Brooks
Lawyer of the Year Award*



Honorable Stephen G. Larson (Ret.)

*And Recipient of the
Legal Assistant of the Year Award*



Crystal Burton

**Thursday, October 25, 2012
Embassy Suites Ontario-Airport
3663 E. Guasti Road, Ontario, CA 91761**

**Please contact Noreen at the Bar office to RSVP
Phone: (909) 483-0548
Fax: (909) 483-0553
E-mail: westernbarassoc@aol.com**

PLEASE TAKE NOTE: THE MAILING ADDRESS FOR THE WSBCBA
AND THE LRS IS:

**PO BOX 624
RANCHO CUCAMONGA, CA 91729**

PLEASE UPDATE YOUR RECORDS TO REFLECT THIS CHANGE

Dale Galipo

By: Dennis E. Wagner

Honored with the 2012 Erwin Chemerinsky Defender of the Constitution Award, in recognition of exemplary and distinguished commitment to supporting and defending the Constitution of the United States of America

“The world is indebted for all triumphs which have been gained by reason and humanity over error and oppression.” – Thomas Jefferson

On May 15, 2012, at the Hilton Hotel in San Bernardino, the Inland Empire Chapter of the Federal Bar Association held its annual Erwin Chemerinsky Constitutional Law Update. In conjunction with the Constitutional Law Update, there was also the presentation of the Erwin Chemerinsky Defender of the Constitution Award for 2012, which was presented to Dale Galipo.

This event is very special for the Inland Empire Chapter of the Federal Bar Association and our local bar associations. Dean Chemerinsky has visited us on an annual basis for the last 12 years, and even came to visit after he left California to take a teaching position at Duke University in North Carolina. Dean Chemerinsky’s presentation of the constitutional material is always humorous and insightful and a welcome update for practitioners regarding the issues before the United States Supreme Court.

The Inland Empire Chapter of the Federal Bar Association decided years ago to honor an attorney or jurist who puts him or herself on the line in defending the Constitution. The past recipients of the Erwin Chemerinsky Defender of the Constitution Award include: Judge Robert Timlin, Magistrate Judge Oswald Parada, Andrew Roth, Diane Roth, Art Littleworth, James Parkinson, Robert O’Brien, Judge Stephen Larson, John Porter, and Professor Charles Doskow.

The award was named after Dean Chemerinsky not as a reflection upon any of his beliefs, but to recognize his dedication and commitment to the Constitution during his legal career, both in teaching law students and in his law practice, including his numerous appearances before the appellate courts and U.S. Supreme Court.

Attorney Dale Galipo, our 2012 recipient, practices all over Southern California and has tried cases all over the state. He is a graduate of the University of Michigan in Ann Arbor, with a Bachelor’s Degree in Business Administration. He

attended UCLA Law School from 1981 to 1984 and has managed his own law firm since becoming a lawyer. His expertise is primarily in the civil rights area, but he has handled significant personal injury and criminal defense trials. He has tried approximately 150 civil jury cases to verdict and has a number of successful verdicts as a result of his trial efforts.

Dale specializes in police misconduct civil rights litigation and takes on very difficult liability cases that require expertise in this area of law. He has been asked to speak at seminars on various topics of civil rights litigation for our own chapter of the Federal Bar Association. In January 2012, Dale was one of the speakers at the University of La Verne College of Law Civil Rights Symposium. Other civil rights attorneys throughout the state routinely call on Dale for consultations.

The presentation of the Defender of the Constitution Award to Dale Galipo was an honor, as we have a number of distinguished past recipients. I have known Dale Galipo for at least nine years, when it seems that he first came onto the plaintiff’s civil rights scene. Mr. Galipo is an ethical practitioner of the law, and if he tells you something, then his word is gold. In the days of writing letters to confirm understandings and events with other attorneys, it is nice to deal with a lawyer who means what he says. Mr. Galipo is polite and civil, which are characteristics that sometimes seem to fall by the wayside for some litigators. It is interesting to note that Dale’s success in litigation has come without adopting an antagonistic, hostile, or aggressive demeanor to accompany it. We congratulate Dale Galipo on receiving the Erwin Chemerinsky Defender of the Constitution Award for 2012.

Dennis Wagner is a partner with Wagner and Pelayes, LLP, and is the immediate past president of the Inland Empire Chapter of the Federal Bar Association



Dennis Wagner, Magistrate Judge Sheri Pym, Dean Erwin Chemerinsky, Dale Galipo

The Jennifer Brooks Lawyer of the Year Award Goes to: Honorable Stephen G. Larson (Ret.),

With almost twenty years of combined experience as a federal judge and prosecutor, Mr. Larson brings a unique background and perspective through which he has achieved resounding success for his clients, with 12 active litigation matters in federal and state trial courts, a pending appeal, and a federal jury trial in the past 18 months alone.

Since leaving the federal bench to resume private practice, Mr. Larson has quickly emerged as one of California's go-to litigators in white collar and commercial litigation defense, with a string of dismissals in highly complex criminal and civil matters.

Recent matters include:

- Case Citation: People v. Paul Biane, et al., FSB 1102102 (Cal. Super. Ct., filed May 9, 2011)
Description: Mr. Larson is the lead attorney representing real estate developer Jeffrey S. Burum, co-managing partner of developer Colonies Partners, who was charged with various conspiracy and bribery charges involving San Bernardino county officials. The complaint alleges that Burum bribed county officials with promises of monetary contributions to Political Action Committees in exchange for approving a \$102 million settlement offer to end a four-year legal battle. Recent successes in the case include obtaining a dismissal of five of the seven felony charges filed against Mr. Burum (including all bribery and embezzlement counts); persuading the Court of Appeal to accept a writ of mandate on the remaining two counts; reduction of bail from \$10 million with electronic monitoring and travel restrictions to release on personal recognizance; and a challenge to parallel federal search warrants which led to the return of all seized property.
- Case Citation: The Inland Oversight Comm., et al. v. County of San Bernardino, et al., CIVDS1201251 (Cal. Super. Ct., filed Feb. 6, 2012)
Description: Mr. Larson is the lead attorney representing Colonies Partners in a Government Code Section 1090 taxpayer lawsuit in which the taxpayers' association is seeking rescission of a settlement agreement with the County which resulted in the payment of \$102 million.
- Case Citation: Thomas v. Taco Bell Corp., Case No. 8:09-cv-01097-CJC (C.D. Cal.)
Description: Mr. Larson was the lead attorney in a class action lawsuit of over 17,000 plaintiffs representing Taco Bell who was sued for an unauthorized text message sent by a third party. The plaintiffs claimed that Taco Bell was vicariously liable under the Telephone Consumer Protection Act (TCPA) and were seeking \$51 million in statutory damages. Larson assumed the lead of the defense effort, secured leave of the Court to file amended

motions for summary judgment, which he then filed and argued. The successful motion for summary judgment resulted in a complete judgment in Taco Bell's favor on all claims.

- Case Citation: U.S. v. Noriega et al, U.S. District Court, Case No: 2:10-cr-01031- AHM-4 (C.D. Cal.)
Description: Mr. Larson was the lead attorney representing Angela Aguilar, an agent of the corporate defendant Lindsey Manufacturing, who was accused of laundering the proceeds of bribery and engaging in a conspiracy to launder the proceeds of FCPA-related bribery. Larson first obtained a Rule 29 judgment of acquittal on the singular substantive count against Ms. Aguilar based on insufficient evidence to support the intent required for the substantive money laundering count; then, after the jury convicted her on the remaining conspiracy count, he negotiated an agreement with the government for a time-served sentence and an immediate release from custody. Lastly, following the dismissal of the indictment for government misconduct six months later, he obtained an agreement from the government to stipulate to a Section 2255 motion vacating the one count of conviction based on the Court's dismissal of the underlying indictment based on government misconduct, predicated in part on Larson's successful motion to suppress intercepted communications.
- Case Citation: Fleischer Studios, Inc. v. A.V.E.L.A., Inc., Case No. CV-06-06229-ABC (MANx)
Description: Mr. Larson is the lead attorney in a widely watched case among the trademark and copyright law bar involving defendants' unauthorized licensing of movie poster artwork and promotional advertisements from the 1930's for the much beloved and well-known "Betty Boop" cartoons. After Fleischer Studios lost before the district court and then the Ninth Circuit on both its copyright and trademark claims, a number of groups filed amicus briefs with the Ninth Circuit, and the Ninth Circuit re-instated Fleischer Studios' trademark claim to the word mark "Betty Boop." On remand from the Ninth Circuit, Larson was retained to litigate Fleischer Studios' trademark.
- Case Citation: C Innovation, Inc. v. Naughtin, et al. (Arbitration Proceeding); Aequitas Solutions, Inc. v. Anderson, et al. (Chancery Court, Delaware filed February 15, 2012)
Description: Mr. Larson is the lead attorney for Aequitas Solutions, Inc. in connection with Aequitas' purchase of assets in a bankruptcy trustee's sale. One of the assets purchased was 100% of the stock in a company that had engaged in litigation and arbitration activity with Aequitas and its principals. Despite the change of ownership, the prior owner of the company and others sought to proceed with the arbitration action and contested the efficacy of the stock transfer. Larson and his team formulated a complex strategy that include successfully

Honorable Stephen G. Larson (Ret.)

Continued from Page 3

staying on-going arbitration proceedings in Los Angeles Superior Court, a successful bankruptcy appeal in the Northern District of California, sorting out a broad spectrum of corporate and intellectual property issues related to the companies and software at issue, and instituting an action in Delaware Chancery Court to confirm the efficacy of the stock transfer.

- Case Citations: Festus Dada, M.D. v. Michael Foutz, et al., Case No. RIC 1118543; Pacific Heart Medical Group, Inc. v. KM Strategic Management, LLC, 3 et al., Case No. RIC 1117544; Prime Partners IPA of Temecula, Inc. v. Kali Chaudhuri, et al., Case No. RIC 1117545; Festus Dada, M.D. v. Kali Chaudhuri, Temecula Valley Physicians Medical Group, et al., Case No. RIC 1117546; and, Abayomi Odubela, M.D., Inc., et al. v. Anita Jackson, M.D., et al., Case No. RIC1119297

Description: Mr. Larson is the lead attorney for Michael Foutz, the CEO of KM Strategic Management, a leading medical management company, in a multi-action dispute involving competing medical practices. The case involves claims and counter-claims of breach of contract, intentional interference with contract and prospective economic advantage, defamation, fraud, unfair competition and violations of the federal RICO statute. Larson, along with co-counsel for several other related parties, succeeded in having the RICO allegations dismissed with prejudice from the federal court on the first round of motions to dismiss. The federal court then remanded the case to state court finding it no longer had jurisdiction in light of the dismissal of the one pending federal claim. One of the other pending cases was recently voluntarily dismissed by the plaintiff without any payment or settlement concessions made by the defendants after several months of litigation. The remaining claims and counter-claims are currently pending.

- Case Citation: The People of the State of California v. Arturo Aguilar, Case No. 11028520 (San Francisco Sup. Ct., filed Oct. 25, 2011)

Description: Mr. Larson was the lead attorney in the criminal defense of Arturo Aguilar, an employee of Sims Metal Recycling Company, who had been charged with felony violations of California statutes relating to the purchase of scrap metals. Larson oversaw Mr. Aguilar's defense by making numerous court appearances and holding discussions with the District Attorneys' Office. He also led the defense's investigation of facts surrounding Mr. Aguilar's arrest. Based on the results of his investigation, Larson was able to convince the District Attorneys' Office to drop all of the charges against Mr. Aguilar, resulting in a complete victory for his client.

- Case citation: FPPC Case No. 12/0195
Description: Mr. Larson was the lead attorney for Daniel Richards, the President of California's Fish and Game Commission, in front of California's Fair Political Practices Committee (FPPC) after a citizen complaint was filed against him with that administrative agency. In essence, the complaint alleged that Mr. Richards received a gift from a hunting lodge in Idaho in the form of a free mountain lion hunt. While the FPPC determined that a technical violation had taken place, Larson assured the FPPC that Mr. Richards had reimbursed the hunting lodge for the hunt, and convinced them to close the complaint and only issue a written warning without taking further action against Mr. Richards.

- Case: Representation of Ken Erhlich
Description: Mr. Larson was the lead attorney for Mr. Ken Erhlich, an outstanding lecturer in Fine Arts at the University of California at Riverside and the California Institute of the Arts, after he was arrested by campus police officers during a student protest being held on the UC Riverside campus. Although the protest was largely peaceful, videotape captured at the time of Mr. Erhlich's arrest indicated that as the campus police, dressed in full riot gear, advanced against the student line of protestors, the officers grabbed Mr. Erhlich as he was falling to the ground and dragged him approximately 50 feet along the pavement. Mr. Erhlich was arrested on assault charges and detained overnight. After reviewing videotape recordings of the incident, Larson made a presentation to the District Attorney's Office in Riverside County, which then declined to file any charges against Mr. Erhlich.

- Case Citation: Joseph Alter v. The Walt Disney Co., Case No. CV-11-08277-PA (CWx)
Description: Mr. Larson was the lead attorney for Disney in a case that has stirred interest from the legal blogging community. The plaintiff alleged that the computer software that Disney uses to generate hair for its animated films such as "Tangled" and "Toy Story" infringes plaintiff's patent. The case was settled favorably and efficiently prior to discovery or pre-trial litigation.

Active Bar groups:

- American Bar Association, Life Fellow
- Antitrust Litigation Forum, Steering Committee. Cambridge Forums
- Federal Bar Association, Los Angeles (Board of Directors) and Inland Empire chapters (past president and former member of Board of Directors)
- Irish American Bar Association

Recent Honors:

- Legal 500 US (2012)
- SuperLawyer (2012)
- Irish America Magazine, "Legal 100" (2009 through 2012)
- Lawdragon 500 (2010 and 2011)
- Amar Es Entregarse Award, Diocese of San Bernardino (2011)

7th Annual “Make a Difference” Dinner and Auction

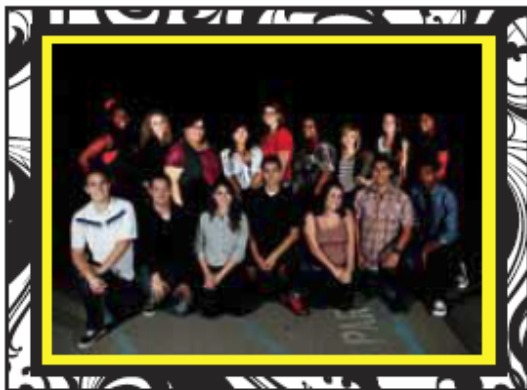
By: Diane M. Hartog, Esq.

A couple of years ago I became involved with an organization which helps teens transition out of foster care and into adulthood. The organization is known as Inspire Life Skills Training, Inc., and was established by Kristi Camplin of Corona. These teenagers are offered many support services including personal mentoring, professional counseling, life skills training, education and employment guidance. We presently have five homes, which are completely full, and each young person has a mentor to help them along in life. We are working on our 6th home. All of the teens/young adults are enrolled in school, either at the community college level, or at the University level. This organization is completely privately funded. The holidays are rapidly approaching and so is our annual fundraiser/dinner. Please join us for the 7th Annual “Make a Difference” Dinner and Auction. **All proceeds** will benefit the youth. We will have a live and silent auction and you will have a chance to meet and hear from our youth, as they tell how Inspire has helped to change their lives. The dinner will be held at Eagle Glen Golf Club, in Corona, on October 13, 2012 at 5:00 pm. Evening/semi-formal attire. All donations are tax deductible. Please see our ad below. If you are not able to join us, you may visit our website at www.inspirelifefskills.org and make a donation on-line. Any assistance to secure the future of our young people is greatly appreciated.

Thank you,
Diane M. Hartog

7th Annual “Make a Difference” Dinner and Auction

To support higher education, housing and mentoring for former foster youth in our area.



Saturday, October 13th, 2012
at 5:00pm

Eagle Glen Golf Club • Corona, CA

\$75 pp./\$600 per table

Vacations, Sports Memorabilia, and
Other Exciting Auction Items.

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Steven E. Hodgkins M.D.



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September Almanac

By: Tony Sears

All times Pacific Daylight Time (PDT), which is minus seven (7) hours from UTC (Universal Time Coordinated). Location: 34.1 N, 117.7 W. All astronomical data courtesy of the United States Naval Observatory website: www.usno.navy.mil. There is a lot of useful information available on this website and it should definitely be in your smart phone, especially if you travel. The website even has opportunities to obtain astronomical data for litigation purposes.

September Almanac: The September new Moon occurs on September 15 at 7:11 p.m. However, the new Moon occurs when the Moon passes directly in front of Sun, so it is not visible to the naked eye, unless a total lunar eclipse is occurring. So, it is the sighting of the young Moon, that silvery shard glimmering in the evening twilight, on September 16 that begins the High Holy Days of *Rosh Hashana* (Lunar New Year) and *Yom Kippur* (Day of Atonement).

See if you can spot the newly visible Moon on *Erev Rosh Hashana*, Sunday, September 16 between 6:45 p.m. and 7:30 p.m. This may be a tough one, unless you have a flat clear western sky.

Beware, the Equinox approaches! This year the Autumnal Equinox occurs on September 22, 2012, at 7:49 a.m. This means that the Earth has reached the half way point in its annual rotational tilt of 22.5 degrees North (Tropic of Cancer), on June 20 at 4:09 p.m. (the Summer Solstice) to Zero degrees (the Equator on the Autumnal and Vernal Equinoxes) on the way to 22.5 degrees South (Tropic of Capricorn) on December 21 at 3:12 a.m. for the Winter Solstice.

So to recap, consider this: We live on the side of an irregular sphere (fatter at the Equator than the Poles) at about 34 N, 117 W. That bright blue ball, covered in salt water, is going in at least three (3) directions (four (4), if you count the space/time continuum...) at once:

(1) Rotating at about a Thousand Miles per hour (1,000 m.p.h) towards the East (24 hrs. in a day). The rotation is actually slightly faster at the Equator, which is why the best location for a space launch is as close to the Equator as possible. This makes it easier to escape the surly bonds of Earth;

(2) Tilting from 22.5 degrees north to 22.5 degree south (four (4) seasons); and

(3) Orbiting the Sun in an elliptic (irregular oval), with the perihelion (closest approach) in early January and aphelion (farthest point) in early July.

You really are moving in all directions at the same time.

Shine On Harvest Moon! Since the full Moon in September occurs closest to the Autumnal Equinox it is known as the "Harvest Moon". In years when the Harvest Moon occurs in October, the September Full Moon is commonly referred to as the "Corn Moon". Look for that huge, bright Harvest Moon in the easterly sky on Saturday, September 29, at 6:14 p.m. and watch it go full at 8:19 p.m. You may also wish to pull out your copy of Neil Young's "Harvest Moon" or Van Morrison's "Moondance" and give them a listen.

Autumn Garden Season. One of the greatest things about living in our area is that the you can garden year 'round. Fall is the perfect time to clear out the garden or containers and reload. Arugula, Leeks, Lettuce, Carrots, and Bok Choi are all good candidates for the fall garden. There is enough warmth and sunshine to get the plants off to a good start. By the time the weather cools down, the plants will be in established and productive. Fresh soil, clean water (fill your water cans or buckets and let sit for 24 hours so the chlorine in the water evaporates) and kind attention will yield a fresh salad greens for the Holiday season. A fresh green salad on Thanksgiving Day is quite possible.

September Recipe:

As I write this, on August 13, 2012, we are in the grip an as#\$@\$%ing heat wave, complete with Monsoonal moisture and Flash flood warnings. So, I cannot really fathom turning on the oven. Nonetheless, you gotta eat something. If you like sushi, you will love this. If you don't like sushi, then maybe you should avert your gaze. Unless you are feeling adventuresome.

Continued on Page 5

The Western San Bernardino County Bar Association's

Lawyer Referral Service needs panel members!

**We are specifically in need of panel
members for the following area of
law:**

SSI/SSDI

Please contact Noreen at
(909) 483-0548 or send an e-mail to
westernbarassoc@aol.com

September Almanac

Continued from Page 6

Here is a simple recipe for marinated Ahi or *Poke*.

You can also use Blue Fin Tuna, if you are either an expert open ocean fisherman or happen to know one. The marinade will season the fish, so there will be no fishy taste. Like its Pacific rim culinary cousin, Ceviche, the marinade turns the raw fish into a divine treat. This makes a perfect appetizer to bring to a dinner party or late summer gathering. Goes perfect with a Chopin Potato Vodka martini, (no vermouth!) shaken frosty cold and a lemon twist.

Poke (Hawaiian Style Marinated Ahi)

4 teaspoon (tsp.) of soy sauce

½ tsp. Siriacha (Rooster) Hot Sauce or 1 tsp Asian

Chile Oil

1 tablespoon (tbsp.) of Toasted Sesame Oil

2 tbsp. of Ponzu sauce

1 tsp. Toasted Sesame Seeds. (Carefully toast in pan on stove, immediately remove from heat)

1 clove Garlic, minced

2 tbsp. Cilantro, finely minced

1 Scallion (Green Onion) minced

1 lb. of Ahi, (sushi grade if you can get it)

Finely and carefully dice the fish into small cubes, about 1/4 to ½ inch. This is best done with a really sharp knife when the fish is still partially frozen or really cold. For the price you will pay for Ahi at the market, the fishmonger should gladly use their expert knife skills and cut this up for you. Combine all other ingredients in bowl and whisk together. Place fish in sealable container and combine with marinade. Seal up your container and into the cooler for at least thirty minutes. Serve on rice crackers, small spoons, or on a cucumber slice. If there is any left, seal it up, as it keeps 2-3 days in the fridge and may actually be better the next day. I made the mistake of giving my college age kids and their friends a taste of this for a snack. They now demand it on a regular basis.

Buon Appetito! Tony Sears

WSBCBA MEMBERS:

If you have a suggestion for an MCLE topic, Speaker, or know somebody who is interested in speaking at one of our luncheons, please contact Noreen at the Bar Office.

Phone: (909) 483-0548

Fax (909) 483-0553

E-mail: westernbarasoc@aol.com

CONFIDENTIAL HELP to Judges & Attorneys in trouble with alcohol or drugs. Call (951) 683-4030, 24 hrs., 7 days/week.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE *from the* CLERK

CHANGES TO THE LOCAL RULES PROPOSED TO
BECOME EFFECTIVE DECEMBER 1, 2012

The Court has preliminarily approved the amended Local Civil Rules, amended Local Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and amended Local Rules Governing Bankruptcy Appeals, Cases, and Proceedings that are attached to this notice. The proposed effective date for these amended rules is December 1, 2012.

Members of the public are invited to submit comments on these amended rules. Comments may be submitted to lr_publiccomments@cacd.uscourts.gov or in hard copy to Terry Nafisi, District Court Executive and Clerk of Court, 312 N. Spring Street, Room G-11, Los Angeles, California 90012. No facsimile transmissions will be considered.

All comments must be submitted no later than September 19, 2012. All timely received comments will be considered by the Court before final adoption of the rules.

Terry Nafisi
District Court Executive

Western San Bernardino County Bar Association



Invites you to Attend its



13th Annual Bench/Bar Barbecue

Take a break from your busy routine and join us under the stars for a relaxing meal among Judges, Friends, and Colleagues.

Serving Appetizers and lots of Delicious Food
 Open Bar: Beer, Wine and Soft Drinks
 Raffle Prizes
 Casual Attire

LOCATION:

Brandt's Vineyards
 San Antonio Heights

Friday, September 21, 2012

6:00 to 9:00 p.m.

Cost: \$25/Person

Sponsorship Opportunities available, please contact the Bar office for more information.

PLEASE NOTE:

RSVP IS REQUIRED NO LATER THAN SEPTEMBER 19!

*A \$25 fee will be charged for failure to show or cancel reservation within 24 hours.

For more information, please contact

Noreen at the Bar office:

Phone: (909) 483-0548

Fax: (909) 483-0553

E-mail: westernbarassoc@aol.com

Sponsored by:
 Brandt Family Winery, Upland

United States District Court Central District of California Amended Local Rules Governing Bankruptcy Appeals, Cases, and Proceedings, Proposed to Become Effective December 1, 2012

RULE 8 (8018-8). PRO HAC VICE APPEARANCES

Attorneys who have been granted permission to appear pro hac vice in a particular case or in a particular proceeding in a case by the bankruptcy court in accordance with Bankruptcy Court Local Rule 2090-1(b) may proceed pro hac vice in that same bankruptcy case or proceeding if it is subsequently filed in or referred to the district court.

United States District Court Central District of California Amended Local Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, Proposed to Become Effective December 1, 2012

G.1. (83) DESERTING SEAMEN CASES.

(a) Service.

Upon filing a verified petition for return of wages deposited in the registry of the Court pursuant to the provisions of 46 U.S.C. § 11505, a copy of the petition shall be served forthwith on the United States Attorney and a copy mailed to the Attorney General of the United States, after which a sworn return of such service and mailing shall be filed.

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 Phone: (909) 730-2270
 Email: Brandon.FinishLine@Yahoo.com

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Western San Bernardino County Bar Association

PRESENTS an MCLE LUNCHEON on

“FORECLOSURES: PITFALLS AND PROFITS”

Keynote Speaker: Christian Spring, Esq.

Mr. Spring will be speaking about the basics on current foreclosure law and trends that every practicing real estate attorney in California needs to know. He will touch on:

- Proposed changes to current foreclosure framework
- Methods to protect clients' interest during the foreclosure process
- Recent trends in foreclosure procedures and market statistics

PLEASE SELECT YOUR LUNCH CHOICE

- Spaghetti with Meat Sauce
- Spinach and Cheese Ravioli
- Spaghetti with Mizithra Cheese and Browned Butter

All lunches come with choice of non-alcoholic beverage.

—▶ 1 hour MCLE credit ◀—

THURSDAY — SEPTEMBER 13, 2012

12:00 NOON TO 1:30 P.M.

at

Old Spaghetti Factory

11896 Foothill Blvd., Rancho Cucamonga, CA

(909) 980-3585

COST: \$25.00/Member — \$30.00/Non-Member

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ **Phone No.:** _____

—NOTE: A \$25.00 fee will be charged for failure to show or cancel reservation within 24 hours.—

The WSBCBA certifies that this activity has been approved for 1 hour of MCLE credit by the State Bar of California.

WESTERN SAN BERNARDINO COUNTY BAR ASSOCIATION
PO Box 624 • Rancho Cucamonga, CA 91729 • (909) 483-0548 — Fax: (909) 483-0553
E-mail: westernbarassoc@aol.com



The Family Issues and Domestic Violence Community Committee
invites those who are interested in

**4 HOURS OF MCLE INCLUDING 1 HOUR
ELIMINATION OF BIAS**

(Also 4 hours of FL Specialization Credit)

Focused 730 Evaluations

Compassion Fatigue

Domestic Violence Warning Signs

Same Sex Issues/Cultural Sensitivity

SPEAKER: MARY DURYEE, Ph.D.

Practicing psychotherapist

AOC Instructor for Judicial Officers

Past Director, Family Court Services, Alameda

Past Faculty, UC Berkeley and Center for Judicial Education

Published numerous academic papers including

Amici Brief for California Supreme Court – Montenegro

Portion of Judicial Bench Manual – Child Development

DATE: September 22, 2012

TIME: 8:30 a.m. to 12:30 p.m. (Check in at 8:00 a.m.)

LOCATION: GRUMPY GOLFER (now Victorville Golf)

14144 Green Tree Blvd.

Victorville, CA 92392

COST: \$75.00 per person (Breakfast is included)

R.S.V.P. required to Stacey Lake at Caldwell, Kennedy & Porter,
(760) 245-1637 or receptionist@cklaw.net, by September 14, 2012. Please
make checks payable to High Desert Bar Association.

.....
NAME: _____ **# OF ATTENDEES:** _____

EMAIL: _____ **OFFICE:** _____

ADDRESS: _____ **PHONE:** _____

Western San Bernardino County Bar Association and the ASCDC

PRESENT an MCLE BROWN BAG LUNCHEON on

“STATE OF THE COURTS - IMPACT ON SAN BERNARDINO COUNTY”

**Speakers: Hon. Joseph Brisco, Hon. Keith Davis and
Hon. Christopher Marshall**

The Judges will be discussing the following issues:

- Budget Impact on Courts in San Bernardino County and the IE in general;
- Use of the Court's reserve accounts by the State;
- Anticipated changes in courtroom operation and staffing;
- Anticipated changes in law and motion handling, case management, and trials;
- Role of Judges sitting by assignment

—► 1 hour MCLE credit ◀—

**Thursday — October 4, 2012
12:00 Noon to 1:30 p.m.**

at

Rancho Cucamonga Superior Court, Department 10
8303 Haven Avenue, Rancho Cucamonga, CA 91730

This is a BROWN BAG luncheon, food will not be provided.

COST: \$5.00

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ Phone No.: _____

—NOTE: A \$15.00 fee will be charged for failure to show or cancel reservation within 24 hours.—

The WSBCBA certifies that this activity has been approved for 1 hour of MCLE credit by the State Bar of California.

WESTERN SAN BERNARDINO COUNTY BAR ASSOCIATION

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E-mail: westernbarassoc@aol.com

Western San Bernardino County Bar Association

PRESENTS an MCLE LUNCHEON on

“NUTS AND BOLTS OF EXPEDITED JURY TRIALS”

Keynote Speakers:
David H. Ricks, Esq.
Hon. Gilbert G. Ochoa

If you have a trial practice, you need to know how Expedited Jury Trials (EJT) can benefit you and your clients. This seminar will help you learn how to streamline a civil action, especially simple, smaller and/or admitted liability cases. You will learn how to economically try cases without giving up your right to a jury trial. You will see how these trials are prepared from an attorney's perspective and how they are handled by the court from a Judge's perspective. This MCLE should have you looking for an opportunity to try your first EJT.

PLEASE SELECT YOUR LUNCH CHOICE

- Spaghetti with Meat Sauce
- Spinach and Cheese Ravioli
- Spaghetti with Mizithra Cheese and Browned Butter

—▶ 1 hour MCLE credit ◀—

THURSDAY — OCTOBER 11, 2012
12:00 NOON TO 1:30 P.M.

at

Old Spaghetti Factory
11896 Foothill Blvd., Rancho Cucamonga, CA
(909) 980-3585

COST: \$25.00/Member — \$35.00/Non-Member

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ **Phone No.:** _____

—NOTE: A \$25.00 fee will be charged for failure to show or cancel reservation within 24 hours.—

The WSBCBA certifies that this activity has been approved for 1 hour of MCLE credit by the State Bar of California.

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Legal Assistant of the Year Award *presented to*
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(909) 605-0281

5:30 - 6:00 p.m. Cocktails
6:15 - 7:00 p.m. Dinner

Grilled New York Steak, Chicken Supreme or Penne Mediterranean (veg)

Installation & awards ceremony immediately following dinner.

Cost: \$70.00/person (\$85.00 at the door)

Use reverse side of this form for additional names & meal choices. Thank you.

RSVP is required.

Please contact Noreen at the Bar Office

Phone: (909) 483-0548

Fax: (909) 483-0553

E-mail: westernbarassoc@aol.com

Sponsorship opportunities available, please contact the Bar office for details.

NAME: _____

GUEST(s): _____

PHONE NO.: _____

NOTE: A reservation made is a reservation paid.. You must cancel your reservation at least 24 hours in advance .

Western San Bernardino County Bar Association

PRESENTS an MCLE LUNCHEON on

“EMPLOYMENT LAW CONCEPTS: YOU SAY TOMATO, I SAY TOMAHTO”

Keynote Speaker: Alan J. Leahy, Esq.

Alan J. Leahy is the owner of The Leahy Law Firm APC, located in Claremont, and a former Partner at the law firms of Covington and Crowe LLP, and Tomlinson, Prince, Cullen & Leahy LLP. He also has previously served as a Deputy City Attorney for the City of Hesperia.

For about 18 years, Mr. Leahy has gained extensive experience defending employers and management in employment lawsuits as well as with respect to administrative complaints before the California Department of Fair Employment and Housing (DFEH), and the federal Equal Employment and Opportunities Commission (EEOC) and Department of Labor (DOL). Mr. Leahy also has represented numerous individuals in both state and federal court as well as before the California Public Employee Relations Board (PERB). Mr. Leahy also conducts AB 1825 sexual harassment compliance training seminars for employers, including most recently, for the city of Ontario.

Mr. Leahy will discuss general employment law concepts including at-will employment, exhaustion of administrative remedies, the distinction between hostile work environment and quid pro quo harassment, the differentiation between “harassment” and “discrimination” terminology and resulting impact on both individual and employer liability, the importance of employer investigations and much more.

PLEASE SELECT YOUR LUNCH CHOICE

- Spaghetti with Meat Sauce
- Spinach and Cheese Ravioli
- Chicken Caesar Salad

All lunches come with choice of non-alcoholic beverage.

—▶ **1 hour MCLE credit** ◀—

**THURSDAY — NOVEMBER 15, 2012
12:00 NOON TO 1:30 P.M.**

at

**Old Spaghetti Factory
11896 Foothill Blvd., Rancho Cucamonga, CA
(909) 980-3585**

COST: \$25.00/Member — \$40/Non-Member

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ **Phone No.:** _____

—NOTE: A \$25/40 fee will be charged for failure to show or cancel reservation within 24 hours.—

The WSBCBA certifies that this activity has been approved for 1 hour of MCLE credit by the State Bar of California.

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E-mail: westernbarassoc@aol.com



Superior Court of California
County of Riverside
4050 Main Street, Riverside, CA 92501

MEDIA ADVISORY

August 27, 2012

Contact: Sherrill A. Ellsworth, Presiding Judge
(951) 777-3162 (electronic version available at:
<http://riverside.courts.ca.gov/media/media.shtml>)

RIVERSIDE COUNTY SUPERIOR COURT ANNOUNCES U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS AND BUREAU OF JUSTICE ASSISTANCE GRANT AWARD TO IMPLEMENT VETERANS COURT.

Riverside County: Riverside County Superior Court is pleased to announce that it has been awarded \$350,000 to be disbursed over the next three years to implement and support a Veterans Court.

The Veterans Court, overseen by the Honorable Mark Johnson, is an 18 month intensely supervised collaborative program between the court and: the Riverside County District Attorney, Public Defender, Probation and Mental Health Departments; Loma Linda Veterans Administration; Riverside Police Department; and Children and Family Futures. Veteran mentors volunteer to work closely with veterans in the program and have become a critical component of the program. It is the desire of all partners to increase public safety while improving the lives of veterans and their family by healing the physical and invisible wounds of those who have entered the criminal justice system as a result of their dedicated service.

The program provides treatment and other services to veteran offenders through four phases, in order to reduce crime and substance abuse, by utilizing the established best practices (National Association of Drug Court Professionals) Ten Key Components of drug courts already in place and the seven evidence based design features identified by the National Institute of Justice.

The objectives are to build a program that ensures veterans are identified and assessed for risk and need early in the process. The program will also ensure all clients receive evidenced based and data driven services, while providing ancillary services that prevent recidivism and achieve long term recovery. The program will also lower costs associated with this population of focus by reducing recidivism and track all client performances through an automated data system.

Veterans Court will make efforts to improve the identification of veterans within the criminal justice system at the time of arrest or shortly thereafter through inquiries by law enforcement personnel or appointed counsel. Funding will be used to enhance the programs ability to test for drugs and alcohol, client transportation, interim housing, program evaluation and additional probation support. It is anticipated that 65 veterans will be served with these funds.



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Are you receiving calls from clients who need legal assistance **OUTSIDE** your area of expertise?

If so, please let them know about our Lawyer Referral Service program.

We have several qualified lawyers on our panel who can help your client with their legal needs.

Simply give them our phone number (909) 945-2980, and our staff will be delighted to direct them to the appropriate attorney.

**State Bar of California
Certification #0040**

For information about becoming a panel member, please call Noreen @ (909) 945-2980 or visit us at www.wsbcba.org

Office Space for Rent

8301 Utica Avenue, Rancho Cucamonga

Two office suites for rent. Located in Rancho Cucamonga just steps from the courthouse. Building features ample parking, and access to a park and tennis courts behind the building.

Suite 102 - Approximately 1,500 square feet. 4 private offices, kitchenette, storage closet and a large reception/work area. Private ground floor entrance. Available September 1. Rental rate is \$1.35 per square foot.

Suite 202 - Approximately 1,000 square feet. 1 very large private office with exceptional mountain views plus a large reception/work area. Available October 1. Rental rate is \$1.25 per square foot.

Contact Matthew Taylor at (909)989-7774 for details.



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WSBCBA EVENTS

September 13, 2012: "Foreclosures: Pitfalls and Profits" Speaker: Christian Spring, Esq. Mr. Spring will discuss proposed changes to current foreclosure framework; methods to protect client's interest during the foreclosure process; and recent trends in foreclosure procedures and market statistics. To be held at the Old Spaghetti Factory, located at 11896 Foothill Blvd., Rancho Cucamonga, CA 91730. Please contact the Bar office for more information, (909) 483-0548 or westernbarassoc@aol.com

September 21, 2012: Bench-Bar Barbecue, 6:00 p.m. - 9:00 p.m. Please join us as we mingle with Colleagues, Judges and Friends along the vineyards at the home of Brian and Camille Brandt. Please contact the Bar to RSVP and/or for directions (909) 483-0548 or westernbarassoc@aol.com

October 4, 2012: MCLE "State of the Courts - Impact on San Bernardino County" Judges Joseph Brisco, Keith Davis and Christopher Marshall will touch upon issues like budget impact on Courts in San Bernardino County and the IE in general; use of the Court's reserve accounts by the State; anticipated changes in courtroom operation and staffing; anticipated changes in law and motion handling, case management, trials; role of judges sitting by assignment. To be held at Rancho Superior Court, 8303 Haven Ave., Dept. R10. Please contact the Bar office to RSVP (909) 483-0548 or e-mail westernbarassoc@aol.com

October 11, 2012: MCLE "Nuts and Bolts of Expedited Jury Trials," Speakers: David Ricks, Esq. and Honorable Gilbert Ochoa. If you have a trial practice, you need to know how Expedited Jury Trials (EJT) can benefit you and your clients. This seminar will help you learn how to streamline a civil action, especially simple, smaller and/or admitted liability cases. You will learn how to economically try cases without giving up your right to a jury trial. You will see how these trials are prepared for from an attorney's perspective and how they are handled by the court from a Judge's perspective. This MCLE should have you looking for an opportunity to try your first EJT. To be held at The Old Spaghetti Factory, 11896 Foothill Blvd., Rancho Cucamonga, CA 91730. Please contact the Bar for more information, (909) 483-0548 or e-mail westernbarassoc@aol.com

WSBCBA EVENTS, continued

October 25, 2012: Installation and Awards Ceremony will be held at Embassy Suite Ontario-Airport, 3663 E. Guasti Road, Ontario, CA 91761

November 15, 2012: MCLE, "Employment Law Concepts: You Say Tomato, I say Tomahto" Alan J. Leahy is the owner of The Leahy Law Firm APC, located in Claremont, and a former Partner at the law firms of Covington and Crowe LLP, and Tomlinson, Prince, Cullen & Leahy LLP. He also has previously served as a Deputy City Attorney for the City of Hesperia.

For about 18 years, Mr. Leahy has gained extensive experience defending employers and management in employment lawsuits as well as with respect to administrative complaints before the California Department of Fair Employment and Housing (DFEH), and the federal Equal Employment and Opportunities Commission (EEOC) and Department of Labor (DOL). Mr Leahy also has represented numerous individuals in both state and federal court as well as before the California Public Employee Relations Board (PERB). Mr. Leahy also conducts AB 1825 sexual harassment compliance training seminars for employers, including most recently, for the city of Ontario.

Mr. Leahy will discuss general employment law concepts including at-will employment, exhaustion of administrative remedies, the distinction between hostile work environment and quid pro quo harassment, the differentiation between "harassment:" and "discrimination" terminology and resulting impact on both individual and employer liability, the importance of employer investigations and much more.

CLASSIFIEDS

Office Space: Monthly rent for a single office is \$375 which includes a shared waiting area. For all inquiries please call (909) 532-9361
OFFICE FOR RENT: In AV firm, class A building, for attorney with compatible practice - no criminal or family law. Kitchen, library, photocopying, etc. Negotiable. Tom (909) 390-9999

CLASSIFIEDS, continued

ORANGE COUNTY LEGAL SUITES AND CONFERENCE ROOMS Orange County's finest full-service executive suites with state of the art amenities in the historic Artist Village in Santa Ana. Near courts and all government buildings. Newly remodeled Executive office suites, virtual offices (work from home and see clients in a fully furnished office) and conference room rentals available. All offices include web presence under SantaAnaLawCenter.com; 24/7 access to building; conference room use; copy/fax/scanning service; kitchen use; coffee service. Excellent for primary or satellite office. Please visit SantaAnaLegalSuites.com or call (714) 361-

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Attorney Office Downtown San Bernardino: Executive window office available, across from courthouse. Fax, photocopies available, free parking. Secretarial bay available. Ideal for attorney seeking cross-referrals from AV rated criminal/family law firm. Call Sandy (714) 730-5300

RIVERSIDE OFFICE seeks full-time Paralegal with 2+ years experience in insurance defense. Position offers competitive salary/benefits package. Email

The News Bulletin of the Western San Bernardino County Bar Association is published 11 times a year. Our circulation is approximately 400, including: our bar membership, state and federal judges, state and local bar leaders, legislators, and businesses interested in the advancement of our mission.

The majority of our membership includes attorneys located in the western regions of San Bernardino County as well as portions of the eastern regions of Los Angeles..

Articles, advertisements and notices should be received by our office no later than the 15th of the month prior to the month of publication. For current advertising rates, please contact us at 909/483-0548 or WesternBarAssoc@aol.com.

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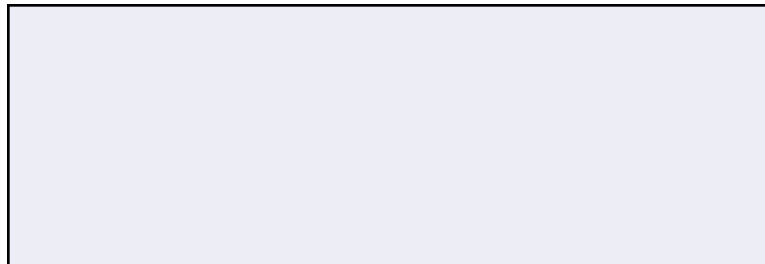
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