

Santa Barbara Lawyer

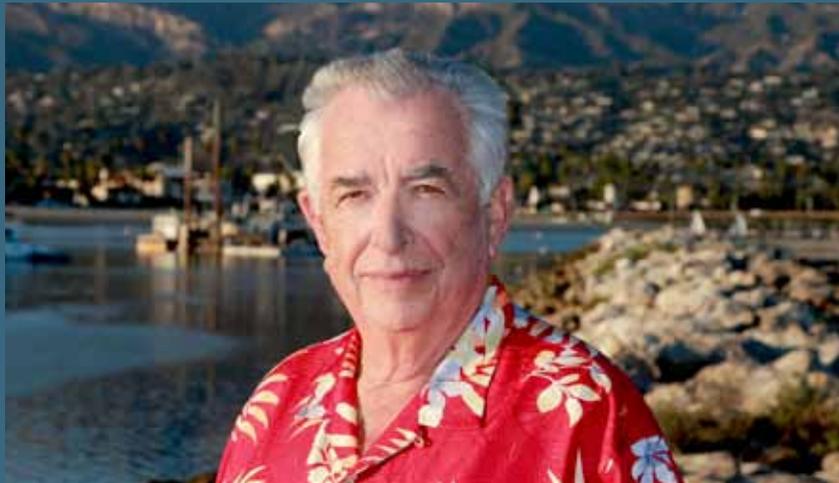
Official Publication of the Santa Barbara County Bar Association
October 2014 • Issue 505





KEITH C. BERRY

YEARS OF EXPERIENCE AND LOCAL EXPERTISE IN THE SOUTH COAST SANTA BARBARA REAL ESTATE MARKET



WE KNOW MORE, TO GET YOU MORE!

Up-to-the moment market knowledge
Connecting sellers to the most qualified buyers.
Greater exposure to sell your home in the shortest practical time
Personal attentive and tailored service to meet the specific needs of each customer

KEITH C. BERRY

REALTOR®, CRB, CRS, GRI, ABR
PREVIEWS ESTATES DIRECTOR & ARCHITECTURAL PROPERTIES DIVISION SPECIALIST
MOBILE 805.689.4240 | OFFICE 805.563.7254 | FAX 805.456.3808
3938 STATE STREET SANTA BARBARA, CA 93105
KEITH@KEITHBERRYREALESTATE.COM
WWW.KEITHBERRYREALESTATE.COM



facebook.com/KeithBerryRealEstate



linkedin.com/in/keithcberry

©2014 Coldwell Banker Real Estate LLC. All Rights Reserved. Coldwell Banker Real Estate LLC fully supports the principles of the Fair Housing Act and the Equal Opportunity Act. Each Coldwell Banker Residential Brokerage office is owned by a subsidiary of NRT LLC. Coldwell Banker® and the Coldwell Banker Logo, Coldwell Banker Previews International® and the Coldwell Banker Previews International Logo, are registered service marks owned by Coldwell Banker Real Estate LLC.

Get the Best Coverage at the Best Price

Selecting the right insurance broker is the first step in protecting your assets, clients, reputation and practice. You need a policy that serves your best interests at an affordable premium, and we offer you that choice.

Walter R. Anderson Insurance has specialized in lawyer malpractice insurance since 1981. We negotiate terms with 19 insurers throughout California, so we can offer you the best coverage options at the best prices.

Get the Best Choice of Coverage and Price

If fifty percent of your practice is devoted to one category, and you've had no claims in the last five years, you should be eligible for a large discount in your insurance premiums.

**Call for an estimate:
805.682.8885**

Or visit us online and complete
the law firm information form:
Lawyers-Insurance.com
Click on Get Started Now

**WALTER R. ANDERSON
Insurance Services, Inc.**

1834 Bath Street
Santa Barbara CA 93101
TEL: 805.682.8885
FAX: 805.563.1160
info@lawyers-insurance.com
CA License: 0711805

Santa Barbara County Bar Association

www.sblaw.org

2014 Officers and Directors

SCOTT CAMPBELL

President
Rogers, Sheffield & Campbell, LLP
427 East Carrillo Street
Santa Barbara, CA 93101
T: 963-9721; F: 966-3715
scott@rogerssheffield.com

NAOMI DEWEY

Secretary
Buynak, Fauver, Archbald & Spray
820 State Street, 4th Floor
Santa Barbara, CA 93101
T: 966-7422
NDewey@BFASlaw.com

KATY GRAHAM

Chief Financial Officer
Senior Research Attorney
2nd District Court of Appeal, Div. 6
200 E Santa Clara St
Ventura, CA 93001
T: 641-4753
katy.graham@jud.ca.gov

DONNA LEWIS

Past President
Attorney at Law
789 North Ontare Road
Santa Barbara, CA 93105
T: 682-4090; F: 682-4290
1215donna@cox.net

EMILY ALLEN

Legal Aid Foundation
301 E. Canon Perdido Street
Santa Barbara, CA 93101
T: 892-2480
emialleninsb@gmail.com

MICHAEL DENVER

Hollister & Brace
P O Box 630
Santa Barbara, CA 93102
T: 963-6711; F: 965-0329
mpdenver@hbsb.com

CLAUDE DORAIS

Dorais, McFarland, Grattan & Polinsky, Law Corp.
25 E. Anapamu St. 2nd Floor
Santa Barbara, CA 93101
T: 965-2288; F: 965-2289
cdorais@dorais.com

JAMES GRIFFITH

Law Offices of James P. Griffith
1129 State St Ste 30
Santa Barbara, CA 93101
T: 962-5821; F: 563-9141
Jim@jamesgriffithlaw.com

ALLAN MORTON

Fell, Marking, Abkin, Montgometry, Granet & Raney LLP
222 E. Carrillo St. 4th Floor
Santa Barbara, CA 93101
T: 963-0755; F: 965-7237
amorton@fmam.com

ANGELA ROACH

University of California Santa Barbara
Employee and Labor Relations
3101 SAASB
Santa Barbara, CA 93106-3160
C: (415) 309-3293
Angela.roach@hr.ucsb.edu

NATHAN ROGERS

The Law Office of Nathan Rogers
3 W. Carrillo Street, Suite 214
Santa Barbara, CA 93101
T: 591-8000; F: 591-8001
rogers@nathanrogerslaw.com

JAMES SWEENEY

Allen & Kimbell, LLP
317 E. Carrillo St
Santa Barbara, CA 93101-1488
T: 963-8611; F: 962-1940
jsweeney@aklaw.net

SHELLEY VAIL

University of California Santa Barbara
Employee and Labor Relations
3101 SAASB
Santa Barbara, CA 93106-3160
C: (619) 889-5469
shelleybvail@gmail.com

PAULA WALDMAN

Senior Deputy District Attorney
1112 Santa Barbara Street
Santa Barbara, CA 93101
T: 568-2371
pwaldman@co.santa-barbara.ca.us

LAUREN B. WIDEMAN

Price, Postel & Parma LLP
200 E. Carrillo Street, Suite 400
Santa Barbara, CA 93101
T: 962-0011; F: 965-3978
lbw@ppplaw.com

LIDA SIDERIS

Executive Director
15 W. Carrillo Street, Suite 106
Santa Barbara, CA 93101
569-5511; Fax: 569-2888
sblawdirector@gmail.com

Santa Barbara Lawyer

A Publication of the Santa Barbara County Bar Association

©2014 Santa Barbara County Bar Association

CONTRIBUTING WRITERS

Hon. Ruggero J. Aldisert (ret.)
David K. Hughes
Jennifer R. Smith
Michelle E. Roberson
Angela D. Roach
Robert Sanger

EDITOR

Claude J. Dorais

ASSISTANT EDITORS

Lida Sideris
Shelley Vail

MOTIONS EDITOR

Michael Pasternak

VERDICTS & DECISIONS

EDITOR

Lindsay G. Shinn

PROFILE EDITOR

James P. Griffith

PHOTO EDITOR

Mike Lyons

PRINT PRODUCTION

Wilson Printing

DESIGN

Baushke Graphic Arts

Submit all **EDITORIAL** matter to santabarbaralawyer@yahoo.com with "SUBMISSION" in the email subject line.

Submit all **MOTIONS** matter to Michael Pasternak at pasterna@gmail.com.

Submit all **ADVERTISING** to **SBCBA**, 15 W. Carrillo Street, Suite 106, Santa Barbara, CA 93101 phone 569-5511, fax 569-2888
Classifieds can be emailed to: sblawdirector@gmail.com

Mission Statement

Santa Barbara County Bar Association

The mission of the Santa Barbara County Bar Association is to preserve the integrity of the legal profession and respect for the law, to advance the professional growth and education of its members, to encourage civility and collegiality among its members, to promote equal access to justice and protect the independence of the legal profession and the judiciary.

Santa Barbara Lawyer

Official Publication of the Santa Barbara County Bar Association
October 2014 • Issue 505

Articles

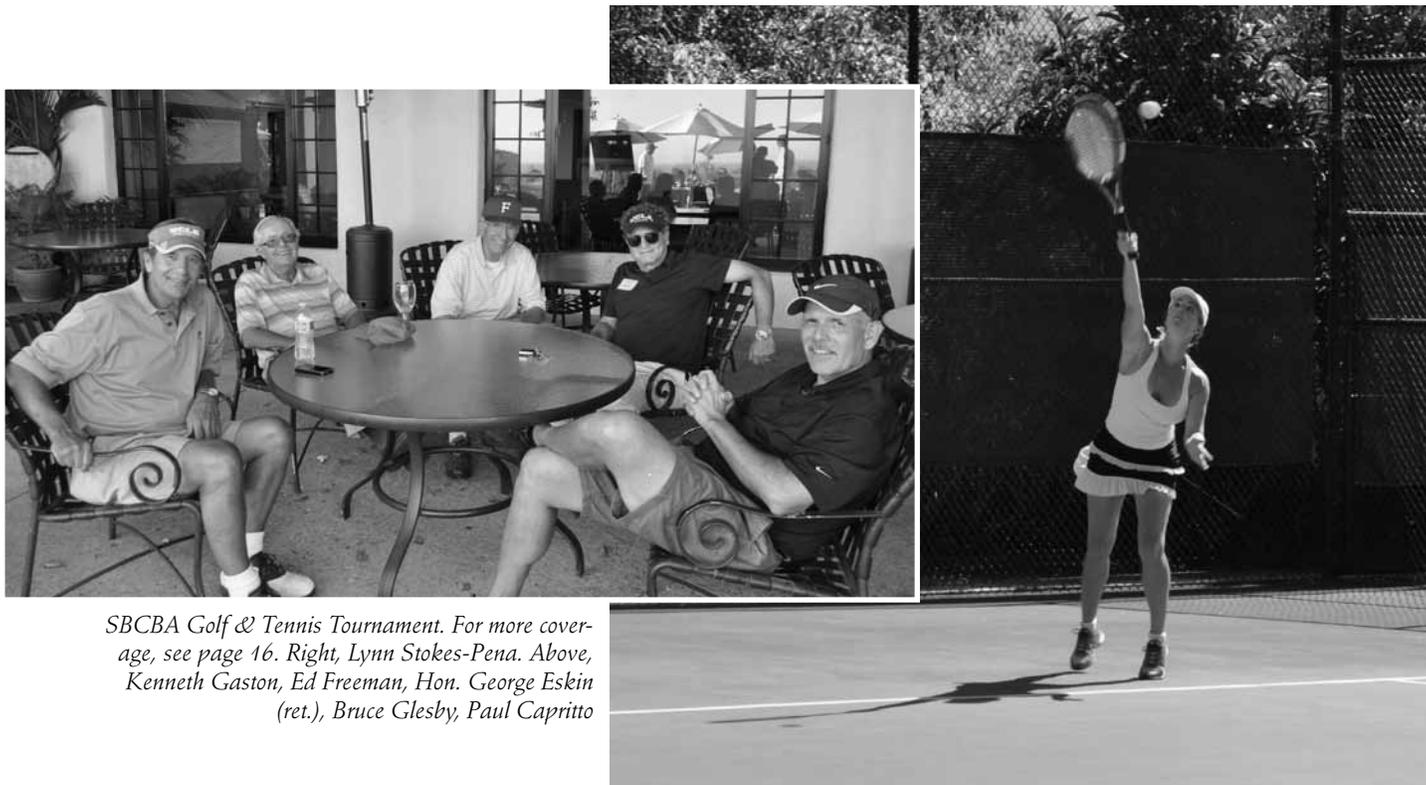
- 6 Retirement and All That Stuff, *By Hon. Ruggero J. Aldisert (ret.)*
- 8 To Be a Professional: Yesterday and Today, *By David K. Hughes*
- 9 Legal Community Joins Together to Ensure Children Get Healthy Lunches During Summer Months, *By Jennifer R. Smith*
- 10 Work/Life Balance, *By Michelle E. Roberson*
- 16 SBCBA Golf & Tennis Tournament
- 21 Juvenile Offenders: Life Without Parole (LWOP), Term of Years and Reasonable Opportunity for Release, *By Robert Sanger*

Sections

- 13 Motions
- 24 Report from SBCBA Liaison
- 27 Verdicts
- 30 Legislation Pending
- 33 Section Notices
- 33 Classifieds

About the Cover

The Montecito Country Club, scene of the SBCBA's Annual Golf & Tennis Tournament held August 21, 2014, is an excellent example of the beauty that is everywhere on the Central Coast. Cover photo by Mike Lyons.



SBCBA Golf & Tennis Tournament. For more coverage, see page 16. Right, Lynn Stokes-Pena. Above, Kenneth Gaston, Ed Freeman, Hon. George Eskin (ret.), Bruce Glesby, Paul Capritto

Retirement and All That Stuff

BY HON. RUGGERO J. ALDISERT (RET.)

According to Merriam-Webster's dictionary, "retire" means "to withdraw from action or danger." I activated this verb at the end of August, thus marking the end of my almost 80 years of holding down a paid job—52 years of which were spent on the bench. As with most experiences, the end gives you pause to reflect on the beginning.

In my case, the "action" and "danger" all began in March 1934 at a drug store in the only retail establishment in the mining town of Heidelberg, adjacent to my hometown of Carnegie, a suburb of Pittsburgh. It was a very "executive" position. I worked as assistant to the owner-pharmacist. My job title was "soda jerk," and I was paid the munificent sum of one dollar for eight hours of work. After a few weeks orienting myself as a drug-store employee in Heidelberg, I learned through the grapevine that a drug store in Carnegie had a vacancy. The establishment was the high school hangout; its front door at the corner of East Main Street and Broadway was only 300 feet from the high school's entrance. I knew the owner and decided to stop in to chat with him. He hired me on the spot: full time in the summer; Tuesday evenings and all day on weekends during the school year. I loved the job.

Meanwhile, I had unsuccessfully applied for a job as copy boy with all three daily Pittsburgh newspapers—the afternoon papers, *Pittsburgh Sun-Telegraph* and *Pittsburgh Press*, and the morning paper, *Pittsburgh Post-Gazette*. Then lightning struck. I had a telephone call from Sid Eiges, Pittsburgh managing editor of the International News Service, which served the *Sun-Tele*. He said, "Aldisert, I need somebody here. Alec Zehner (*Sun-Tele* city editor) said you are looking for a summer job. Are you interested?"

"Yes, sir!" I exclaimed.

"I need a night manager. Twelve midnight to eight a.m. Don't be impressed by the title. You'll be the only employee working this shift. Your job will be to tend a bank of teletypes and rip off all the news stories and syndicated columns. You'll then place them in the pneumatic cartridges that operate in compressed air tubes connecting us with

the *Sun-Tele*. Stop in tomorrow and I'll show you around. If you like what you see, we'll talk."

I liked what I saw and signed on for the job.

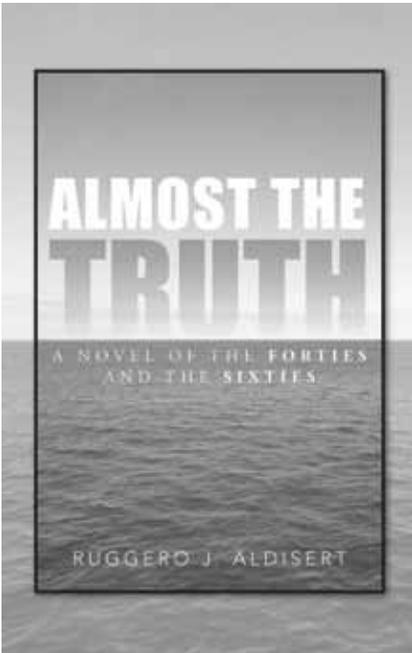
This bolstered my confidence when I later returned to the University of Pittsburgh in the fall of 1940 and took over the reins as editor-in-chief of the tri-weekly student newspaper, the *Pitt News*. These were serious times.

This was the year that the Germans crashed through the Maginot line and pushed the Allies back to the English Channel. The burning question on everyone's mind was when—not whether—we would be joining the War. As editor-in-chief, although I refused to publish unsigned editorials advocating a position on the War, I encouraged my staff to express their views in signed columns. At bottom, our editorial pages differed from those of other college newspapers because of the diversity of viewpoints expressed on the gravest of topics. The War was not merely an academic issue—all of our necks were up for grabs. Our editorial board's last issue was June 1941, with Pearl Harbor taking place six months later on that infamous day, December 7, 1941.

After graduation, I looked for a summer job that paid well and found one. A family friend with connections to the National Mining Company lined up a job for me working in a coal mine. It was the "third trick," meaning we worked from 11 p.m. to 7 a.m. The job description was simple enough: "You'll join a crew that follows the miners who are doing the actual coal digging. Your crew follows the miners to protect them from hunks of coal that periodically fall from the coal ceilings. We do this by pounding wooden planks into the ceilings. Your job as 'assistant timberman' is to hand up to the timbermen the planks from a carrier on wheels, which follows the working miners. You'll eat with the other miners in the shaft during a half hour lunch break at 4 a.m." I made 75 cents per hour, which was twice what I could have made at a white-collar job. During my short stint as a coal miner, the War in Europe remained the lead story in the papers, on the radio, and the new media—television. Although I knew law school was in the cards, I did not know whether I would matriculate before or after I was measured for a uniform. I had enlisted in the Marine Corps Reserve, but was not activated because of an



Judge Ruggero J. Aldisert



unprecedented rush of recruits signing up. Thus, in the final weeks of a nervous summer, I began law school. I was able to squeeze in a full year beginning in September 1941. In retrospect, my mind was focused less on torts, contracts, and property law than on what I would be doing the next year in the Pacific. My one year in law school was followed by 25 months with the Marines in the forward

area of the Pacific, including heavy duty in the Gilbert and Marshall Islands.

These experiences all preceded my time working in the law and shaped my priorities in the years to come. Of my time in college and law school at Pitt, I have often said, "I did not allow my academic classes to interfere with my education." One thing I deem certain: my experiences during those formative years prepared me splendidly for the extremely variegated life that I have lived as a lawyer, judge, and author.

Considering my extensive professional career, a legitimate

question arises: Why am I retiring? The answer is simple: I am not! Retirement from the law merely marks the start of the next phase of my career. In the past, my books and articles concentrated on the law, which has been the source of great satisfaction for me. I have published a dozen law books and over fifty legal articles. As my time in robes comes to an end, however, I am making another drastic career change. I will put my pen to something imaginary, to a fabrication of the mind, or, in a single word, fiction.

I have already found time to write my first novel, titled *Almost the Truth: A Novel of the Forties and Sixties* (Authorhouse, May 2014). In its pages there is action in abundance, starting with the Nazi occupation of Rome during World War II. Readers will find danger at various turns as I trace the activities of an OSS agent who sows the seeds of what later becomes a large corporation, but who ultimately runs into trouble with a committee of Congress.

With the publication of *Almost the Truth*, I shirk the dictionary definition of "retire." Indeed, I intend to charge directly toward "action" and "danger" with pen in hand. ■

Ruggero J. Aldisert is a well-known federal appellate judge, author of numerous law books, and a former adjunct professor at several law schools. He is a retired Senior U.S. Circuit Judge of the U.S. Court of Appeals for the Third Circuit. He was appointed by President Lyndon B. Johnson in 1968. Previously, he served as a trial judge on the Court of Common Pleas of Allegheny County, (Pittsburgh) Pennsylvania, 1961-1968; before that he was in the private practice of law. He served as the Third Circuit's chief judge from 1984 to 1987 before attaining senior status. He has been a resident of Santa Barbara since 1987.

Santa Barbara County Bar Association Proposed Slate 2015

OFFICERS:

President: Naomi Dewey
 President-elect: Katy Graham
 Secretary: Angela Roach
 Chief Financial Officer: Jim Griffith
 Past President: Scott Campbell

SLATE OF DELEGATES TO THE CALIFORNIA CONFERENCE OF DELEGATES:

Tim Metzinger, Sue McCollum, Katy Graham, Donna Lewis

DIRECTORS:

Emily Allen
 Jeff Chambliss
 Mike Denver
 Elizabeth Diaz
 Steve Dunkle
 Robert Forouzandeh
 Amber Holderness
 Andrew Mitchell
 Nathan Rogers
 Kelly Scott
 James Sweeney

To Be a Professional: Yesterday and Today

BY DAVID K. HUGHES

As practicing attorneys, we are often reminded that the law is a profession and that we are professionals. But what does that mean? Do we really understand what it is to be a professional, and can we say today that the practice of law is still a profession and not a business?

To answer those questions it is best to start in the 16th and 17th centuries in England when the prestigious use of the term “profession” first emerged from the Christian humanism of the Renaissance.

The Latin root of the word profession is “profession” and it refers to the sacred oath taken by monastic clergy. That oath was a public declaration with the force of a promise. Its use and meaning were gradually expanded to encompass all clergy and, eventually, the other two classical professions: medicine and the law - which traced their origins to the faculties of the medieval European university. The members of each of these three groups professed, in the originally religious sense, to a calling or vocation to serve God and their fellow man. “Profession” thus came to refer to a secular calling, marked by the importance of selfless service, through which a more important spiritual calling was fulfilled.

The members of these first three professions were separated, on the one hand, from the nobility and landed gentry who did not work (“the leisured class”) and, on the other hand, from those engaged in agriculture, manufacture, retail and trade. They also differed from the other groupings of the time by the fact that they provided a public service that required a literate education and training.

By the late 18th century in England, Enlightenment thinking had started to erode the Christian belief system and, thus, the power of the church and its clergy, with a concomitant cultural shift from religion to politics. This change enhanced the role of the lawyer, making the law the cultural profession of choice. People began to go to lawyers to resolve their disputes, rather than to their local minister. It was also during this time that lawyers added the concept of contractual service to ensure payment for their services,

and acted to form professional bar associations.

From those historical underpinnings, the framework for what is a “profession” has evolved to what we know of it today. As generally defined, a “profession” is an occupation that requires extensive study, training, and the mastery of specialized knowledge. It is also much more than that. Most commentators agree that there are four criteria which distinguish a bona fide profession. Those traits are: (1) a common body of knowledge resting on a well developed, widely accepted historical and theoretical basis; (2) a system for certifying that individuals possess such knowledge before being licensed or otherwise allowed to practice; (3) a commitment to use the specialized knowledge for the public good, in return for professional autonomy and monopoly power; and (4) a code of ethics, with systems set up to monitor and enforce an individual’s compliance with the code.

The most striking of the four traits of a profession is the third. Society grants privileges to members of a profession in return for their implicit promise to provide certain social benefits to the public. Genuine professionals are expected to make available their specialized knowledge to all who require it and to provide services in a way that places the maintenance of professional standards and values ahead of seeking individual advantage. Implicit in this aspect of professionalism is the view that, even when serving private clients, professionals are providing a public good. Thus lawyers representing private clients are assumed to be seeking the implementation of the rule of law and the application of justice in each matter they handle.

It can be seen that the four criteria which define a profession are what set it apart from a business. E.g., most professionals are deemed to have a fiduciary duty towards their clients, which means that their decisions and actions must serve the welfare of their clients, even if at some cost to themselves. No such corresponding duty applies to a businessman.

So, where is the practice of law today – does it remain a profession or merely a trade selling its wares in the public square? The answer to that question is in the hands of each attorney licensed to practice law. When an attorney is tempted by self-interest to lose sight of his or her professional obligations beyond solely serving the particular interests of a client, then he has chosen a path that blurs the distinction between a profession and a business, and has broken an implicit contract with society. However, when each of us daily seeks to meet our profession’s higher aims and social purposes, it can indeed be said, and we can be proud to hear, that we are professionals. ■

Legal Community Joins Together to Ensure Children Get Healthy Lunches During Summer Months

BY JENNIFER R. SMITH

This summer marked the 4th Annual Food From the Bar Drive, benefiting The Foodbank of Santa Barbara County. The Drive raises funds to support the Foodbank's Picnic in the Park Program, which provides free lunches and healthy activities to children throughout the county during the summer. A staggering 84% of children in Santa Barbara County receive free or reduced lunches during the school year and have no summer nutritional safety net. The Drive provides critical funding to the Foodbank to help bridge this "summer food gap."

The Food from the Bar Drive is the only event of its kind that brings together the diverse legal organizations in Santa Barbara County in support of one common cause. 100% of the funds raised go to the Foodbank to fund lunches for children, which cost the Foodbank approximately \$3.50 per lunch. Local lawyers donate their time to organize the Drive, publicity costs are donated by local businesses, and the kick-off event is donated.

Once again, the law firm Brownstein Hyatt Farber Schreck was the Drive's lead sponsor. Attorney and Shareholder Peter Brown stated, "we are very pleased to support the

Food From the Bar initiative. The Foodbank's Picnic in the Park program insures that all children in our community have a healthy lunch during the summer. We thank all the law firms and individuals who have contributed to the initiative this year." A list of sponsoring law firms and legal organizations is provided below.

The Drive kicked-off on July 1 at Intermezzo Bar & Café. Co-Owner Mitchell Sjerven generously donated the venue and agreed to contribute a percentage of kick-off proceeds towards the drive. Director of Operations Jennifer Brodt and her staff created a lively atmosphere for attendees.

Throughout the month of July, donations continued to roll in from area attorneys and law firm staff. Misha Karbelnig, the Foodbank's development manager, monitored the fundraising website and provided critical support to volunteer attorneys.

The law firms of Cappello & Noel and Sanger, Swysen & Dunkle joined as critical Platinum level sponsors.

This year's Drive included a record number of law firms and succeeded in reaching its goal of raising \$15,000.

Food From the Bar started in Santa Barbara in 2010. Santa Barbara Women Lawyers (SBWL) was inspired by other women lawyers organizations in California which organized similar drives to raise funds and collect food for local food banks. SBWL set a goal to raise \$5,000 that first year and raised over \$7,000. Each year the Drive has grown – participation is increasing and the Drive raised \$15,000 or more in each of the last two years.

The funds raised through the Food From the Bar Drive make a real difference to children and families in our community.

4th Annual Food From the Bar Drive

PREMIER SPONSOR

Brownstein Hyatt Farber Schreck

KICK-OFF SPONSOR

Intermezzo Bar & Cafe

PLATINUM SPONSORS

Cappello & Noel

Sanger, Swysen & Dunkle

GOLD SPONSORS

Bamieh & Erickson

Buynak Fauver Archbald & Spray

Janean Acevedo Daniels, Attorney at Law

Reicker, Pfau, Pyle & McRoy

White, Zuckerman, Warsavsky, Luna, Hunt (certified public accountants)

SILVER SPONSORS

Hager & Dowling

Joe Allen, Attorney at Law

Law Office of Saji G. Gunawardane

Pacific Western Bank

Rogers, Sheffield & Campbell

Seed Mackall

Tri-County Court Reporters

SUPPORTING LEGAL ORGANIZATIONS AND SERVICE PROVIDERS

Santa Barbara Women Lawyers & Foundation

Santa Barbara County Bar Association

Northern Santa Barbara County Bar Association

Santa Barbara Legal Professionals Association

Santa Barbara Paralegal Association

Santa Barbara Barristers

Office of the Public Defender

Office of the District Attorney

Legal Aid Foundation of Santa Barbara County

California Rural Legal Assistance

Environmental Defense Center

Law Copy

Continued on page 24

Work/Life Balance

BY MICHELLE E. ROBERSON

It's 3:00 a.m. and I just woke up without an alarm screeching in my ear. By 5:00 a.m., I am in my office finalizing the points and authorities for an *ex parte* application due at noon.

How is this balance?

Five years ago as a new associate in Philadelphia, I was Miss Eager Beaver. My workday started before 7:00 a.m. and, if I was lucky enough to leave the office by 7:00 p.m. (which was not often), I was out doing the mandatory eating, drinking, and mingling until p.m. turned back into a.m., only to continue the cycle the next day. Despite this schedule, I was also on a football team, dodge ball team, and participated in charitable races (half-marathons, triathlons, bike-a-thons). AND I LOVED IT.

This was all before moving to California, becoming a

mom, and staying at home a year to raise my beautiful little girl and, therefore, leaving my life as a litigator in the past to work quietly as a researcher/writer for my East Coast firm to achieve the perfect work/life balance. Or so I thought.

Working from home is highly overrated, in my humble opinion. Sure, it's great to stumble out of bed and be at your office. But, one day you wake up and realize that you can't remember when you last wore clothes suitable for public viewing. Practicing law remotely from home, especially big litigation cases, is also kind of a downer. Instead of being engrossed in your case, strategizing your next step, you find yourself on the blasé fringe of it. It's also hard to share the joys of winning legal battles when you're at home with an infant, who only seems to nap when the hired nanny is there. Admittedly, the thought of flying back to Philadelphia to attend post-win happy hours with my team crossed my mind on several occasions.

I started to feel the passion of the profession disappear and, to be honest, I was not happy.

I have struggled with this elusive work/life balance thing. What I have learned, however, is that the first step to striking some kind of semblance of a balance is to be flexible with your start and end times. My legal training as an associate strengthened my endurance to work any and all hours. My days as a stay-at-home mom helped me learn that there are more hours in a day than the traditional working hours and, sometimes, family dictates your schedule.

So, back to the original question: How is it balance to wake up at 3:00 a.m. to work? Well, my work/life balance starts with being passionate about what I do, which makes me happy to wake up early in the morning. Starting early helps me make time for my other passion in life: my family. Yes, I was up at 3:00 a.m., but my work day finished by noon where I was able to have a couple of hours to myself, spend quality time with my family in the afternoon, host a dinner party in the evening, followed by a great night's rest. ■

After a short hiatus from the courtroom, Michelle opened her civil litigation practice, The Roberson Firm, where she also does estate planning.



Michelle E. Roberson



Edward Jones ranked "Highest in Investor Satisfaction with Full Service Brokerage Firms, Two Years in a Row"

Visit jdpower.com

Daniel J De Meyer
Financial Advisor

125 E De La Guerra St Ste 101
Santa Barbara, CA 93101
805-564-0011

www.edwardjones.com Member SIPC

Edward Jones
MAKING SENSE OF INVESTING

Judgments Enforced

Brigham Law Firm

831 State Street, Suite 240, Santa Barbara, CA 93101
805.845.0490 • www.brighamlawfirm.us
dbrigham@brighamlawfirm.us
Former FBI Agent • AV Rated



Strength. Stability. Longevity.

Facing a legal malpractice claim is something every lawyer and firm must consider. You need the right insurance coverage and expert legal defense at hand. Through Continental Casualty Company, CNA has been providing California attorneys professional liability insurance for more than thirty years.

Law firms throughout California form our network of specialists in legal malpractice and are prepared to defend you if a claim arises. Your defense costs can be covered in addition to (or outside) your limits of liability and the coverage can be tailored to your specific needs.

The financial strength and stability of CNA, one of the country's largest insurers, stands behind you. Further, competitive rates are now available through Mitchell & Mitchell Insurance Agency, who have been serving the insurance needs of professionals for fifty years.

More than insurance.
Your best defense.SM



Contact



Mitchell & Mitchell
Insurance Agency, Inc.
Serving professionals for over forty years.

1-800 247-1403

Lic. #0620650

All coverage not available in all states.
CNA is a registered service mark and trademark of CNA Financial Corporation.

No Broker Fee, Interest Free Financing



LINDENAUER MEDIATION

Victoria Lindenauer, Esq.

STREAMLINED APPROACH
RESULTS
COST EFFECTIVE

Over 25 years PI litigation on the Central Coast

TRAINED MEDIATOR:
Straus Institute
Pepperdine University

MEDIATION PANELIST:
Santa Barbara, Ventura, San Luis Obispo
Resolute Systems, LLC

(805) 730-1959
lindenauer_mediation@cox.net

www.lindenauermediation.com

MARITAL ASSET RESOLUTIONS

WE BRIDGE THE GAP IN YOUR FAMILY LAW PRACTICE AND
YOUR ABILITY TO SERVICE YOUR CLIENTS



Divorce Settlement Planning services of Retirement and Non-Retirement Accounts. We are **proficient, experienced, retirement and asset** planning professionals.



3345 State Street #30226
Santa Barbara, CA 93130 (mailing address)
(805) 692-4000
(805) 692-4008 (Fax)
www.wellworthfinancial.com

Securities and advisory services offered through National Planning Corporation (NPC), Member FINRA/SIPC, a Registered Investment Advisor. Wellworth Financial and NPC are separate and unrelated companies. CA Insurance Lic. # 0531353

Motions



Catherine Karayan Wilbur has joined the Montecito law firm **Ambrecht & Associates** as an associate.

Ms. Wilbur specializes in complex tax and estate planning issues, estate and gift tax controversy matters, and estate and trust administration matters. Before joining Ambrecht & Associates, Ms. Wilbur clerked for the Honorable Kathleen Kerrigan at the U.S. Tax Court in Wash-

ington, D.C. A Southern California native, Catherine earned her bachelor's degree in classics at Washington University in St. Louis and went on to earn her juris doctor from the University of Southern California's Gould School of Law.

Andrade Law Offices is pleased to announce the addition of a new attorney to the firm, **Philip M. Green**.

Mr. Green was admitted to the State Bar of California in July, and his recent practice has focused on personal injury, product liability, employment disputes and business litigation. Prior to that, Mr. Green practiced law in Texas for over twenty years with several firms, including Brown McCarroll and Warren & Green and the Law Offices of Frank L. Branson. Mr. Green continues to be a member of the State Bar of Texas, and has in the past been involved with various charitable organizations, most notably as a project captain for Hearts & Hammers in Dallas, Texas. In his personal life, Mr. Green enjoys spending time with his family, taking advantage of the many outdoor activities Santa Barbara has to offer, and playing blues guitar.



Judge Elinor R. Reiner (ret.) is pleased to announce that effective August 1, 2014, she has relocated her Mediation and Arbitration practice to 211 East Anapamu Street in Santa Barbara.

Santa Barbara bankruptcy attorneys **Peter Susi** and **Jon Gura** have joined the law firm of **Hollister & Brace**.

Peter Susi's practice is limited exclusively to bankruptcy, reorganization, and other debtor/creditor-related matters. Prior to joining Hollister & Brace, Mr. Susi practiced at the law firms Stutman Treister & Glatt, Danning Gill, Michaelson & Gould, and Michaelson Susi & Michaelson, which became Susi & Gura in 2011. He has also served as an adjunct professor at Santa Barbara College of Law and a volunteer judge pro tem. Mr. Susi lectures regularly to bar associations and certified public accountancy groups as well as to the general public.



Jon Gura is an experienced transactional attorney and litigator, with a strong background in bankruptcy, corporate restructuring, insolvency and real estate matters. Prior to joining Hollister & Brace, Mr. Gura served as a law clerk to the Honorable Ronald S.W. Lew, District Court Judge for the Central District of California, and practiced at the law firms Irell & Manella, Klee Tuchin Bogdanoff & Stern, Michaelson Susi & Michaelson, and its successor firm, Susi & Gura. Mr. Gura is active in the Santa Barbara community, having served on the Foundations for Santa Barbara High School and Montecito Union School, and currently serves on the Board of Trustees for the Montecito Union School District and as the President of the Board of Knowlwood Tennis Club in Montecito, California.





The **Santa Barbara Barristers** hosted a swearing-in ceremony in June 2014 for new attorneys to be admitted to the bar. Those new attorneys include: **Nathan Klouda**, **Virginia Arciniega**, **Stephanie Johnson**, **Natalie Simons**, and **Kathryn Baxendale**. A group photo appears above, along with more info about some of the individual attorneys:

Nathan Klouda

Originally from Illinois, Mr. Klouda has an undergraduate degree from the University of Illinois at Chicago, where he majored in economics and finance. He left a career as an economist with the federal government to attend law school at the University of Arkansas. Mr. Klouda completed his 3L year at the UCLA School of Law as a visiting student while his wife, Mae, completed her fellowship in podiatric surgery in Santa Monica. New residents of Santa Barbara, the Kloudas look forward to establishing themselves as practitioners in their respective fields.

Virginia Arciniega

Ms. Arciniega is a graduate of UCSB and the Santa Barbara College of Law, where she was President of the Student Bar Association and the Delta Theta Phi Law Fraternity. She is a certified Human Resources Manager, and has training and experiences in the fields of human resources and employment law. She has also worked as an intern with the **Legal Aid Foundation of Santa Barbara** and the **Santa Barbara Legal Resource Center**, and is a **Santa Barbara Women Lawyers Foundation** scholarship recipient.

Stephanie Johnson

Ms. Johnson graduated from UCSB in 2007 with a degree in political science with an emphasis in international relations. She became interested in the legal profession after seeing how much her sister, Andrea, enjoyed her job

at **Maho & Prentice**, a local personal injury firm. After working for a year as a paralegal, Ms. Johnson decided she wanted to become an attorney. During law school, she interned with **Judge Brian Hill**, **Judge Joe Hadden (ret.)**, and **Chris Kroes**. She received Witkin's Honors in Professional Responsibility, and looks forward to practicing in civil litigation and as a trial attorney.

Natalie Simons

Natalie Simons was born and raised in San Jose, California. After high school, to the chagrin of her mother, she bypassed college and enrolled in court reporting school, after which she began a 17-year career as a court reporter mostly as an official court reporter for the Superior Court of Los Angeles County. In 1992, she married Drew Simons, and the couple moved to Santa Barbara in 1996 with their 2 year old son, Derek. After welcoming their second child, daughter Kayla, in 1997, Ms. Simons was a stay-at-home mom until returning to work for Chicago Title in 2000, eventually leaving in 2006 to focus on her family and finish her undergraduate education. She attended community college and completed her bachelor's degree online from Indiana University. Ms. Simons then decided to fulfill a long-time dream by attending law school and enrolled at the Santa Barbara College of Law. Throughout law school, she received numerous academic awards and was selected by the administration to help with its accreditation process. Ms. Simons graduated with honors in April of this year, and plans to take the summer off to enjoy her family before pursuing her new career as an attorney.

Kathryn Baxendale

A graduate of Scripps College in Claremont, California with degree in environment, economics, and politics, Ms. Baxendale moved to Santa Barbara to work with a start-up clean energy consulting firm. After helping clients navigate issues within the California Public Utilities Commission, she decided to pursue a career in the legal field and enrolled in the Santa Barbara College of Law. During her tenure, Ms. Baxendale served as Clerk of the Exchequer and subsequently Vice Dean of the John Westwick Senate of Delta Theta Phi. She also participated in the 2012-2013 William L. Gordon Inn of Court, and took on several clerkships, including with **Judge Brian Hill** and with the **Santa Barbara County District Attorney's Office**. Ms. Baxendale graduated in January of this year with a concentration in business, having earned a Witkin Award for Academic Excellence in Contracts, the Excellent Achievement Award in Business Associations, and the Dean's Award for Academic Achievement.



Make probate and trust sales easier.

Stuart Law is an expert in probate and trust real property sales. He delivers best-in-class service by combining deep knowledge of the local market, a comprehensive marketing program, and a detailed understanding of the probate and trust sales process.

WWW.ARTERRAESTATESALES.COM



STUART LAW

Managing Broker & Probate and Trust Sales Expert

"It's imperative that estate attorneys, personal representatives, and trustees work with a broker who specializes in estate sales. Many brokers are unfamiliar with the unique requirements and processes, and even fewer understand how to navigate transactions requiring court confirmation. Make estate administration easier by engaging the services of an expert. "

Call me for your next estate sale and find out how I can help.

Direct: 805-895-5905 | Email: stuart@arterracorp.com

SBCBA Golf & Tennis Tournament

Thank you to all who participated in the Golf & Tennis tournaments and to those that joined us for dinner at the spectacular Montecito Country Club! A million thanks also to our outstanding attorney volunteers:

Clark Stirling and John Richards for energetically and effectively running the entire tennis tournament, Catherine Swysen for ably assisting with the golf tournament and organizing the distribution of mulligans. Thanks to our events team, Emily Allen and Lauren Wideman, for getting the balls rolling and filling in the gaps to ensure a smooth event, and to our ace photographer, Michael Lyons.

A huge thank you to this year's Golf Tournament tee sponsors:

Allen & Kimbell, LLP
Dorais, McFarland, Grattan & Polinsky Law Corporation
Donna Lewis, Attorney-at-Law
Rogers, Sheffield & Campbell, LLP
Sanger, Swysen & Dunkle

And special thanks to Chris Castro Bailbonds for providing four of the prize packages.

And the winners:

Golf

1st Place Gross:

Will Beall, Eric Burkhardt, Jim Cote, Connor Cote

2nd Place Gross:

Joe Bush, Paul Graziano, Brad Lundgren, James Sweeney

1st Place Net:

Paul Capritto, Ken Gaston, Bruce Glesby, Ed Freeman

2nd Place Net:

Joe Billings, Jeff Soderberg, Lauren Wideman

Longest Drive:

Jeff Soderberg

Closest to Pin:

#8 Will Beall, #14 Phil Moncharsh

Tennis

Flight A:

Travis Logue, Randolph Andell

Flight B:

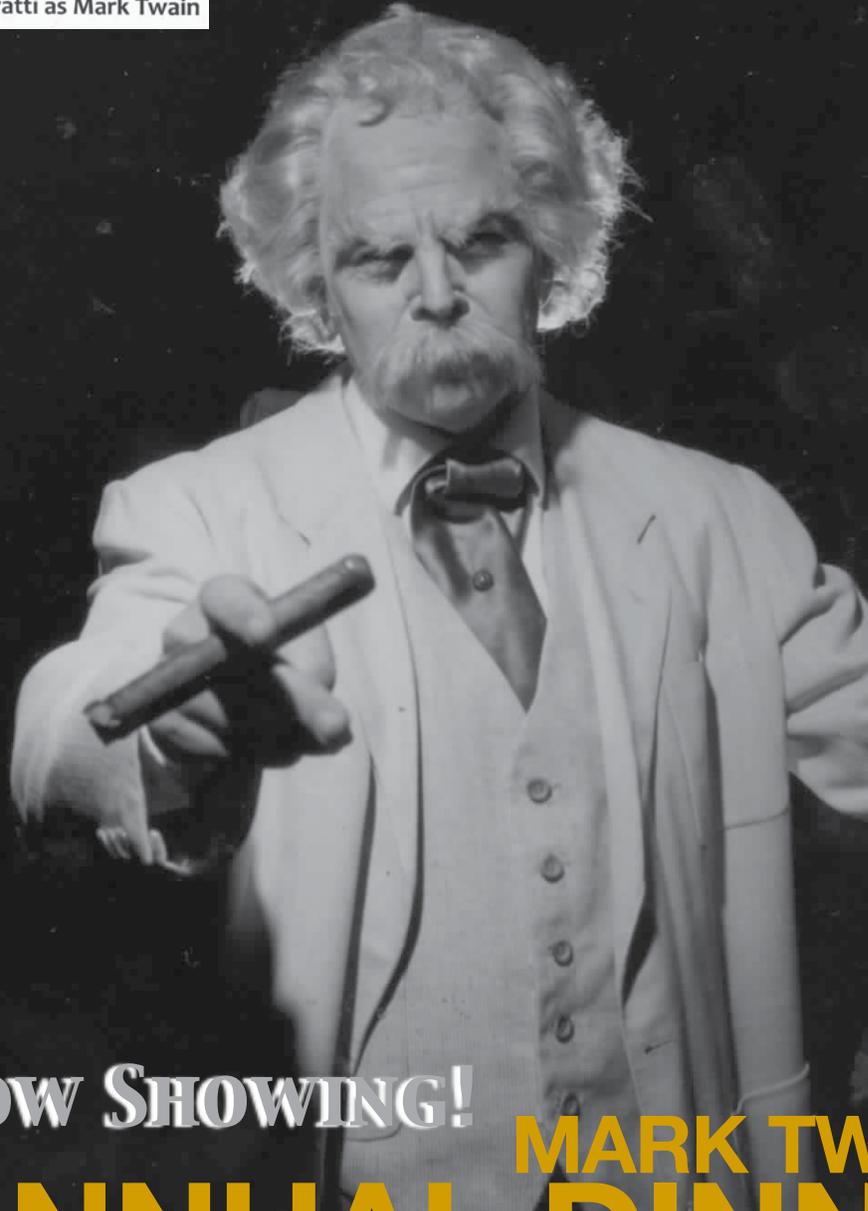
Hon. Thomas Anderle, Bret Stone

See additional photos on page 18. ■



John Richards, Danielle de Smeth, Randy Andell, Clark Stirling, Lynn Stokes-Pena, Bret Stone, Travis Logue, Monty Amyx, Judge Tom Anderle, Melissa Fassett, Chris Haskell, Michael Gray, Linda Stirling, Brad Brown.

Tony Miratti as Mark Twain



The Santa Barbara County Bar Association invites Members of the Bench & Bar, Spouses & Guests to

THE 2014 ANNUAL DINNER

JOIN US IN PAYING TRIBUTE TO THE HON.

RUGGERO J. ALDISERT

THURSDAY, OCTOBER 30

5:30 Reception Featuring Local Wines; 6:30 Dinner

Santa Barbara Greek Orthodox Center

1205 San Antonio Creek Rd, Santa Barbara

Introduction of attorneys new to the legal community & election of SBCBA Board of Directors & CCBA Delegates

NOW SHOWING! MARK TWAIN AT THE ANNUAL DINNER

PAYMENTS RECEIVED	ON OR BEFORE 10-15-2014	AFTER 10-15-2014
MEMBERS	\$99	\$110
NONMEMBERS	\$110	\$120

RESERVATION FORM

Name _____ Member Non-member Price \$ _____

_____ Member Non-member \$ _____

To reserve & pay via USPS, please complete this form and send with your check payable to SBCBA: 15 W. Carrillo St., #106, Santa Barbara, CA 93101. For additional reservations, attach additional sheets. To reserve and pay by credit cards, or if you have questions, call SBCBA at (805) 569-5511. Fees paid are nonrefundable.

Legal Community



(Clockwise) Glenn Robertson, David Fainer, Joe Bush, Brad Lundgren, Paul Graziano, James Sweeney



Brady Leck, Phil Moncharsh, Stephen Erickson, John Haan



Michael Hall Gray and Randy Andell



Connor Cote, Jim Cote, Eric Burkhardt, Will Beall



Monty Amyx, Randy Andell, Judge Tom Anderle, Michael Gray



Ed Freeman, Bruce Glesby, Kenneth Gaston



Brad Lundgren, Joe Bush, Paul Graziano, James Sweeney



James Sweeney, Brad Lundren

2014 SBCBA Golf & Tennis Tournament



Will Beall, Jim Cote, Connor Cote



Dining al fresco on a warm sunny night 319



Brady Leck, SBCBA President Scott Campbell, John Reyes



June Anderle, Judge Tom Anderle, Marilyn Metzner, Michael Gray

Make us your personal injury trial firm.

- Vehicular/Bicycle/Pedestrian Accidents, Product Liability, Premises Liability, Defective Products, Carbon Monoxide Poisoning.
- Trust your referral to us. We get results because we know how to maximize case value and have the experience and resources to win.
- Our office has a combined 75 years of trial practice and experience. We have tried over 150 personal injury cases to verdict resulting in many 6 and 7 figure verdicts and settlements.

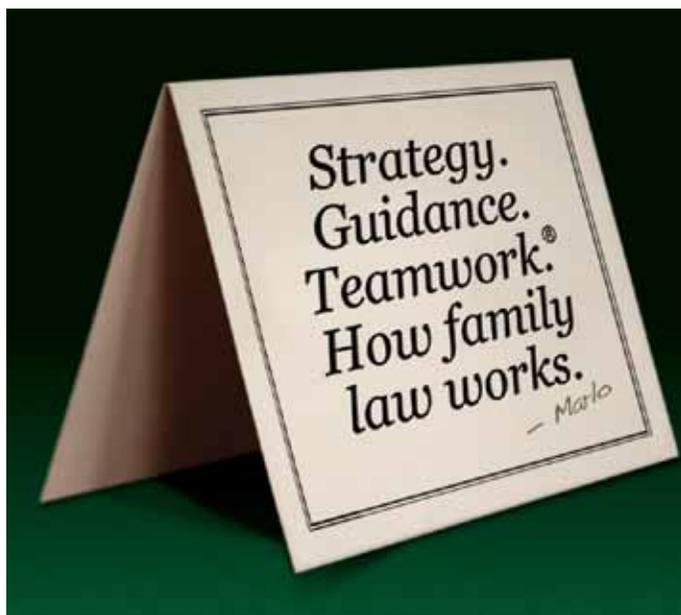
LAW OFFICE OF
Renée J. Nordstrand

(805) 962-2022
www.nordstrandlaw.com

225 East Carrillo, Suite 202 • Santa Barbara, CA 93101



We welcome referrals and co-counsel relationships.
Generous referral fees paid.



Family law matters are often complicated. Both financially and emotionally. Often times, mediation is an effective place to start uncomplicating things.

By utilizing years of mediation and litigation experience, Marlo Van Oorschot, Esq., assesses the unique needs of each case to effectively mediate and bring complex family law matters to complete resolution.

To learn why clients rely on the decades of experience Van Oorschot Law Group brings to the table, and how Marlo Van Oorschot, Esq. can be of service to you or your clients, please contact us for a consultation. Serving clients in Santa Barbara, Ventura and Los Angeles Counties.

Van Oorschot Law Group PC

10513 Santa Monica Blvd., Los Angeles, CA 90025
Phone (310) 820-3414 • Fax (310) 820-3214
Also located in Santa Barbara • www.mvolaw.com

Juvenile Offenders: Life Without Parole (LWOP), Term of Years and Reasonable Opportunity for Release

BY ROBERT SANGER

A juvenile offender (a person who committed an offense before the age of 18 years) can be tried as an adult and will be subject to adult punishments, with some restrictions. Juveniles cannot be executed and they cannot be mandatorily confined to life imprisonment without the possibility of parole.¹ Justice Kagen of the United States Supreme Court stated for a majority of the Court in *Miller v. Alabama*, that a mandatory life sentence for a juvenile violates the 8th and 14th Amendments to the United States Constitution. In other words, life without hope should be unconstitutional for juveniles.

Prosecutors have persisted in seeking consecutive, fixed term (non-LWOP) sentences for juveniles in cases where the juvenile is held as an adult. These sentences may make release from prison just as impossible as a life without possibility of parole sentence. The question that we will address here is whether or not the 8th Amendment requires a meaningful opportunity for release for any juvenile.² Alternatively, does the Constitution simply require a sentence that does not expressly prohibit release on parole as a matter of law notwithstanding the fact that the term of years makes any release impossible? Put yet another way, can a juvenile be sentenced to a non-LWOP term of years but to so many years that she or he has no hope for release?

Juvenile Offenders and a Term of Years without Hope

Graham holds that the Eighth Amendment requires the state to afford the juvenile offender a “meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation,” and that “[a] life without parole sentence improperly denies the juvenile offender a chance to demonstrate growth and maturity.”³

Most of the juvenile offender cases that come before the appellate courts for determination after lengthy sentences, involve awful facts often demonstrating a lack of concern for others, empathy, common sense or reflection. It is well established that the lack of the full development of the frontal lobe in juveniles is consistent with just these character-

istics. Still, of course, the conduct in these cases is often horrendous and the lack of full frontal lobe development is not a defense or even an explanation. However, it is something to be considered in mitigation of punishment by life without hope of parole.⁴

In *Miller*, the Supreme Court said that there are three reasons to treat children differently at the time of sentencing: “First, children have a ‘lack of maturity and an underdeveloped sense of responsibility,’” leading to recklessness, impulsivity, and heedless risk-taking. [Citation.] Second, children ‘are more vulnerable ... to negative influences and outside pressures,’ including from their family and peers; they have limited ‘contro[ll] over their own environment’ and lack the ability to extricate themselves from horrific, crime-producing settings. [Citation.] And third, a child’s character is not as ‘well formed’ as an adult’s; his traits are ‘less fixed’ and his actions less likely to be ‘evidence of irretrievabl[e] deprav[ity].’ [Citation.]” For these reasons, “juveniles have diminished culpability and greater prospects for reform,” and are thus “‘less deserving of the most severe punishments.’” [Citation.]⁵

As a result, the Ninth Circuit, in *Moore v. Biter*, has held that, for non-homicide offenses, a term of years that is the functional equivalent of LWOP is unconstitutional under the 8th Amendment.⁶ This issue is now before the United States Supreme Court on a *Petition for Writ of Certiorari* in a case entitled, *Goins v. Lazaroff*. That case is scheduled for conference on September 29, 2014.⁷

The California Supreme Court, in *People v. Caballero*,⁸ also held, in a non-homicide case, that a one-hundred-and-ten-year-to-life sentence was unconstitutional for a juvenile offender. Even though it potentially allowed for a review on parole, as a practical matter the earliest parole date would exceed the life expectancy of the juvenile. As noted above, the issue remains to be determined by the California Supreme Court as to homicide offenses.⁹

Hope as the Basis for the Rule

In *Graham v. Florida*, the United States Supreme Court based its opinion on several factors including the require-



Robert Sanger

Continued on page 23

**FELLOW
SANTA
BARBARA
LAWYERS:**



Maho I Prentice LLP is a Santa Barbara firm which focusses its practice on handling plaintiff personal injury cases. We welcome your referrals on matters of personal injury and wrongful death and pay referral fees per State Bar rules. Maho I Prentice has successfully obtained settlements and verdicts in amounts exceeding \$17 million dollars in the past two years alone. We will speak with all potential clients free of charge and will handle all good cases anywhere in the State of California. Please consider establishing a rewarding relationship with us.



MAHO I PRENTICE, LLP
ATTORNEYS AT LAW

Fifthian Building www.maho-prentice.com
629 State St., Suite 217, Santa Barbara, CA 93111 (805) 962-1930

VILLAGE PROPERTIES
— REALTORS —

JULIE BARNES & **JEFF OIEN**
(805) 895-9498 (805) 895-2944
JULIE@VILLAGESITE.COM JEFF@VILLAGESITE.COM
LICENSE #01107109 LICENSE #00852118

Specialists in Trust, Probate and Estate Sales

 **GRANDfolia**
Interior Plantscapes & Service

(805) 898-0835 ■ Fax (805) 898-0613
P.O. Box 3889 ■ Santa Barbara, CA 93130
grandfolia@aol.com

Hebda Property & Title Solutions

John Hebda
President



- ✓ Attorneys
- ✓ Title Companies
- ✓ Commercial, Industrial and Agricultural Real Estate Professionals
- ✓ Residential Real Estate Professionals
- ✓ Utility companies and contractors
- ✓ Government agencies
- ✓ Surveyors
- ✓ Developers

Hebda Property & Title Solutions is committed to sharing over 30 years of title insurance and real property problem solving expertise with Professionals seeking quality research and common sense solutions regarding a host of complex real property issues.

john@hebdasolutions.com
805.636.2537
www.hebdasolutions.com

 **CISLO & THOMAS LLP**
Patent, Copyright and Trademark
Litigation Attorneys at Law



IP Filings, Counseling, Licensing & Litigation

With Offices In

Santa Monica, Westlake Village and Santa Barbara

Visit us at www.cislo.com or call us at
1 (866) CISLO LAW

**We have Successfully Settled or Litigated
Over 98% of Our Cases**

Sanger, *continued from page 21*

ment that punishment be graduated and proportioned to the offense based on the particulars of the offense but also the particulars of the defendant. In addition, the Court surveyed the law of the states and the District of Columbia and made reference to disfavor of LWOP for juveniles in the international community. Of course, the Court, following *Roper*, relied heavily on the nature of the juvenile mind and personality.

A very important part of the decision, however, was the idea that life without any hope for release is especially harsh for a juvenile. LWOP does not take into account the penological theory of juvenile corrections and the overarching concept that the idea of maturation and potential for change have to be acknowledged. From the juvenile offender's perspective, it is a matter of having some hope. The Court quoted Nevada Supreme Court as saying that an LWOP sentence for a juvenile "means denial of hope; it means that good behavior and character improvement are immaterial; it means that whatever the future might hold in store for the mind and spirit of [the convict], he will remain in prison for the rest of his days." [Citation omitted].¹⁰

If hope is a necessary part of the juvenile sentencing scheme, then LWOP under any circumstances has to be illegal. That means that it would not be doctrinally justifiable to allow the imposition of LWOP itself, even if discretion is exercised by the sentencing judge, nor justifiable to allow a term of years that exceeds natural life. Life with the possibility of parole, not consecutive to an impossible term of years, or a term of years that allows for parole within a reasonable period of time should be the limit under the *Roper/Graham* rationale. Certainly, a juvenile would still have to earn her or his way out and some might not ever be released under this approach. But any sentence harsher that does not allow for hope should be unconstitutional.

This is important for more than one reason. It is not just the individual offender who should be entitled to hope – it is the community. Our "tough on crime" concept that we have to lock up people for long periods of time or forever has failed. It is proving cost prohibitive in terms of taxes for prisons, prison guards (the most highly paid in the country and the world), and maintenance of the prisoners. But, most significantly, it is proving even more costly in terms of dividing our society and alienating generations of families. Sentences that do not provide hope, particularly for juveniles, have a ripple effect of hopelessness into the community.

Conclusion

This, like so many areas of criminal law, has gotten out of control. A common sense and jurisprudentially consistent approach to juvenile punishment will benefit the community as a whole. Both the California and the United States Supreme courts have cases now pending that, if decided correctly, can marginally increase the amount of hope. The rest of us and our legislators can make an even bigger difference. ■

Robert Sanger is a Certified Criminal Law Specialist and has been practicing as a criminal defense lawyer in Santa Barbara for over 40 years. He is a partner in the firm of Sanger Swysen & Dunkle, Immediate Past President of California Attorneys for Criminal Justice (CACJ), the statewide criminal defense lawyers' organization, and is a Director of Death Penalty Focus. Mr. Sanger is also a Member of the ABA Criminal Justice Sentencing Committee and the NACDL Death Penalty Committee. He is a Member of the American Association for the Advancement of Science (AAAS). Mr. Sanger was also accepted into the Jurisprudence Section of the American Academy of Forensic Sciences (AAFS) earlier this year.

ENDNOTES

- 1 Miller v. Alabama, 567 U.S. 407, 132 S.Ct. 2455 (2012).
- 2 These issues are pending before the California Supreme Court in *Heard on Habeas Corpus* (S216772), *In re Alatrister* (S214652), and *In re Bonilla* (S214960).
- 3 *Graham*, supra, 560 U.S. at p. 73, 130 S.Ct. at pp. 2029–2030
- 4 The Legislature, in 2011, enacted Penal Code Section 1170(d) (2)(A) which allows for the recall of juvenile LWOP sentences if certain criteria are met.
- 5 *Miller*, supra, 567 U.S. , 132 S.Ct. at p. 2464.
- 6 *Moore v. Biter*, 725 F.3d 1184, 1194 (9th Cir. 2013).
- 7 Docket No. 13-1571.
- 8 *People v. Caballero*, 55 Cal.4th 262 (2012).
- 9 *Fn.3*, supra.
- 10 *Graham v. Florida*, 560 U.S. 48 at p. 70, 130 S.Ct. 2011 at p. 2027 (2010).

Boarding, Training,
& Lessons





586 N. Refugio Road
Santa Ynez, CA 93460
805.734.7323
www.AAEquestrian.com

"Where fun and the love of horses
collide."

15% Discount for SBCBA Members

Liaison Report

BY PAULA WALDMAN

SBCBA LIAISON TO AFFILIATE AND LEGAL COMMUNITY ORGANIZATIONS

Environmental Defense Center: Betsy Weber: bweber@environmentaldefensecenter.org

October 10: **EDC TGIF** 5:30-7:30PM at the EDC Courtyard, 906 Garden Street. \$15, includes 2 drink tickets and hors d'oeuvres. Beer, wine, hors d'oeuvres, live music & a raffle!

Legal Aid: Emily Allen: eallen@lafsb.org; www.lafsb.org

November 2: Legal Aid 5th Annual Chowderfest, Bacara Resort (new location!). Further information at <http://www.sblaw.org/events/legal-aid-save-date-5th-annual-chowderfest>

SB North County Bar: Cynthia Valenzuela, president, Cynthia@valenzuelalaw.com; <http://www.nsbbar.org/>

October 23 at 12 noon: MCLE lunch meeting at Testa Bistrò in Santa Maria with mediator David Peterson. Monthly

MCLE lunch meetings are held on the 4th Thursday of every month at Testa Bistrò in Santa Maria.

SB Trial Lawyers (Personal Injury Plaintiffs lawyers): Tyrone Maho: TMaho@sbcslaw.com

October 14: lunch meeting at Arch Rock Fish on Anacapa street. Plaintiffs lawyers only. Always 2nd Tuesday of the month at Arch Rock Fish restaurant.

SB Women Lawyers: Emily Allen: eallen@lafsb.org; <http://www.sbw1.org>

Join a SBWL mentoring circle. For information email: sbwladmin@gmail.com

October 18, 2014: SBWL three hour MCLE for ethics, elimination of bias, and substance abuse credits. Details TBA.

December 8, 2014: SBWL Annual Dinner. Details TBA.

SB Women Lawyers Foundation: Betty Jeppesen: jeppesenlaw@gmail.com

October 21, 2014: SBWL's Donor Dinner. Details TBA.

November 3: **Santa Barbara Women Lawyers Foundation Awards Luncheon and MCLE** (Gender Bias) presented by Federal Magistrate Louise LaMothe. University Club, noon to 1:30 (further details TBD).

"The Other Bar" Meets every Tuesday at noon at 330 E. Carrillo St. A state-wide network of recovering lawyers and judges dedicated to assisting others within the profession who have problems with alcohol or substance abuse. Anonymity protected. To contact a local member go to <http://www.otherbar.org/> -- link: Santa Barbara in 'Meetings' menu. ■

✓QUALITY ✓EXPERIENCE ✓LOCAL



- ✓Depositions/Hearings/Arbitrations
- ✓Real-time Videostreaming & Videoconferencing
- ✓Repository for Complex Litigation Cases
- ✓Electronic Transcripts with Scanned Exhibits
- ✓Superior Court Coverage (Santa Barbara & Ventura)



Owner



TRI-COUNTY COURT REPORTERS
AND LITIGATION SERVICES
805.963.3900
www.tricountycourtreporters.com

Santa Maria | Santa Barbara | Ventura | Oxnard (The Towers) | Westlake/T.O. Woodland Hills | Los Angeles | Orange County | Networking Throughout U.S.

Smith, *continued from page 9*

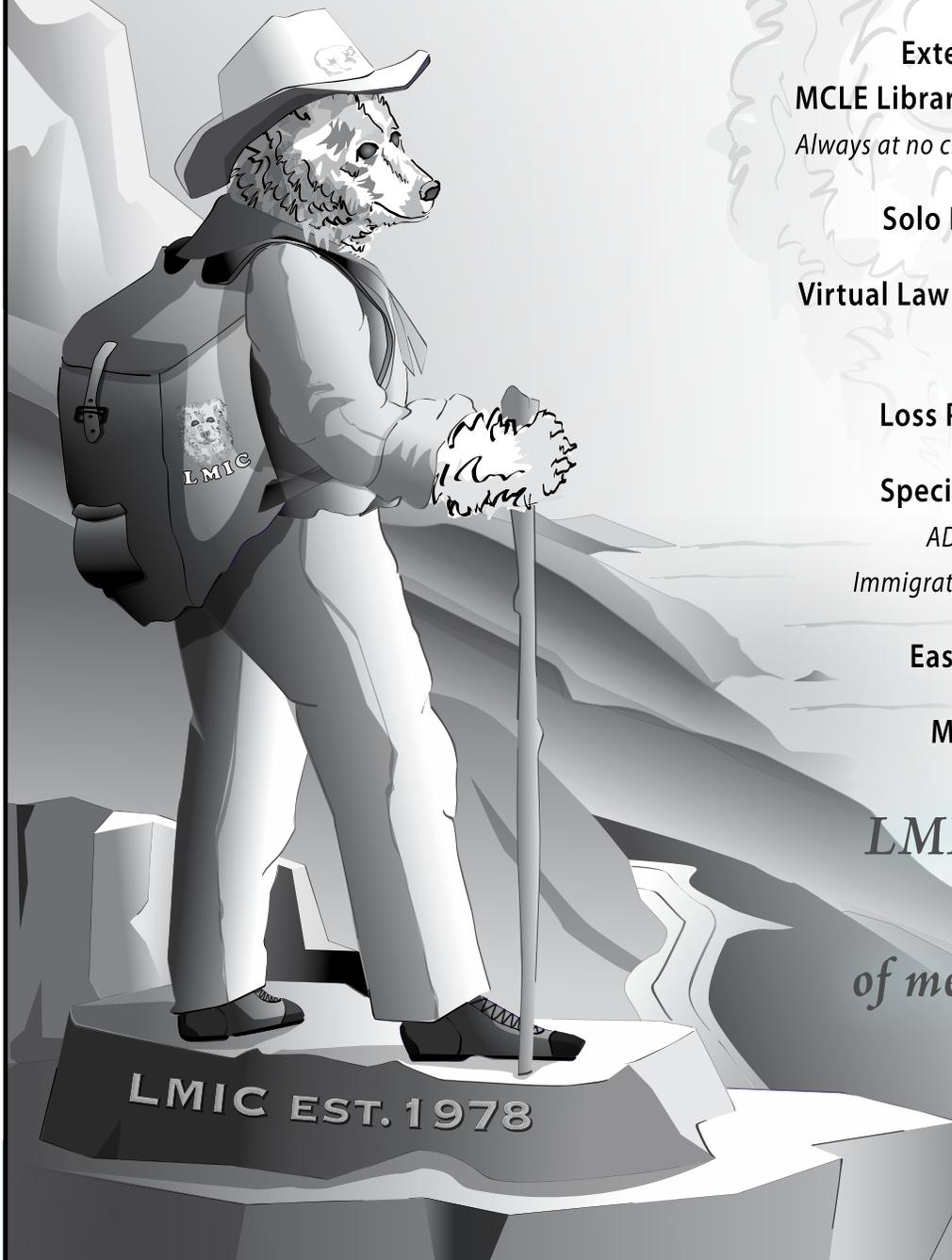
From 2012 to 2013, the number of lunches distributed through Picnic in the Park increased by 22.5% to 33,405. In 2014, The Foodbank distributed a record 38,000 lunches to children countywide. For more information, visit the Foodbank's website at: <http://www.foodbanksbc.org/programs/picnic-in-the-park/>.

We would like to thank all of the legal organizations, individuals, and law firms who helped us make this year's drive such a success. We encourage area law firms to plan ahead and include the "Food From the Bar Drive" as part of your planned giving for 2015. We could not have reached this year's fundraising goal without the support of the entire Santa Barbara legal community. ■

Jennifer R. Smith is a Board Member of Santa Barbara Women Lawyers and Supervising Attorney, Legal Aid Foundation of Santa Barbara County.

Lawyers' Mutual Insurance Company

*California's Pioneer Since 1978
Insuring Our State's Lawyers for 35 Years*



**Extensive FREE Online
MCLE Library – Over 50 hours!**

Always at no charge for our members

Solo Practice Resources

Virtual Law Practice Guidance

**Lawyer-to-Lawyer
Loss Prevention Hotline**

Specialty Practice Rates

*ADR, Appellate, Criminal,
Immigration, Insurance Defense*

Easy Renewal Process

Member Dividends*

*LMIC thanks you
for 35 years
of member support*

Lawyers' Mutual

*LMIC... Exclusively
providing California Lawyers
with trusted service
and innovation since 1978*

Insurance Company



www.LMIC.com or call (800) 252-2045

LAWYERS' MUTUAL INSURANCE COMPANY 3110 West Empire Avenue, Burbank, CA 91504

* Dividends are paid at the sole discretion of the Company's Board of Directors and past dividends do not guarantee the payment or amount of future dividends.

You are cordially invited to attend the
swearing-in ceremony of

Michael J. Carrozzo



as Judge of the Superior Court of California, County of Santa Barbara

The ceremony will be held on Friday, November 7th, 5:30 p.m.

Solvang Veterans' Memorial Building, 1745 Mission Drive, Solvang

Reception to follow

Arthur Garcia
Presiding Judge
Superior Court of California
County of Santa Barbara

BONGIOVI MEDIATION

Mediating Solutions since 1998

Mediator • Arbitrator • Discovery Referee

*"There is no better
ambassador for the
value of mediation than
Henry Bongiovi."*



HENRY J. BONGIOVI

AV Preeminent Rating
(5 out of 5)

AVVO Rated 'Superb'
(10 out of 10)

Conducting Mediations
throughout California

805.564.2115

www.henrybongiovi.com

**RUBENSTEIN
& SORENSEN**
ADR SERVICES
MEDIATION, ARBITRATION
REFeree, SPECIAL MASTER

REAL PROPERTY
PROBATE
BUSINESS
FAMILY BUSINESS AND SUCCESSION
EMPLOYMENT
PERSONAL INJURY

**READY TO SETTLE
YOUR CASE**

JUDITH RUBENSTEIN, J.D., M.A., PSYCH.
JUDITH@RSMEDIATE.COM
WWW.RSMEDIATE.COM
DL 805.637.6850

LOL SORENSEN, J.D., M.S.W.
LOL@RSMEDIATE.COM
WWW.RSMEDIATE.COM
DL 805.689.6654

Verdicts & Decisions

Williams v. Sansum Clinic

SANTA BARBARA SUPERIOR COURT, ANACAPA DIVISION

CASE NUMBER:	1381252
TYPE OF CASE:	Medical negligence
TYPE OF PROCEEDING:	Jury trial
JUDGE:	Hon. Colleen K. Sterne
LENGTH OF TRIAL:	8 days
LENGTH OF DELIBERATIONS:	1 day
DATE OF VERDICT OR DECISION:	5 hours
PLAINTIFF:	Grady Williams
PLAINTIFF'S COUNSEL:	Douglas Malcolm M.D., J.D.
DEFENDANT:	Sansum Clinic
DEFENDANT'S COUNSEL:	Mark Connely of Hall, Heatt & Connely LLP

FACTS AND CONTENTIONS: Plaintiff, 54, was diagnosed with state III/IV prostate cancer in May 2010. He had a radical prostatectomy with radiation, chemotherapy and Lupron.

Plaintiff alleged that, but for system and care failures at Sansum Clinic, his cancer would have been discovered, treated and cured years earlier (he argued a 2008 surgery would have cured the problem since the cancer would still have been within the capsule). Plaintiff alleged that Defendant and its doctors failed to communicate, failed to perform yearly rectal exams and failed to properly evaluate and respond to his 2006 prostate exam. Plaintiff asserted that, because of Defendant's negligence, Plaintiff will be unable to work in 2-3 years and will die prematurely.

Defendant argued that its systems were within the standard of care as was their doctors' treatment. Defendant alleged that there was no evidence that the cancer was present in 2006 or 2008 and that even if the cancer was discovered in 2006, the treatment and prognosis would have been the same since the cancer's Gleason was a 9 which indicates a rapidly spreading cancer.

SUMMARY OF CLAIMED DAMAGES: Plaintiff sought \$700,000.00 in future lost income, \$900,000.00 in lost pension benefits and \$250,000.00 in pain and suffering.

RESULT: The jury found that Defendant was negligent but that this negligence did not cause any of the claimed harm.

*The Santa Barbara County Bar
Association Proudly Presents:*

*A Reception
with the
Appellate
Justices of
Division Six*

And

*Presentation of
SBCBA's "Friend
of Justice"
Award to
Senator Hannah-
Beth Jackson*

*Reception Topic: "Maximizing the Impact and
Effectiveness of Introducing Physical and Documentary
Evidence, Examining Witnesses and Making Arguments
at Trial, From the Perspective of a Reviewing Court"*

Please join us on Wednesday, October 22, 2014

6:00 pm - 8:00pm

The University Club - 1332 Santa Barbara Street, Santa Barbara

1 MCLE Credit

SBCBA Members: \$59 / Non-Members: \$69

Non-Profit / Government: \$39

Students / Paralegals: \$25

~~

Please mail completed form along with your check payable to:



*Santa Barbara
County Bar
Association*

*Santa Barbara County Bar Association
15 West Carrillo Street, Santa Barbara, CA 93101*

Name(s) _____

Phone Number _____

Amount Enclosed _____

SAVE THE DATE!

5TH
ANNUAL

Chowder FEST

Local Chefs compete for
BEST CHOWDER in Santa Barbara

Taste from Local Wineries and Breweries
Live Music & Dancing, Silent Auction and more!

Sunday, November 2, 2014 from 1pm - 4pm
at the Bacara Resort, 8301 Hollister Ave.

FOR TICKETS go to:
www.santabarbarachowderfest.com



AT THE BEAUTIFUL
BACARA RESORT
NOVEMBER 2, 2014

A CHARITY FUNDRAISER
BENEFITTING LEGAL AID
Since 1959, Legal Aid has provided
access to the civil justice system for
low-income people & seniors—
ensuring safe shelter, adequate
income, and protection from
domestic violence and elder abuse.



Employment Legislation Signed into Law

BY ANGELA D. ROACH

Several employment-related bills were signed into law by Governor Brown on September 9, 2014. Three new laws are highlighted below.

Assembly Bill 1443 (Nancy Skinner, D-Berkeley): Harassment: unpaid interns.

Under existing law, the California Fair Employment and Housing Act protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination, abridgment, or harassment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Existing law makes these provisions applicable to employers, labor organizations, employment agencies, and specified training programs.

This bill provides that discrimination against any person in the selection, termination, training, or other terms or treatment of that person in an unpaid internship, or another limited duration program to provide unpaid work experience for that person, or the harassment of an unpaid intern or volunteer, on account of the factors described above is an unlawful employment practice.

This bill was passed by the Assembly on August 14, 2014, by the Senate July 3, 2014, and signed into law by the Governor on September 9, 2014.

Assembly Bill 2053 (Lorena Gonzalez, D-San Diego): Employment discrimination or harassment: education and training: abusive conduct.

Existing law makes specified employment practices unlawful, including the harassment of an employee directly by the employer or indirectly by agents of the employer with the employer's knowledge. Existing law further requires every employer to act to ensure a workplace free of sexual harassment by implementing certain minimum requirements, including posting sexual harassment information posters at the workplace and obtaining and making avail-

able an information sheet on sexual harassment. Existing law also requires employers, as defined, with 50 or more employees to provide at least 2 hours of training and education regarding sexual harassment to all supervisory employees, as specified. Existing law requires each employer to provide that training and education to each supervisory employee once every 2 years.

This bill additionally requires that the above-described training and education include, as a component of the training and education, prevention of abusive conduct, as defined.

This bill was passed by the Assembly on May 15, 2014, by the Senate August 13, 2014, and signed into law by the Governor on September 9, 2014.

Assembly Bill 1522 (Lorena Gonzalez, D-San Diego): Paid Sick Leave.

Existing law authorizes employers to provide their employees paid sick leave.

This bill enacts the Healthy Workplaces, Healthy Families Act of 2014 to provide that an employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days for prescribed purposes, to be accrued at a rate of no less than one hour for every 30 hours worked. An employee is entitled to use accrued sick days beginning on the 90th day of employment. The bill authorizes an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each year of employment. The bill prohibits an employer from discriminating or retaliating against an employee who requests paid sick days. The bill requires employers to satisfy specified posting and notice and recordkeeping requirements. The bill defines terms for those purposes.

The bill also requires the Labor Commissioner to enforce these requirements, including the investigation, mitigation, and relief of violations of these requirements. The bill authorizes the Labor Commissioner to impose specified administrative fines for violations and authorizes the Commissioner or the Attorney General to recover specified civil penalties against an offender who violated these provisions on behalf of the aggrieved, as well as attorney's fees, costs, and interest. The bill does not apply to certain categories of employees that meet specified requirements.

This bill was passed by the Assembly on August 30, 2014, by the Senate August 29, 2014, and signed into law by the Governor on September 9, 2014.

Interestingly, Governor Brown's office held a public sign-

Continued on page 33

Thanks to Our Fee Arbitration Panel!

The SBCBA would like to thank the following Mandatory Fee Arbitration attorneys and arbitrators for their service in 2014. The program, which operates under the auspices of the State Bar of California, provides services to resolve fee disputes between clients and attorneys.

Marilyn Anticouni

Eric Berg

Chris Biely

Marcus Bird

Alan Blakeboro

Penny Clemmons

Maureen Duris

David Fainer

Michael Hall Gray

Laura Hoffman King

Diana Lee

Donna Lewis

Matthew Long

Sayre Macneil

Janet McGinnis

Kristine Mollenkopf

Patrick O'Hara

Heather Smith

Jon-Erik Storm

John J. Thyne III

Heather Weare

NEMECEK·COLE Attorneys At Law

**SOUTHERN CALIFORNIA'S PREEMINENT
PROFESSIONAL LIABILITY DEFENSE FIRM**



FRANK W. NEMECEK*

JONATHAN B. COLE*

MICHAEL MCCARTHY*

* Certified Specialist, Legal Malpractice Law, The State Bar of California Board of Legal Specialization

15260 VENTURA BOULEVARD, SUITE 920
SHERMAN OAKS, CA 91403
TEL: 818.788.9500 / 877.314.1177

WWW.NEMECEK-COLE.COM

SAVE THE DATE!

Bench & Bar Conference



**Featuring
A debate regarding the intersection
between privacy rights and national
security.**

**6 hours of MCLE, including
mandatory subject units.**

Saturday, January 24, 2015

*The Litigation Section of the
Santa Barbara County Bar Association*

Presents:

**Top 10 Ethical Mistakes Litigators Make,
and How To Avoid Them**

Learn the top areas of ethical exposure for litigators and tools for avoiding the risks. Taught by two attorneys who serve in leadership with the State Bar of California's Standing Committee on Professional Responsibility and Conduct, our speakers focus their practice on the law governing lawyers. This program is culled from their experience in counseling attorneys and in litigating the consequences of attorney mistakes. Get your Ethics MCLE credit in a format that will have a meaningful and positive impact on your practice.

Speakers:

Wendy Wen Yun Chang, Partner, Hinshaw & Culbertson, LLP and Scott B. Garner, Partner, Morgan, Lewis & Bockius, LLP

Date and Time:

Friday, November 14th, noon to 1:00 pm

Location:

Santa Barbara College of Law, Room 1, 20 East Victoria Street, Santa Barbara

Reservations:

Reserve via email to Mark Coffin,
Chair of Litigation Section, by Monday, November 3rd, at
mtc@markcoffinlaw.com

Cost and Payment:

\$35 members, \$40 non-members (includes lunch)

Mail checks by Monday, November 3rd, payable to:

Santa Barbara County Bar Association
c/o Mark Coffin
LAW OFFICE OF MARK T. COFFIN
21 E. Carrillo Street, Suite 240
Santa Barbara, CA 93101
Tel: 805-248-7118

MCLE Credit:

One hour MCLE credit applied for

Classifieds

LAWYER SEEKING POSITION

Eye for detail, sharp memory, highly organized and focused, looking to join a congenial, goal-oriented team. Open to either transactional or litigation practice in areas including real estate, environmental, business, and trusts/estates. Prefer associate position but will consider part-time or contract opportunities. Contact David Reichert at dreichertinsb@gmail.com or cell 310-562-8809.

Conference.21: Tabletop Ethernet/Video/Power Connections! 21 East Carrillo Street #110. Fireplace, ADA access, water, single serve coffee. Power, internet, and video/audio connections to 60" TV, all tabletop! \$130/day, \$80/half-day. Schedule at www.transdental.com/conference21.htm.

HEARING OFFICERS NEEDED

The Santa Barbara County Civil Service Commission is adding to its hearing officer roster. Compensation is \$160.00 per hour. If interested please submit your CV/Resume to Shen Rajan, Commission Secretary at srajan@co.santa-barbara.ca.us or call 805-568-2810.

THE OTHER BAR:

Meets every Tuesday at noon at 330 E. Carrillo St. We are a state-wide network of recovering lawyers and judges dedicated to assisting others within the profession who have problems with alcohol or substance abuse. We protect anonymity. To contact a local member go to <http://www.otherbar.org/> Link: Santa Barbara in 'Meetings' menu.

Roach, *continued from page 30*

ing of the legislation and issued the following press release:

LOS ANGELES - Governor Edmund G. Brown Jr. will join legislators and workers in Los Angeles to sign the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522) by Assemblymember Lorena Gonzalez (D-San Diego), which provides paid sick days to the millions of hardworking Californians - roughly 40% of the state's workforce - who do not currently earn this benefit.

"Tonight, the Legislature took historic action to help hardworking Californians," Governor Brown said after both houses of the Legislature passed the bill late last month. "This bill guarantees that millions of workers - from Eureka to San Diego - won't lose their jobs or pay just because they get sick."

With the Governor's signature, California will become only the second state in the nation to require paid sick leave.

2014 SBCBA SECTION HEADS

Alternative Dispute Resolution

David C. Peterson 441-5884
davidcpeterson@charter.net

Bench & Bar Relations

James Griffith 962-5821
jim@jamesgriffithlaw.com

Civil Litigation

Matt Clarke 884-9922
matt@christmankelley.com
Mark Coffin 884-9922
mark@christmankelley.com

Mandatory Fee Arbitration

Thomas Hinshaw 729-2526
tmhinshaw@cox.net
Scott Campbell 963-9721
scott@rogerssheffield.com
Saji Gunawardane 845-4000
saji@CALitigator.com

Criminal Law

Catherine Swysen 962-4887
cswysen@sangerswysen.com

Brian Cota 568-2424
bcota@co.santa-barbara-ca.us

Debtor/Creditor

Carissa Horowitz 708-6653
cnhorowitz@yahoo.com
Casey Nelson 637-3492
casey.becker.nelson@gmail.com

Elder Law

Denise Platt 682-8271
deniseplatt@cox.net
Russ Balisok (818) 550-7890
russ@balisok.com

Employment Law

Kimberly Cole 845-4581
kim@kimberlycolelaw.com

Estate Planning/Probate

Brooke Cleary 965-1329
cleary@taxlawsb.com
David Graff 963-8611
dgraft@aklaw.net

Family Law

Maureen Grattan 965-2288
mgrattan@dorais.com

In-House Counsel & Corporate Law

Betty L. Jeppesen 963 -8621
jeppesenlaw@gmail.com

Intellectual Property/Tech. Business

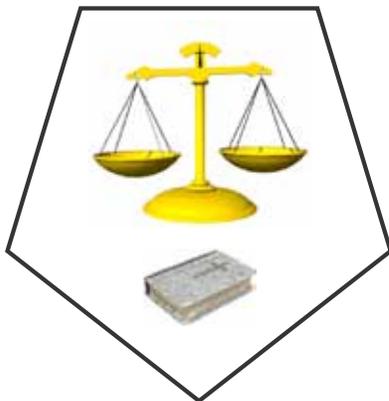
Christine L. Kopitzke 845-3434
ckopitzke@socalip.com

Real Property/Land Use

Joshua P. Rabinowitz 963-0755
jrabinowitz@fmam.com
Bret Stone 898-9700
bstone@paladinlaw.com

Taxation

Peter Muzinich 966-2440
pmuzinich@rppmh.com



SANTA BARBARA CHRISTIAN LAWYERS ASSOCIATION

Meeting for lunch and fellowship
on the last Friday of each month
at 12 pm
The University Club
1332 Santa Barbara Street

\$20 for attorneys, \$10 for students

For more information please call or email Brenda Cota
at (805) 963-9721 or bcota@rogerssheffield.com

For SBCBA updates and information:



**Friend us on Facebook!
@Santa Barbara County Bar Association**

twitter



**Follow us on Twitter!
@SBCBA**



BROADVIEW
MORTGAGE
Mortgage Bankers Since 1988

1826 State Street
Santa Barbara, CA 93101
805.563.1100



- ◆ 17 YEARS OF EXPERIENCE
- ◆ OVER 4,300 CLOSED LOANS
- ◆ IN - HOUSE DIRECT LENDER
- ◆ LOCAL APPRAISERS
- ◆ FINANCING UP TO \$3,000,000
- ◆ CONVENTIONAL / JUMBO / VA
FHA / CALHFA
- ◆ TOP PRODUCING BRANCH FOR
2011-2013
- ◆ TOP BRANCH MANAGER FOR
2011-2013

KELLY MARSH

BRANCH MANAGER NMLS #245822 ◆ CMPS CERTIFIED

Ranked 95th most productive mortgage loan originator in the
U.S. out of more than 400,000 mortgage loan originators.

www.BroadviewSB.com

Licensed by the Department of Business Oversight under the California Residential
Mortgage Lending Act License #813G135. Branch NMLS #247897

**Experienced.
Trusted.
Proven.**

Mediator and arbitrator
for the resolution of
cases including:

- Business/Commercial
- Contracts, Employment
- Environmental and
Real Estate
- Construction
- Wills and Trusts
- Family Law
- Personal Injury

Retired Judge, Elinor Reiner



Judge Elinor Reiner
MEDIATOR AND ARBITRATOR

To schedule a consultation, please call 805-879-7517
211 E. Anapamu Street • Santa Barbara, CA 93101
elinor@elinorreiner.com • WWW.ELINORREINER.COM

JOHN E. NORDSTRAND
ECONOMIC CONSULTING

For 22 years serving the Central Coast as an expert
economist for personal injury, wrongful death, wrongful
termination, and business litigation matters.

SERVICES:

- Valuations of Wage and
Fringe Benefits Loss
- Household Services
- Business Valuations
- Loss of Profit Analyses
- Statistical Studies

EXPERIENCE:

Over 150 appearances of courtroom
testimony in Superior Courts of Santa
Clara, Monterey, San Luis Obispo,
Santa Barbara, Ventura, Los Angeles,
and Orange Counties, as well as U.S.
Federal Court.

(805) 684-2750

www.johnnordstrandecomonomics.com

john.nordstrand747@gmail.com

**SPECIALIZING IN
LEGAL PLACEMENT**

Legal Staffing and Executive Recruitment

Expertise • Experience • Efficiency

Serving the recruitment needs of law firms and
corporate legal departments for over 35 years
with integrity and confidentiality.



KATHI WHALEN, CAC
President & Founder

whalen bryan
Focused Recruitment
& Staffing

Contact us today to help you
find the right match.

Ventura County • (805) 389-3663 Santa Barbara County • (805) 965-2020
kathi@whalenbryan.com • www.whalenbryan.com

Lawyer Referral Service
805.569.9400

Santa Barbara Lawyer

The Santa Barbara County Bar Association
15 W. Carrillo St., Suite 106
Santa Barbara, CA 93101

Change Service Requested

PRSRT STD
U.S. Postage Paid
Santa Barbara, CA
Permit #734



Gary Goldberg

Real Estate Broker • Licensed Attorney
UC Hastings College of Law • Order of the Coif
DRE License # 01172139

- Intensive Marketing Plan for each listing
- Member, Santa Barbara, Ventura, and Santa Ynez Real Estate Boards
- Expert witness in Real Estate and Divorce Matters, and Estate Planning
- Licensed Attorney, Professor Real Estate Laws Course at SBCC

COASTAL PROPERTIES

EXCEEDING YOUR REAL ESTATE EXPECTATIONS

For your Real Estate needs, choose carefully and choose experience!

“I’ve been a Lawyer for 22 years and a Real Estate Broker with my own company for over 19 years.”

“As a real estate company owner beginning my 20th year of serving Santa Barbara, I look forward to helping you buy or sell real estate property, and as always, personally dedicating myself to striving for excellence in every transaction. My expertise and detailed knowledge of properties includes Montecito, Hope Ranch, Carpinteria, Summerland, Goleta, Santa Barbara, and all the surrounding beach communities.”

Over \$500,000,000

Sold Since January 1, 2000 Among the top 10 agents in Santa Barbara

(per MLS Statistics in Gross Sales Volume)



1086 Coast Village Road, Santa Barbara, California 93108 • Office 805 969-1258 • Cell 805 455-8910

To view my listings visit www.garygoldberg.net • Email gary@coastalrealty.com