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CALIFORNIA LAWYER MAGAZINE ANNOUNCES  
2013 CLAY AWARD WINNERS

SAN FRANCISCO, February 15 — California Lawyer magazine has named 60 attorneys around the state to receive the 17th annual California Lawyer Attorneys of the Year Awards. Their achievements had a significant impact in 2012. The awards recognize 27 accomplishments in 21 areas of legal practice.

The honored attorneys include prosecutors, public-interest lawyers, and attorneys from international law firms. The recipients of the CLAY Awards will be featured in the March 2013 issue of California Lawyer.

The attorneys and their achievements are briefly described below. [Note: The attorneys are listed in alphabetical order within each achievement, not according to their role in the work.]

Joseph M. Alioto Sr., Alioto Law Firm, San Francisco  
Francis O. Scarpulla, Zelle Hofmann Voelbel & Mason, San Francisco  
**Category:** Corporate Antitrust (Indirect Purchasers)

Richard M. Heimann, Lieff Cabrasier Heimann & Bernstein, San Francisco  
Bruce L. Simon, Pearson, Simon, Warshaw & Penny, San Francisco  
**Category:** Corporate Antitrust (Direct Purchasers)

Peter K. Huston, Michael L. Scott, Brent C. Snyder, Heather S. Tewksbury, U.S. Dept. of Justice Antitrust Division, San Francisco  
**Category:** Corporate Antitrust (Criminal)

Civil litigators broke new ground in resolving the price-fixing conspiracy among the world’s largest makers of liquid-crystal displays (LCDs) for indirect and direct purchasers, as well as in the sheer size of the monetary outcome. Federal prosecutors won price-fixing convictions in the first criminal trial of a publicly traded company in a decade, including a $500 million fine against LCD maker AU Optronics.
Donna Bader, Sole practitioner, Laguna Beach  
**Category: Litigation**  
Bader and Jackson secured a precedent-setting victory for pet owners when a court of appeal upheld a jury award to a married couple for emotional distress they were caused by the injury of their dog.

Barbara Baird, William Wong, South Coast Air Quality Management District, Diamond Bar  
Daniel Selmi, Loyola Law School, Los Angeles  
Matthew Zinn, Shute, Mihaly and Weinberger, San Francisco  
**Category: Environmental Law**  
After Baird and Wong oversaw the adoption of a strict pollution-reduction paint coating rule, it was challenged by the American Coatings Association. Selmi and Zinn joined them to successfully defend the rule before the California Supreme Court.

Alissa Bjerkhoel, Justin Brooks, Michael Semanchick and Jan Stiglitz  
California Innocence Project, San Diego  
**Category: Criminal Law**  
Four California Innocence Project attorneys helped wrongly convicted football player Brian Banks clear his name after he finished serving a five-year prison sentence for rape.

Morgan Chu and Andrei Iancu, Irell & Manella, Los Angeles  
**Category: Intellectual Property**  
Last year, Chu and Iancu won major settlements for Tivo in three patent cases against AT&T, Verizon, and Microsoft, bringing their total recovery for their client to more than $1 billion.

Benjamin G. Diehl, Office of the Attorney General, Los Angeles  
Michael A. Troncoso, Office of the Attorney General, San Francisco  
**Category: Consumer Rights**  
Diehl and chief negotiator Troncoso succeeded in negotiating key provisions in the nationwide mortgage fraud settlement, securing billions in relief for California borrowers and providing extended liability for wrongdoers.

Reema M. El-Amamy, U.S. Attorney’s Office, Central District of California, Los Angeles  
**Category: Criminal Law**  
El-Amamy employed a novel combination of federal civil rights violation claims and federal racketeering sanctions to successfully prosecute a violent street gang terrorizing African Americans in the Los Angeles suburb of Azusa.

Peter J. Eliasberg, ACLU of Southern California, Los Angeles  
John Durrant, Paul Hastings, Los Angeles  
**Category: Prison Law**  
Eliasberg and pro bono counsel Durrant filed a class action lawsuit against the Los Angeles County sheriff’s department detailing deputy abuse of inmates. Also, a report on the inmate abuse by the
ACLU eventually resulted in the LA County Board of Supervisors creating a commission that recommended jail reforms.

**Felicia M. Gilbert, Arturo J. Gonzalez, Theodore M. Hasse, Wesley E. Overson**  
Morrison & Foerster, San Francisco  
**Category: Civil Rights Law**
Gonzalez and co-counsel Overson filed a wrongful death suit on behalf of the family and estate of Steve Anthony Vargas of Fresno, who was shot and killed in 2009 following a car accident. Following a jury verdict, the city of Fresno settled the case for $1.3 million and agreed to adopt written policies to properly investigate police shootings.

**David Greene**, Bryan Cave, San Francisco  
**James Wheaton**, First Amendment Project, Oakland  
**Category: Constitutional Law**
Greene and Wheaton oversaw the resolution of two lawsuits for journalist Seth Rosenfeld whose Freedom of Information Act requests were denied by the FBI. Rosenfeld was awarded nearly $500,000 in legal fees.

**Gay Grunfeld**, Rosen Bien Galvan & Grunfeld, San Francisco  
**Category: Prison Law**
Grunfeld secured a series of federal court rulings, forging the principle that state prisoners and parolees with disabilities must be afforded care and accommodations when housed in county jails.

**Laurie J. Hepler**, Carroll, Burdick & McDonough, San Francisco  
**Category: Product Liability**
Hepler argued and won a California Supreme Court case that established governing principles to determine the liability of product manufacturers for components that the purchaser later incorporates.

**Susan R. Hershman, John E. Lee**, U.S. Attorney’s Office, Central District of Calif., Los Angeles  
**Category: Health Care**
Hershman and Lee recovered the largest Medi-Cal settlement in state history: $323 million in overpayments for Medi-Cal and Medicare services from SCAN Health Plan.

**Mark C. Holscher**, Kirkland & Ellis, Los Angeles  
**Category: Education Law**
Holscher and his legal team won the right for a group of poor parents in San Bernardino County to transform a troubled elementary school that was failing to educate their children.

**Leif King**, Skadden, Arps, Slate, Meagher & Flom, Palo Alto  
**Category: Transactional Law**
King counseled Yahoo on selling half its stake in China's Alibaba Group back to the company for $7.6 billion. The deal was the largest ever M&A transaction between an American and a Chinese company.
John H. Knox, Orrick, Herrington & Sutcliffe, San Francisco
Marc A. Levinson, Orrick, Herrington & Sutcliffe, Sacramento

**Category: Bankruptcy Law**

Knox and Levinson helped the cities of Vallejo and Stockton navigate municipal bankruptcy law. For Vallejo, Levinson established the legal criteria for a city’s eligibility to be a Chapter 9 debtor and Knox worked on restructuring of the city’s capital markets obligations.

Kimberly A. Kralowec, Kralowec Law Group, San Francisco
L. Tracee Lorens, Lorens & Associates, San Diego
Michael Rubin, Altshuler Berzon, San Francisco

**Category: Employment Law (Plaintiffs)**

These lawyers litigated the closely watched employment case *Brinker Restaurant Corp. v. Superior Court* at the California Supreme Court, resolving years of uncertainty by setting out definitive guidance on the often-litigated issue of the amount and timing of meal and rest periods for nonexempt employees.

Kevin M. Lally, Nili T. Moghaddam, and Cameron L. Schroeder
U.S. Attorney’s Office, Central District of California, Los Angeles

**Category: Criminal Law**

These three prosecutors successfully obtained racketeering convictions of four high-ranking members of the 18th Street gang, three of whom belonged to the Columbia Lil’ Cycos gang clique.

Jennifer E. LaGrange, Ronda McKaig, Matthew Umhofer
Skadden, Arps, Slate, Meagher & Flom, Los Angeles

**Category: Pro Bono**

LaGrange, McKaig, and Umhofer successfully defended Planned Parenthood in federal False Claims Act litigation. A former Planned Parenthood employee had filed a qui tam action alleging that affiliates in California overbilled Medicaid by $180 million for oral contraceptives provided to clients.

Danielle Leonard, Jonathan Weissglass
Altshuler Berzon, San Francisco

**Category: Education Law**

Leonard and Weissglass won a massive victory for a class of thousands of University of California professional degree students who sued the UC in response to fee increases.

Barbara J. Chisholm, Danielle E. Leonard
Altshuler Berzon, San Francisco

**Category: Voting Rights**

Leonard, Chisholm, and their legal team fought to make sure every vote counted in the battleground state of Ohio during the 2012 presidential election, winning a trial court injunction that was later upheld by the Sixth Circuit Court less than a month before election day.
Brian J. Panish, Panish, Shea & Boyle, Los Angeles
Category: Personal Injury
Last year Panish won more than $300 million in personal injury recoveries for his clients.

Shawna Parks, Mary-Lee Kimber Smith, and Sid Wolinsky
Disability Rights Advocates, Berkeley
Category: Disability Rights
Parks, Smith, and lead counsel Wolinsky filed a class action on behalf of disabled people in Los Angeles, winning a court order requiring city officials to revise emergency plans to include the needs of the disabled. They also negotiated a similar settlement agreement with LA County on emergency planning.

Ellen Peter, California Air Resources Board, Sacramento
Category: Environmental Law
Peter oversaw California's first ever carbon allowance auction in 2012, a major step to implement cap-and-trade, an important component of the state’s landmark climate change law, AB 32.

Damien M. Schiff, Pacific Legal Foundation, Sacramento
Category: Environmental Law
Schiff won a unanimous victory at the U.S. Supreme Court that forces the U.S. Environmental Protection Agency to change the way it handles future enforcement actions.

Samuel Tepperman-Gelfant, Public Advocates, Inc., San Francisco
Category: Land Use
Tepperman-Gelfant provided extensive legal counsel to the Community Coalition for a Sustainable Concord in charting out a reuse plan for the city's old Naval Weapons Station.

Robert Van Nest, Keker & Van Nest, San Francisco
Category: Intellectual Property
Van Nest defended Google in its patent and copyright fight against Oracle, successfully arguing at trial that application programming interfaces should not be covered by U.S. copyright law.

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