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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 Cabraser 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.

2013 CALIFORNIA LAWYER ATTORNEYS OF THE YEAR AWARD

Donna Bader, Sole practitioner, Laguna Beach

Jon Mitchell Jackson, Jackson & Wilson, Laguna Hills

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

2013 CALIFORNIA LAWYER ATTORNEYS OF THE YEAR AWARD

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.

2013 CALIFORNIA LAWYER ATTORNEYS OF THE YEAR AWARD

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)

Rex S. Heinke, Akin Gump Strauss Hauer & Feld, Los Angeles

Category: Employment Law (Defense)

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' Cynos gang clique.

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

Matthew Umhofer, Spertus, Landes & Umhofer, 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.

2013 CALIFORNIA LAWYER ATTORNEYS OF THE YEAR AWARD

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, Kecker & 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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