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Spring 2018

Newsletter, Spring 2018

Golden Gate University School of Law

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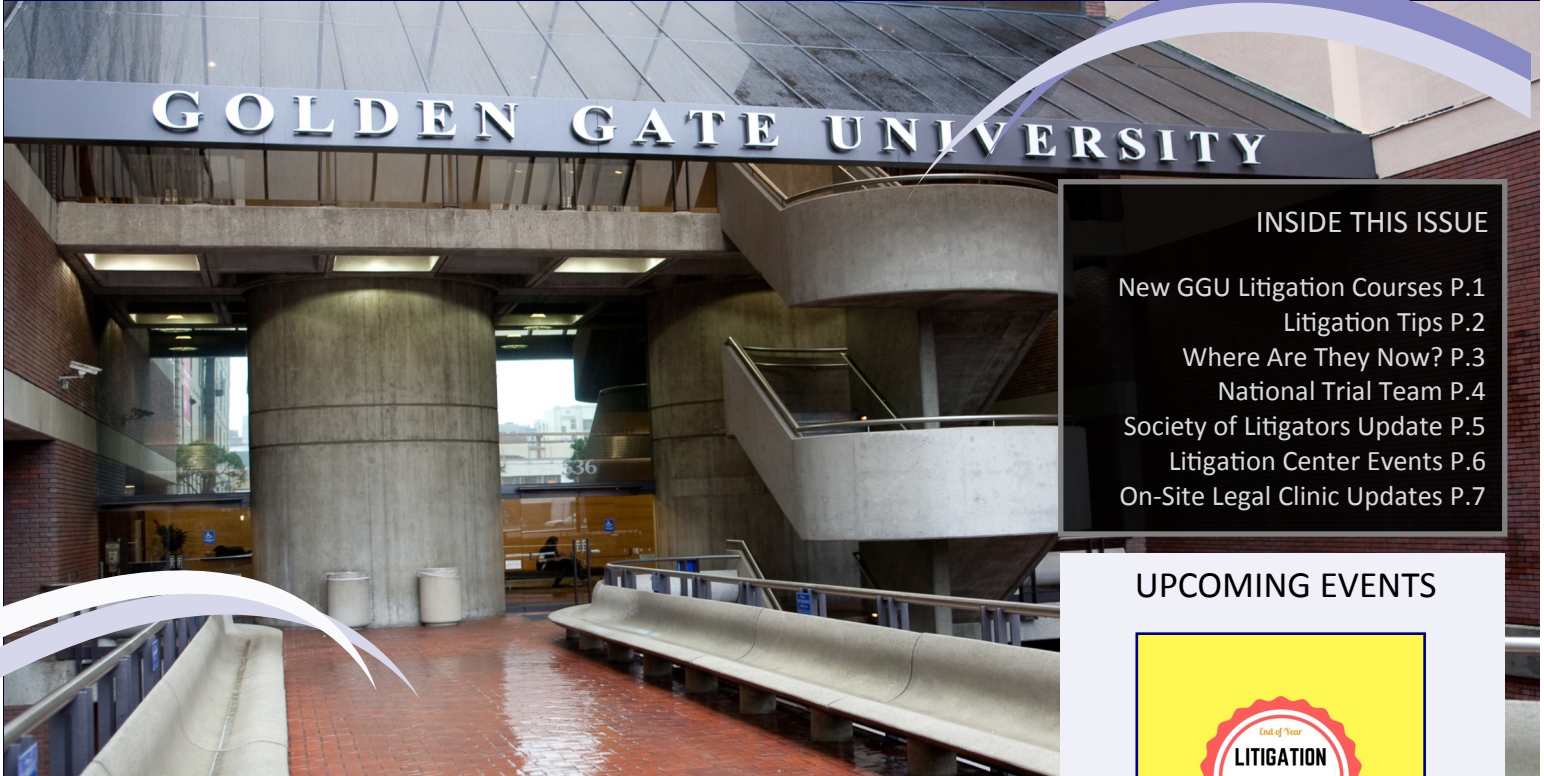
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GGU School of Law LITIGATION CENTER

Bi-Annual Newsletter
SPRING 2018 ISSUE



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UPCOMING EVENTS



May 11, 2018

End of Year Litigation Center
Awards Reception

Room 2203 7PM to 8:30PM

May 14, 2018

Law School Commencement
Davies Symphony Hall 7PM to 9PM

July, 2018

(exact date & location TBD)

Baxter Fellow Reunion

October 18-21, 2018

Seventh Annual *In Vino Veritas*
national mock trial competition

Golden Gate University

New Litigation Course Offerings at GGU

By the Director of Litigation, Kaelyn J. Romey

GGU's litigation center is pleased to announce new 1-unit evening litigation courses beginning this fall as well as spring of 2019. The new courses are designed to bridge the gap between law school and practice. Alumni are welcome to join, and to share suggested new course ideas.

FALL 2018

Intro to Voir Dire

Learn the basics of jury selection and master techniques and strategies to analyze the prejudices of potential jurors.

Intro to Depositions

Learn the practical and theoretical aspects of deposition preparation. You will defend and take depositions after learning effective strategies and questioning techniques to lock in your witnesses story.

Motions Practice (2 units)

Learn to analyze case files to determine necessary motions. You will draft motions, respond to motions, and persuasively argue them in a trial setting before a judge.

SPRING 2019

Evidence in the Courtroom

You have taken evidence and mastered the rules, now learn to use them in court. You will argue objections, learn to respond to the court, and become comfortable using the rules of evidence to defend your clients.

eDiscovery

Learn the lifecycle of a case including all aspects of discovery, and what sources you must understand. Document preservation, collection, search and review of documents, and the production of documents will be covered.

For a full listing of litigation courses offered by Golden Gate University School of Law please visit:

<http://law.ggu.edu/academics/course-offerings/course-catalog/?lawType=LWLI>

Deposition Tips

By Professor Helen Kang and Steve Castleman

ASSUME NOTHING

Never let the fear of looking stupid stop you from asking the most basic questions (who, what, when, where, how, why, explain, describe etc.) even if “everyone” knows the answer. You must lay the predicate for subsequent more contested testimony.

LISTEN

A deposition is not a “check-the-box” exercise where you just run down your list of questions. You must listen carefully to the answers (especially for what the witness doesn’t say). Always ask follow up questions.

IT’S BUSINESS, NOT PERSONAL

Never show anger or frustration with opposing attorneys’ tactics. Avoid antagonistic back-and-forth. That diverts your attention from doing a good deposition.

STOP OPPOSING COUNSEL FROM INTERFERING

It is important to get an answer when a question is pending; insist the question be answered before the break.

OBJECT TO SPEAKING OBJECTIONS

Counsel’s objections that suggest an answer to the witness are inappropriate and should be objected to.

SOME THINGS JUST DON’T COME

ACROSS IN A TRANSCRIPT

Avoid humor and sarcasm. They don’t read like they sound.

Helen Kang and Steve Castleman are professors in the Environmental Law Clinic at GGU.

eDiscovery: Recap

By Jen Coleman



Professor Coleman joined the adjunct faculty with a one unit Intro to eDiscovery course this spring.

Always start with the Electronic Discovery Reference Model (EDRM). The EDRM parses the eDiscovery process out into 9 manageable categories that will make the entire eDiscovery process seem less overwhelming.

Client interviews are essential. If you don’t understand the facts of your case, you can’t determine what electronic data is relevant to your case and should be preserved.

IT interviews are essential. If you don’t understand your clients’ data sources where relevant information could reside, you can’t determine what electronic sources are relevant to your case.

Implement your litigation hold early on in the case to ensure your preservation obligations have been met.

Be prepared for your meet and confer prior to your initial case management conference. This means you must complete your client interviews, IT interviews and custodian interviews. Your litigation hold should be implemented prior to your meet and confer.

“In today’s legal world, production of Electronically Stored Information (ESI) accounts for approximately 60-80% of

the cost of discovery in most proceedings. Whether choosing to do transactional or litigation work following law school, the introduction to eDiscovery course offered by Professor Coleman is vital for any attorney wishing to practice law. Although not necessarily a bar course, a practicing lawyer must understand the process of eDiscovery in order to comply with his or her competency requirements pursuant to the California Rules of Professional Conduct.

Professor Coleman is an expert in the field of eDiscovery; her experience and expertise is highly recognized both in her own firm and in the Northern District and California State Courts. By utilizing the nationally-recognized Electronic Discovery Reference Model, Professor Coleman takes the difficult concepts of eDiscovery and makes it extremely easy to learn. Those who do not take her class will be missing out on a chance of a lifetime to properly understand the complex procedure of preserving, obtaining, processing, reviewing, and producing ESI during the course of Discovery."

-Tom Kay

Tom Kay is a GGU Law student who took Professor Coleman’s eDiscovery course in the Fall semester of 2017.

VOLUNTEERS NEEDED



Please email baxterfellow@ggu.edu to find out how you can volunteer to help at the 2018 *In Vino Veritas* competition.

Visit www.ggulitigation.com for more info.

Where Are They Now?

2010 Baxter Fellow, Erik Knuppel

By Erik Knuppel



Erik studied trial advocacy under the late Director Bernie Segal, where he won SFTLA and was a semi-finalist at the John Marshall/ABA Criminal Mock Trial Competition. He graduated in May 2010 as ITLA Most Outstanding Student in Litigation, serving as co-Baxter Fellow in the fall.

In 2011, he was hired as in-house counsel for JustAnswer.com, an on-demand professional services marketplace, where he helped the new company avoid employment classification litigation in the world after Uber.

Now Erik works in business development and marketing for One Legal LLC, helping the litigation logistics company experiment with new business models. As a coach of GGU Mock Trial teams, Erik won SFTLA three times, and was semi-finalist at American University School of Law's Capitol City Challenge. He lives with his wife, one-year-old son and dog in Marin.

COMING THIS SUMMER IN JULY

A Baxter Fellow reunion! Visit www.ggulitigation.com soon for more information.

Welcome Zach Porter

2018 Baxter Fellow in Litigation

The Baxter Fellowship was created in 1995 through a generous contribution to the law school from the Honorable Judge Lee Baxter. The Baxter Fellow assists the Litigation Center director and ensures that our students have quality opportunities to foster their interest in litigation through mentoring and providing skills training.

In March of 2018, Zach was selected to be the 2018 Baxter Fellow after completing his legal studies at GGU. As the 2018 1st STEP assistant program director, 1L students are fortunate to have the opportunity to be trained by Zach. After his participation in the 2015 1st STEP program, Zach rounded out his litigation studies interning in three public defender offices while competing in six National mock trial competitions; bringing home the gold in the fall of 2017. Zach is a thoughtful mentor, a fierce litigator, and a leader to his classmates and teammates.

His professional goal is to work as a public defender and to be the best trial lawyer he can be.



What All Attorneys Should Know

By Judge Edward Torpoco



1. Always speak clearly and confidently when addressing the Court.
2. Be direct and answer the Judge's questions immediately.
3. If you cite case law, bring a courtesy copy of the case for the Court.
4. Remember, networking is a key to career success. Most attorneys advance their career by expanding connections rather than just burning the midnight oil.

Judge Torpoco joins the Litigation Center this summer to teach brief writing and motions practice for the 1st STEP program.



(clockwise from top) Baxter Fellow Zach Porter; Trial Team students at Cloud Gate in Chicago; Trial Team students outside the courthouse in Sacramento

NATIONAL TRIAL TEAM

By Zach Porter

The National Trial Team at Golden Gate University School of Law represents GGU at regional and national mock trial competitions throughout the country in the fall and spring semesters. Membership in GGU's Trial Team is a prestigious and highly coveted distinction that greatly enhances members' law school experience. Mock trial competitions require students to demonstrate their trial advocacy skills in a simulated jury trial, during which they are evaluated by experienced trial lawyers and judges.

GGU's National Trial Team enjoyed success this spring semester receiving recognition and praise at competitive and nationally renowned mock trial competitions in the country.

Texas Young Lawyers Association Competition

February saw the Trial Team compete in the Texas Young Lawyers Association Competition at the McGeorge School of Law in Sacramento, California. Golden Gate entered two teams into the competition. The first team was comprised of Giorgio Panagos (2L), Maneesha Birdee (2L), and Ezekiel Bottorff (2L) and was coached by Dustin Cameron and Director Romey. The second team was made up of Mackenzie Parker (2L), Samara Maharaj (3L), and Joseph Daugherty (2L), and was coached by GGU law alum Blair Pickus. The second team advanced to the semifinal round of the competition.



Giorgio Panagos, Maneesha Birdee, Samara Maharaj, Mackenzie Parker, Ezekiel Bottorff, Joseph Daugherty (left to right)

Capitol City Challenge

March ushered in cold weather and national spotlight for the Trial Team as they headed east to the nation's capital to compete in the *Capitol City Challenge* competition at American University Washington College of Law in Washington, D.C. The *Capitol City Challenge* features competition from some of the nation's top trial advocacy programs, and GGU was right at home. The Trial Team took the ballots in two of the first three preliminary rounds; missing the quarterfinal round by mere points.



Giorgio Panagos, Christine De Leo, Caroline Alexander, Ashley Lotti (left to right)

The *Capitol City Challenge* team featured perennial mock trial superstar Ashley Lotti (3L), and rising 2L stars Caroline Alexander, Christine De Leo, and Giorgio Panagos. Thank you to GGU law alumni Erik Knuppel and Tiffany Hansen for coaching the Capitol City team this year.

The *Capitol City Challenge* team featured perennial mock trial superstar Ashley Lotti

National Criminal Justice Trial Advocacy Competition



Alyssa Fielding, Lulu Tseng, Nicholas Bilof, Roxana Araujo (left to right)

The John Marshall School of Law welcomed GGU's National Trial Team to the Windy City in March. The national competition was sponsored by the ABA. GGU showed up, and showed up big, advancing to the quarterfinal round and giving the competition a true run for their money. The team was made up of perennial mock trial powerhouses Alyssa Fielding (3L) and Lulu Tseng, and rising second-year stars Nicholas Bilof and Roxana Araujo.

GGU's team missed the semifinal round by only a few points. This year's team was coached by Butch Ford and GGU law alum Sylvia Nguyen.

GET INVOLVED

Students

- Try out for the National Trial Team. Tryouts held August 17 & 18. Visit www.ggulitigation.com for more information.
- Apply for a spot on the trial team council to assist the program from an administrative angle. Email baxterfellow@ggu.edu for more information.

GGU Law Alum

- Apply to coach a mock trial team next fall or spring semester.
- Mentor National Trial Team students as an intern at your firm. Email baxterfellow@ggu.edu for more information.

The Society of Litigators

2018 Bernie Segal Cross and Close Competition

By Ashley Lotti and Caroline Alexander



1L Clodagh Martin impeaching SOL board member Harris Emran in the final round

The Society of Litigators hosted the 7th Annual Bernie L. Segal Cross and Close Competition in early January. In this competition, 1Ls worked together in pairs to present a cross-examination and a closing argument for a criminal case involving felony battery. The turnout for this competition was one of the largest GGU and SOL has seen in years, and we are so happy to see budding litigators interested in trying something new and daunting. SOL is proud of all *Cross and Close* participants and is looking forward to seeing what these future litigators will do next.

Congratulations to all of our winners. In first place were Kyndal Currie and Katie Christensen. Second place went to Chantal Carnes and Roshuma Florence. Chantal and Roshuma were also awarded the *Best Theme Award*! Third place went to Alaya McKinney and Mariah Cooks. Fourth place was Clodagh Martin and Christina Evangelista. The *Best Preliminary Cross Examination* went to Alexis Pettis. The award for *Best Preliminary Closing Argument* went to Alec Stroup. The *Best Final Closing Argument* was awarded to Roshuma Florence and the *Best Final Cross Examination* was awarded to Kyndal Currie. The *Professionalism Award* went to William Lippencott and Diego Garcia.

SOL was also excited to work hand-in-hand with the Litigation Center this past semester with their *Lunchtime Lecture Series* held on Thursdays at noon in the Baxter Office (room 3205). All students were welcome to come learn about different aspects of trial advocacy, ask questions, and get insight from current National Trial Team members, SOL members, and the Litigation Center.



Winning team (pictured above) Kyndal Currie and Katie Christensen



Students and guests at the reception enjoying the competition

2018 1st STEP

Summer Trial and Evidence Program

By Zach Porter



The GGU Litigation Center is preparing for another summer in the courtroom with the nationally renowned trial advocacy program, 1st STEP.

1st STEP was created in 2012 by former GGU Professor and Director of the Litigation Center, Wes Porter. 1st STEP is an innovative and pragmatic approach to teaching trial advocacy skills. The program has blossomed into a flagship attraction for students in the Bay Area looking for an education that will prepare them for the courtroom.

We are excited to announce that the original teaching cadre (including Wes Porter) will be returning for the first week of the program. The Litigation Center also welcomes new additions to the teaching team: Sean Kiley, William Webb, and Judge Edward Torpoco from the San Francisco Superior Court.

Director Romey leads the program once again in her second year at the helm of the Litigation Center. Students take evidence, trial evidence and advocacy, presentation and persuasion, motions and brief writing for a total of 11 units spread over the summer term.

FIRST ANNUAL LEGAL TECHNOLOGY SUMMIT AT GGU

By Zach Porter

The GGU Litigation Center partnered with the Law Practice Management and Technology Section of the California Lawyers Association to present the first annual *Legal Technology Summit* at GGU.

The *Summit* featured four mandatory continuing legal education (MCLE) panels, all addressing law and technology. The first panel discussed diversity in the legal technology sector and focused on how women are bridging the gap. The panel featured different technology companies and was moderated by Leila Banijamali, GGU alum and CEO at Symbium Corp.

The second panel included an informative conversation on Blockchain detailing its impact on the legal community and litigation. The panel was moderated by GGU Professor of Law Michele Neitz and featured perspectives from both attorneys working in the digital currency arena as well as entrepreneurs working in the smart contract business.



Director Romey introducing the cyber security panelists (left to right) Andrew Lachman, Jeff Bennion, and Marcia Hofmann.



Blockchain panel (left to right): Patrick Baron, Michele Neitz, Victoria Libin, Roger Roysse

Batting third was a panel discussion on cyber security, attorney cloud use, and technology must-haves and do-nots when it comes to hanging your own shingle on a dime.

The *Summit* wrapped up with a workshop on networking and professional development. Attendees were invited to practice their newly developed networking skills at a cocktail reception that followed the *Summit*.

The *Summit* was a success with attendance peaking near capacity. A special thank you goes out to the Law Student Services office for coordinating the event, Dean Anthony Niedwiecki for his support, Waymon Hudson for marketing, and all who helped promote the program—thank you.

GGU looks forward to hosting the *Second Annual Legal Technology Summit* next spring.

Visit <http://calawyers.org/LPMT> to learn more about the Law Practice Management and Technology section of the California Lawyers Association.



Students and panelists talking during the reception that followed the *Summit*.

EVENTS HONOR ROLL

Litigation Center Seminar Series

What Judges Really Wish you Knew

January 24, 2018

Special Guest: Honorable Judge Edward Torpoco

Judge Torpoco provided practical insight into what judges actually expect (and hope) young attorneys know *before* they appear in their court. The conversation included real-world examples and advice for law students.

The Art of Voir Dire

March 21, 2018

Special Guests: Alex Jakle & Leslie Levy

Leslie Levy of Levy Vinick Burrell Hyams LLP, an Oakland based law firm, presented on the basics of voir dire; pulling from her experience as a seasoned trial lawyer and long time litigator.

Alex Jakle, a jury consultant with Trial Behavior Consulting, offered perspective as a professional jury consultant and complimented the presentation with a different angle.

GGU will be expanding this discussion on voir dire into a one unit course this fall.

Lunchtime Lecture Series

The Society of Litigators teamed up with the Litigation Center to host weekly brown bag lunch discussions on topics ranging from trial advocacy skills and the rules of evidence to professional development and networking. The lunchtime lecture series is open to all students and will resume in the fall semester. Specific topics included:

- *The nuts and bolts of openings*
- *Modes of impeachment*
- *Winning closing argument*
- *Professional development and networking strategies*
- *Evidence recap with ADA Sean Kiley*

Is there a topic you would like to discuss at a lunchtime lecture series next fall? Send topic and discussion ideas to baxterfellow@ggu.edu.

ON-SITE CLINICS DELIVER REAL-WORLD RESULTS

Environmental Law Clinic

By Professor Helen Kang

GGU's Environmental Clinic continues to achieve successes on behalf of communities seeking healthier places in which to live and work.

The Environmental Law and Justice Clinic made the front page of the *San Francisco Chronicle* on January 31, 2018, and headlined other stories in the local media, including 3 of the 4 local TV stations, by successfully convincing the U.S. Navy year to completely redo the radiological cleanup at Hunters Point Shipyard in San Francisco. The shipyard is a Superfund site. Clinic students conducted interviews of former radiation workers who blew the whistle on fraudulent cleanup practices by their employer, the cleanup contractor at the shipyard. Based on the whistleblowers' statements, the clinic filed a petition with the Nuclear Regulatory Commission, seeking to revoke the contractor's radiological license. The clinic's investigation convinced the Navy, which had been intractable in insisting that the fraud was minor, that it was so extensive the entire radiological cleanup – 12 years of work costing hundreds of millions of dollars – needs to be redone from scratch.

The clinic also assisted in achieving a civil rights victory in April 2018 in federal court in Oakland. The court ruled that the U.S. Environmental Protection Agency violated Title VI of the Civil Rights Act by waiting a decade or more to investigate civil rights complaints filed by community groups across the country.

The clinic also just participated in drafting a brief opposing a petition for certiorari before the U.S. Supreme Court. The brief defends the clinic's victory last year in the California Supreme Court on behalf of Californians for Alternatives to Toxics; California's high court had ruled that federal law governing train transportation does not preempt application of the California Environmental Quality Act when a public agency is deciding whether to proceed with a train project.

Women's Employment Rights Clinic

By Professor Hina Shah

Put your litigation trial skills to work by representing real clients at our on-site legal clinics. The Women's Employment Rights Clinic (WERC) advocates on behalf of low-wage women workers through direct services, impact litigation and public policy projects. Students are integrated in all aspects of the client litigation, including 1) interviewing and counseling clients; 2) drafting court pleadings and motions; 3) presenting direct and cross examination at administrative hearings; and 4) negotiating and setting cases on behalf of clients.

Last month, thanks to the tireless advocacy of the Clinic students over two and half years, our client, a low-wage domestic worker, successfully settled her wage claim. She worked 24 hours, 7 days a week and was paid \$2 an hour. The client also faced numerous other challenges, including a workplace injury, a claim by the employer's insurance for damaging the home and tax liability for being misclassified as an independent contractor. After quitting her job, she also became homeless. WERC students helped her navigate these complex issues and helped her resolve many of them.

Enroll in WERC for Fall 2018. Applications are being accepted on a rolling basis, but those received by April 24 will be given priority. For more information and for applications, see www.ggu.edu/law/werc

Contact Prof. Hina Shah (hshah@ggu.edu) or Prof. Anna Kirsch (akirsch@ggu.edu)



Environmental Law Clinic student Jordan Davis

HOW TO GET INVOLVED WITH THE LITIGATION CENTER

- Guest speaker for 1st STEP, Trial Advocacy class, or at a Litigation Center *Seminar Series* event
- Mock trial judge
- Mock trial coach
- Volunteer as an evaluator or judge at this year's *In Vino Veritas* mock trial competition

Email baxterfellow@ggu.edu for more information.

MOOT COURT TEAM MAKES DECISIVE ARGUMENT

The Traynor moot court team at GGU brought home the gold taking first place with their brief in last weekend's moot court competition in Los Angeles. The students also had a strong showing in the oral argument portion of the appellate advocacy competition.



The Traynor moot court team (left to right) Jessica Bennet, Tyler Sullivan, Natalie Lakosil

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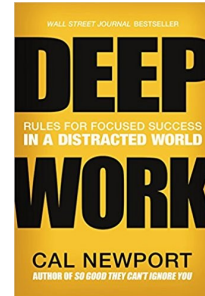
YouTube





GOOD READS
Recommended Books

Deep Work
 by Cal Newport



In DEEP WORK, author and professor Cal Newport flips the narrative on impact in a connected age. Instead of arguing distraction is bad, he instead celebrates the power of its opposite. Dividing this book into two parts, he first makes the case that in almost any profession, cultivating a deep work ethic will produce massive benefits. He then presents a rigorous training regimen, presented as a series of four "rules," for transforming your mind and habits to support this skill.

CONGRATULATIONS

Congratulations to the Golden Gate University School of Law graduating class of 2018. The Litigation Center wishes you the best in your future professional endeavors.



- | | |
|----------------------|-------------------------|
| Mason Aguirre | Lindsey Lepire |
| Ana Allec | Anna Lippert |
| Sophie Benhamou | Ashley Lotti |
| Harris Emran | Samara Maharaj |
| Cesilia Fernandez | Crystal Mendoza-Varlade |
| Alyssa Fielding | Christopher Nichols |
| Andrew Gabriel | Lulu Tseng |
| Alexander Heaukulani | Zach Porter |
| Jonathan Zimmermann | |
| Nathan Putney | |

VOLUNTEERS NEEDED



The Litigation Center is currently seeking volunteers to lend a hand with this year's *In Vino Veritas* mock trial competition. We are looking for practicing trial lawyers to sit as evaluators for the competition. Our greatest need for evaluators is on Friday, October 19.

We are also seeking judges currently serving on the bench to preside over the competition rounds. Having actual judges preside over the competition rounds adds an element of realism and depth that sets this competition apart from other national mock trial competitions.

In Vino Veritas is a national mock trial competition that invites top tier trial advocacy programs from law schools across the nation to compete here in the Bay Area. The competition includes a final round in wine country followed by a reception to celebrate the student advocates. The competition will be held October 18 through the 21.

Please email baxterfellow@ggu.edu to learn more about how you can help. Visit www.ggulitigation.com for more information.

THANK YOU DUSTIN CAMERON

A special thank you to Dustin Cameron (2017-2018 Baxter Fellow) for all your hard work and dedication to the Litigation Center over the past year. Best of luck to you in your legal career!



Director Romey with Dustin at a reception

The Litigation Center is now accepting applications for the 2018/2019 Baxter Fellowship. Applicants must be a recent GGU law graduate with demonstrated academic success and a proven commitment to the Litigation Center.

Email baxterfellow@ggu.edu for an application.

GGU LITIGATION CENTER
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