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Winter 2018

The Exhibit, the Litigation Center Newsletter - Winter 2018

Golden Gate University School of Law

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THE EXHIBIT

Golden Gate University School of Law's Litigation Center Newsletter

2018 IN VINO VERITAS NATIONAL MOCK TRIAL COMPETITION

By *Kaelyn J. Romey, Associate Professor & Director of Litigation*

In October, GGU welcomed 16 teams from around the country to compete in the 2018 *In Vino Veritas* Mock Trial Competition. The four-day national competition included a Judge's Reception, MCLE programs on blockchain and implicit bias, 25 trials, and an awards reception at Cornerstone Winery in Sonoma.

The competition required 25 judges, 100 attorney evaluators, 100 student witnesses, bailiffs, and timekeepers, the GGU National Trial Team, GGU Alum, and many staff members to guarantee its success! We appreciate you.

Competitors travelled across the nation to share their expertise in trial advocacy and to compete to be 2018's *In Vino Veritas* champions. This year, in celebration of GGU's new Intellectual Property Program, we challenged the competitors to define and explain complex concepts like blockchain to the fully empanelled jury in the final round. Students utilized state-of-the-art technology in GGU courtrooms to incorporate video depositions, photos, and other electronically stored evidence into their jury addresses.

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UPCOMING EVENTS



Spring Seminar Series
(Pg. 4)

8th Annual Cross & Close
Competition
Jan 12



Lunchtime Litigation
Every Thursday at
12:00

1ST PLACE

Loyola University School of
Law



2ND PLACE

John Marshall School of Law

A heartfelt THANK YOU to all of our In Vino Volunteers!



SAVE THE DATE

The 8th Annual In Vino Veritas Mock Trial Competition
October 17-20, 2019

Visit www.ggulitigation.com

Best Overall Advocate

Chrissy Jordanov (John Marshall)

Best Cross Examination

Vania Smith (Catholic University)

Honors Litigation Program - 1st STEP

NEW SPRING ELECTIVE - INTRODUCTION TO LITIGATION

This spring, students applying for 1st STEP will enroll in a new course: "Introduction to Litigation." We will prepare students with the basic trial skills necessary to become successful litigators in the courtroom. Students draft motions, prepare and perform as witnesses, and learn how to review a case file and prepare for trial. Guest speakers teach skills and provide "real-world" litigation experience.

Students complete the course confident with the basic skills to feel comfortable in the courtroom. This is the best training you can get to prepare you for your 1st STEP summer.

"Introduction to Litigation" is taught by Brian Feinberg and Benjamin Mains. Mr. Feinberg, (Golden Gate University alum) is a DA with the Contra Costa County District Attorney's Office. In Contra Costa, Mr. Feinberg worked in the Career Criminal/Three Strikes Prosecution Unit, supervised the Law and Motion department, and runs the Prosecutor Academy - a week-long immersive course for aspiring litigation students.

Mr. Mains (UC Hastings alum) was a member of both the Trial Team and Law Review. Formerly an attorney at the San Francisco District Attorney's Office, Mr. Mains is now a domestic violence consultant in the Bay Area, where assisted with the implementation of the Federal Domestic Violence Homicide Prevention grant. He also advises and counsels domestic violence survivors, trains social workers and advocates, and wrote the first ever trauma-informed law enforcement domestic violence response protocol for Contra Costa County.

Welcome 2019 1st STEP class we are excited about the opportunities in store for you this year!

APPLY FOR 1ST STEP TODAY!



Christine De Leo, Mackenzie Parker, Emilie Johnson, and Azita Rahim - GGU National Trial Team members

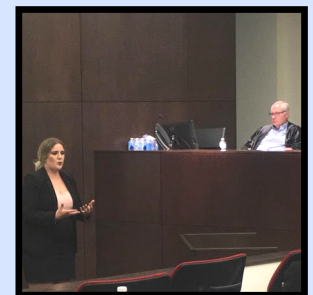


WHAT IS 1ST STEP?

This innovative 9-week summer honors litigation program offers a series of integrated evidence, trial and advocacy, and motions courses specifically designed to improve your litigation and presentation skills. The program includes three uniquely designed Litigation Center courses, Evidence in the Courtroom, Presentation and Persuasion, and a Brief Writing and Motions Advocacy course.

The 11-unit Summer Honors Program gives students greater freedom and a competitive advantage to participate in full-time employment, GGU's National Trial Team, moot court competitions, GGU's on-site clinics, externship and internship programs, and other GGU litigation programs during the upcoming fall semester.

Graduates of the 1st STEP program now work in several local DA and PD offices, work in civil litigation firms across the state. Many also began their own litigation practices. Their litigation skills began during their STEP summers. Do not miss out on this amazing and unique opportunity to become a confident and skilled litigator! Sign up today!



www.ggulitigation.com/summer-trial-and-evidence-program.html

APPLICATIONS

DUE DECEMBER 14, 2018

Baxter Fellow Reunion 2018



Erik Faussner, Caroline McCormick, Judge Lee Baxter, Ashley Lotti, Lori Mullins, Kaelyn Romey, Brandon Schantz, Christopher Erickson, Katya Salganick, and Dustin Cameron

This October, Baxter Fellows old and new came from all over California to attend our first annual Baxter Fellow Reunion. During the In Vino Veritas Judge's Reception, past Fellows gathered to share memories with one another and to present Judge Lee Baxter with a "Where Are They Now" book. This book included updates and thank you notes for Judge Baxter's contribution to GGU.

To thank the Fellows for their continuous support we presented the "Outstanding Service Award" to the Fellow who demonstrated exemplary service to GGU and contributions to the Litigation Center, and the legal community. This year, the winner of this prestigious award was 2011 Baxter Fellow, Brandon Schantz.

For many, the role of Baxter Fellow was an opportunity that opened doors to litigation positions here in the Bay Area. Fellows now work in New York, Colorado, and in Northern and Southern California. Being a Baxter Fellow gave people the opportunity to develop their trial skills, evidence, and train future litigators through the litigation program. We are all grateful for Judge Baxter's support and guidance, and had so much fun honoring her at the reunion this year.

Baxter Fellows are often asked to mentor GGU litigation students as they climb the ladder of success to become future outstanding litigators. There are Fellows in all different areas of practice who are happy to help out their fellow GGU students. Come by the Baxter Office today to see about finding a mentor for you.

Are you interested in applying to be the 2019 Baxter Fellow? We would love to have you as part of our fellowship family! Applications are due March 1 this spring and can be found on our website: www.ggulitigation.com.



Outstanding Service Award Winner Brandon Schantz, Baxter Fellow Ashley Lotti, and Litigation Director Kaelyn Romey



Hon. Lee Baxter



Ashley Lotti, Baxter Fellow

CONGRATULATIONS 2018

Outstanding Service Award

BRANDON SCHANTZ

LITIGATION TIPS

EFFECTIVE DISCOVERY FOR LITIGATION

by: *Amanda Wiseman*



A recap of DON'T PANIC! the MCLE seminar by Gregory Stubbs. Mr. Stubbs gave tips on how to effectively and efficiently handle discovery. He explained the basics of discovery and provided attendees with his “secret sauce” to doing well in discovery from start to finish. Here are some key takeaways from Mr. Stubbs’ lecture:

- 1) Find the facts. Discovery is a fact-finding process helping attorneys figure out which evidence supports their case.
- 2) Ensure there are no surprises. Through discovery, attorneys learn what their opponent knows, helping attorneys determine the strengths and weaknesses of their case. Eliminating surprises makes trial go smoother.
- 3) Be economical. Litigation is expensive and, therefore, most cases settle before trial. If a case must move forward, attorneys should develop the most economical discovery plan while remaining a zealous advocate for clients.
- 4) Own the code. The “secret sauce” is thoroughly knowing the code. This includes the Evidence Code, Code of Civil Procedure, and the Discovery Act. You need to know it so that you are prepared for whatever comes your way. If you know the codes, you will succeed during discovery and throughout trial.

CIVIL & CRIMINAL LITIGATION

by: *Nicholas Joy*



I attended a presentation on Civil and Criminal Tax Litigation by Professor Romey, Professor GGU, and Andrew D. Allen of Morgan, Lewis & Bockius LLP. They covered the basic differences in litigation in district and tax court, outlining factors to consider when choosing a venue. They explained how a civil case may trigger a criminal audit.

The real-world case examples helped drive home their discussion points. Additionally, because Professor Romey and Mr. Allen have different professional backgrounds—one having worked for the IRS and the other in private practice—they were able to provide insight into how each side can view the same substantive or procedural issue in a completely different light. Key takeaways about venue from the presentation:

- 1) If the IRS issues a Notice of Deficiency, the four potential judicial venues are: US Tax Court, US District Courts, the US Court of Federal Claims, and US Bankruptcy Courts.
- 2) Factors that influence your decision on venue, include the ability to pre-pay the tax deficiency, the potential back-log of cases, whether you are seeking a jury trial, the expertise of the court, and the complexity of the issues in your case.

GENERAL DATA PROTECTION REGULATION

by: *Kate Christensen*



On October 3, 2018, I moderated the GDPR & Privacy MCLE event hosted by the GGU Litigation Center. The presentation was delivered by Ann Staggs, Senior Counsel of Privacy at Airbnb, Priya Sanger, Legal Counsel at Patreon, and Nnena Ukuku, In-House Counsel at Samba TV. The theme of the evening was the General Data Protection Regulation (GDPR), which came into effect throughout the European Union on May 25, 2018. Below are some key takeaways from the event:



- 1) Although the GDPR gained notoriety in 2018, the GDPR is not the first privacy regulation to come on the scene in Europe. In response to World War II, where personally identifying information of individuals was the basis for persecution, the European Convention of Human Rights of 1950 enacted a treaty which recognized the right to privacy in one’s family life, home, and correspondence.

- 2) The GDPR imposes a higher threshold for consent. Consent must be recorded by a statement of clear, affirmative action. Consent must be characterized as freely given, specific, informed, and unambiguous. Additionally, the GDPR requires that individuals are equipped with an easy-to-access method to withdraw consent.

- 3) Similar data protection regulations are springing up around the world. In the words of Elizabeth Denham, UK Commissioner at the Information Commissioner’s Office, “[GDPR] is not the end, it is the beginning – there is a long road ahead. Law students, practicing attorneys, and privacy aficionados who attended the event were equally engaged with the presentation. It is events like this that promote excellence in our legal community and schools.

SPRING SEMINAR SERIES

Technology in the Courtroom – January 2019

The worst thing that can happen during trial is the technology not working. Not only does the litigant look unprepared, it is completely distracting to the fact finder. A crucial step in preparing for trial is learning and practicing with the courtroom’s technology to ensure there are no surprises at trial. This event will focus on technology in the courtroom and show various courtroom technologies that are currently available to attorneys.

Fall Seminar: GDPR



Nnene Ukuku, Ann Staggs, and Priya Sanger presenting during an MCLE on GDPR

Litigation Hard Skills Panel – January 2019

GGU has a reputation of producing court-ready students. The GGU Litigation Center provides an introduction to and review of courtroom hard skills that are essential to a litigator. In addition, we offer workshops and skills training during lunch hours every week. Whether you are just starting out, or are arguing your first motion in court, join us.

ABA Litigation Section - Closings



Robert Hines and Erik Olsen from the ABA Section of Litigation

Expert Witnesses – February 2019

Introducing a witness in court is hard enough, introducing an expert witness can seem impossible. This seminar will focus on introducing an expert witness, laying a proper foundation, and qualifying a witness in court as an expert. As a civil or criminal litigator, properly proffering your expert witness is essential!

Fall Seminar: Tax Litigation



Kaelyn Romey and Andrew Allen discussing the differences in civil and criminal tax litigation

Public Defender / District Attorney Panel – March 2019

Networking is hard no matter how confident a person is. The GGU Litigation Center provides student as many networking opportunities as possible. At this networking event, you can talk to District Attorneys and Public Defenders in a relaxed setting. Learn about their field of work, ask any questions you may have, and make new connections!

Fall Mock Trial Orientation



Erik Knuppel presenting case analysis to National Trial Team Members

Professionalism – Get the Most Out of Your Internship – April 2019

Professionalism applies to law students and practicing attorneys alike. Particularly for students who came directly to law school from college. For students who have never had a professional job, professionalism may be a foreign concept. Learn how to approach a supervisor, ask effective questions, get better feedback, and network while seeking job opportunities. Come, learn and excel this summer during your internships!

GET INVOLVED

Interested in Presenting?

Please Email baxterfellow@ggu.edu

2018-2019 GGU NATIONAL MOCK TRIAL TEAM

Spring 2019 Competitions

Texas Young Lawyers Association - January 25-27 - Tucson, AZ

Each Spring, the Texas Young Lawyers Association hosts a nationwide competition where teams of three argue a criminal fact pattern. Two teammates participate as the attorneys for each side - one student for the defense and one student for the prosecution. The third student is a "swing" attorney and must prepare both sides of the trial. Those successful in their regional competition will have a chance to argue the case in the national competition in San Antonio, Texas this coming March.

National Criminal Justice Trial Competition - March 14-16 - Chicago, IL

The National Criminal Justice Trial Competition is hosted by John Marshall Law School in Chicago each Spring. Last year, GGU advanced to the quarterfinals, and are looking forward to competing again this spring!

Capitol City Challenge - March 21-24 - Washington D.C.

The 11th Annual Capitol City Challenge is hosted by American University in Washington D.C. Teams from across the nation gather together to argue this criminal case, and start things off with a "challenge ceremony" to determine the first round pairings. GGU is thrilled to be invited back to this competition this year!

Show Me Challenge: Jury Picking - April 4-6 - Kansas City, MO

Jury Picking is hosted by UMKC Law School and is a first for the GGU National Trial Team. Teams of three compete to show off their jury selection skills as they work together to pick the best jury for their case and deliver an opening argument. Students from this Fall's "Intro to Jury Selection" class will get to use their newfound skills to compete this April!

CONGRATULATIONS
GGU National Mock Trial Team
SPRING Competitors!

Samantha Gatton	Nicholas Bilof
Roxana Araujo	John Adams
William Lippencott	Alina Marx
Jessica Juarez	Adam Rivera
Clodagh Martin	Christina Evangelista
Sabine Wakim	Jorge Hechavarría
Angelina Austin	Naila Khan

Team Captains

Mackenzie Parker Zeke Bottorff Lauren Hauck
Christine De Leo Jason Schmaltz

Spring Mock Trial Coaches

Butch Ford & Brooke Perkins
Keydon Levy & Alyssa Fielding
Tiffany Hansen & Alex Jakle
Sylvia Nguyen & Melissa Demetral
Harriett Schiffer Scott

Congratulations GGU Fall National Trial Teams!

1st Place - CACJ Competition - San Francisco

2nd Place - SFTLA Competition - San Francisco

CACJ Best Overall Advocate - Christine De Leo (3L)



Team CACJ, Azita Rahim, Emilie Johnson, Mackenzie Parker, Christine De Leo



Team MLK: Clodagh Martin, William Lippencott, Joseph Daugherty, Jessica Juarez



Team Stetson: Jason Schmaltz, Lauren Hauck, Alina Marx, Nicholas Bilof

Team SFTLA: John Adams, Angelina Austin, Samantha Gatton, Adam Rivera, Coach Keydon Levy



APPELLATE ADVOCACY AND MOOT COURT BOARD

Congratulations to the GGU Law Students Who Competed in the New York City Bar Association's 69th Annual National Moot Court Competition!



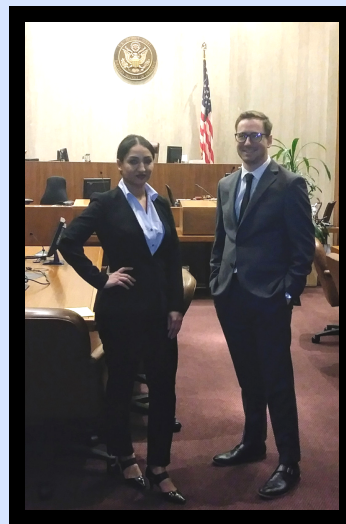
On November 2, 2018, GGU Law competed in the San Francisco regional round of the National Moot Court Competition. Led by Professor Gregg Zywickie, 3L students Jessie Burgueno, Katherine Stanford, Corey Timpson (Team 1), and Bacilio Mendez, Amy Saechao, and Astrid Chim Villagran (Team 2) wrote briefs and argued both on-brief and off-brief in a case involving general jurisdiction and products' liability as it related to a self-driving vehicle.

Congratulations to the Appellate Advocacy Finalists!

Congratulations to 2L students Tabasum Kawos and Ian Harris, finalists in the GGU Appellate Advocacy Competition. Tabasum and Ian argued on opposing sides of an appeal involving a Fourth Amendment Inventory Search matter.

Final round oral arguments were held at the Phillip Burton Federal Building and U.S. Courthouse before Judge Andrew Steckler, Senior U.S. District Judge Susan Illston, and Federal Magistrate Judge James Larson (Ret.).

Appellate Advocacy will be offered in Spring 2019, involves direct instruction and detailed feedback on writing and research skills, and counts towards the Upper Division Writing requirement. Students with questions about the course should contact Professor Johanna Dennis at jdennis@ggu.edu.



Tabassum Kawos and Ian Harris,
2018 Appellate Advocacy Finalists

Upcoming Moot Court Competitions

In Spring 2019, students on the Moot Court Board will compete in the ABA National Appellate Advocacy Competition, Child Welfare & Adoption Law National Moot Court Competition, Traynor Moot Court Competition, and Williams Institute National Sexual Orientation Law Moot Court Competition.

Questions about joining the Board or any of our competitions should be directed to Prof. Dennis (jdennis@ggu.edu). Students interested in IP Moot Court (trademark law) should contact Prof. Gallagher (wgallagher@ggu.edu) and students interested in Environmental Moot Court should contact Prof. Kibel (pkibel@ggu.edu).

GGU Law's 1st Intramural Moot Court Competition is now open for registration!

Regular registration runs through December 9th and late registration runs from December 10th through December 21st at 5:00 PM. The "mini-brief" is due on or before December 31st and oral arguments will be held at the law school on Saturday, January 26th. Students may register individually or in pairs. Individual registrants may write their brief on either side of the problem.

The Competition is open to all students regardless of class year, and exposes students to appellate moot court. Additionally, participants are able to try-out to join the Moot Court Board to represent GGU in external moot court competitions and support competition teams. Consider competing if you are curious about the Appellate Advocacy upper division course, interested in competing in a regional or national moot court competition next year, and/or seeking an opportunity to practice your written analysis, advocacy and persuasion, and public speaking skills. Additional competition info is available here: <http://bit.ly/2Fpd5kg>.

SOCIETY OF LITIGATORS



Society of Litigators Board: Katie Christensen, Lauren Hauck, Kyndal Currie, Mackenzie Parker, and Naila Khan (not pictured Nicholas Bilof)

On January 11, 2018, the Society of Litigators will hold the 8th Annual Bernie L. Segal Cross and Close Competition at Golden Gate University. This is an exciting event for first-year students to test their litigation skills, especially for students interested in litigation. The competition will give students an idea of what to expect during the summer Honors Litigation Program. With a time limit of 15 minutes, students in teams of two will cross-examine a witness and present a closing argument in front of a judge. When finished invaluable feedback will be provided. After the final round, there will be an awards reception on the 6th floor where the winners will be announced.

Interested student can sign up through the Society of Litigators TWEN page until December 11, 2018. The fact pattern will be released on January 7, 2019, and students will have one week to prepare. Society of Litigators board members will be available to help and answer questions up until sign-ups close. Hope to see you all there!



National Trial Team Member Clodagh Martin cross examines a witness - Harris Emran - during the final round Cross & Close

**Sign-Up for
Cross and Close
on the SOL TWEN**

LUNCHTIME LITIGATION SERIES

Each Thursday, the Baxter Fellow and the Society of Litigators host the Lunchtime Litigation Series at noon in the Baxter Office. Students are invited to bring their lunches and learn about different tips and tricks they can utilize within the courtroom. Topics include jury addresses, impeachment, cross examination, and dealing with difficult witnesses.

The Lunchtime Litigation Series also brings in guest speakers to talk about specific topics or areas of law and their litigation experience. This fall, the Litigation Center hosted Brooke Westling, and Immigration attorney who presented on how the present administration effects immigration laws in America. We also hosted a DA vs. PD panel, presented by 3L students and recent GGU graduates who discussed how they got their internships, what they enjoy about being either a DA or PD, and advice they have for those entering the field.

The spring semester holds more exciting lectures! Students will have the opportunity to learn topics such as direct examinations, dealing with expert witnesses, and refreshing recollection. Guest speakers are invited to speak about litigation internships, professionalism in the workplace, and more! The Litigation Center welcomes you join us this spring!



PD vs DA Panel: Erica G. Chu, Katie Stafford, Jazzy Quintana, Crystal Mendoza-Velarde, Emilie Johnson, Janelle Goulart, and Christine De Leo

Upcoming Topics and Events:

- Interviewing for Litigation Careers
- Pre-Trial Motions
- Modes of Impeachment
- IP Litigation - Where Do We Start?
- Professionalism at Trial
- Opening Statements - Tell Your Story