

MEETING DATE: 07/23/07

AGENDA ITEM: Authorization to Amend Existing Legal and Professional Services Agreements, Including Approval of Extension of Agreement Terms and Rate Changes.

ATTACHMENTS

Firm resumes and/or requests for rate increases

Pages

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ATTACHMENT 1

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Caldwell Leslie

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Overview

Specializing in complex litigation, Caldwell Leslie & Proctor, PC ("Caldwell Leslie") is dedicated to providing strategic, creative and cost-effective representation in cases that matter most. Our record of success at trial, on appeal and in alternative dispute resolution proceedings has attracted a loyal roster of clients, including Fortune 500 corporations, closely held businesses, major studios and networks, cities and counties, state and local agencies, foreign companies, professionals and community groups. Even prominent law firms rely on Caldwell Leslie for excellent representation in high-stakes litigation.

Founded in 1988 as an intelligent alternative to large law firm representation, Caldwell Leslie offers clients a standard of quality, level of responsiveness and measure of value that are second to none. The firm is comprised of skilled negotiators and trial attorneys whose intellect, ingenuity and experience give our clients a competitive edge. We staff and manage cases efficiently to control costs, and collaborate closely with our clients to ensure that their goals are achieved. Caldwell Leslie lawyers strive to assist clients in resolving their disputes favorably as early as possible through successful tactical motions, creative settlements or alternative dispute resolution strategies. When necessary, we are well prepared to represent clients at trial and in appellate proceedings where our vigorous advocacy has resulted in precedential rulings, landmark verdicts and, most importantly, satisfied clients.

We bring a focused team approach to solving our clients' problems. Our attorneys represent the diversity of our clients: over sixty percent are women and minorities. Our lawyers have top-tier experience and academic credentials; most of our lawyers held prestigious federal judicial clerkships. In our team-oriented approach, we staff cases with attorneys who understand not only the client's problem, but also the business and legal context in which that problem arises. In each case, our team is comprised of attorneys who are experts not only in litigation, but also in the applicable laws. This means that our time is spent litigating the facts and law presented by each case—and not educating attorneys about the basics of the law. We believe that a small team of the right lawyers with the right strategy offers value that cannot be matched by large law firms.

We also understand that, while the goal in every dispute is an early and favorable resolution, that goal can be achieved best by attorneys who have the ability and desire to take cases to trial when necessary. Many of our cases are won on summary judgment, and we keenly appreciate the importance of clear and effective written communication. However, our skills involve far more than the creation of first-rate pleadings. We are also experienced negotiators, practical problem solvers, and seasoned trial and appellate lawyers, and we combine all of these different skills to get the best and most cost-effective results for our clients.

Our litigation practice is broad in scope, both in terms of the subject matters of our cases and the forums in which we appear. In addition to general commercial litigation, the firm has particular expertise in environmental and land use, entertainment and intellectual property, professional liability, health care, white collar criminal defense, and appellate proceedings. We also have extensive experience litigating issues of constitutional law, civil rights, financial services, insurance and insolvency. Caldwell Leslie lawyers regularly represent clients in state and federal trial and appellate courts in California and across the United States, in mediations, and in domestic and international arbitrations. To each case we commit the superior talent, determination and results that distinguish Caldwell Leslie, because when the stakes are high, nothing less will do.

HIGHLIGHTS

Steve Filarsky, Filarsky & Watt LLP

Steve Filarsky is a partner in the law firm of Filarsky & Watt, LLP. The firm specializes in representing public sector employers statewide in all matters pertaining to employment relations. He received his Bachelor of Arts degree in Political Science/Public Administration, graduating Magna cum Laude, from Loyola University of Los Angeles. He received his Juris Doctor degree from Loyola University School of Law, graduating with honors. Before becoming an attorney, he was responsible for the labor relations program of the City of Garden Grove for 3-1/2 years. Prior to that, he was employed by the City of Manhattan Beach. His experience includes representing management in labor-related cases before the California Supreme Court, the California Courts of Appeal, California Superior Courts, the U.S. District Court, U.S. Ninth Court of Appeals, The National Labor Relations Board, the Equal Employment Opportunity Commission, the California Department of Fair Employments and Housing, and various local government administrative hearing bodies and hearing officers.

JENKINS & HOGIN, LLP
A LAW PARTNERSHIP

Christi Hogin and Michael Jenkins are experienced municipal law practitioners, having devoted their careers to representing cities. In 2001, they joined forces to establish the firm of Jenkins & Hogin, LLP, a South Bay-based law firm specializing in the practice of municipal law. Soon after formation, Gregg Kovacevich brought his skills to the team. In 2004, Mark D. Hensley, also an experienced public law lawyer who shares the commitment to providing excellent service to public clients, joined Jenkins & Hogin. During 2004, the firm grew to include three additional accomplished and talented lawyers -- Karl H. Berger, Bradley E. Wohlenberg and John C. Cotti -- to serve the firm's clients. In 2006, Lauren B. Feldman joined the team.

Michael Jenkins

Prior to establishing the new firm with Ms. Hogin, Mr. Jenkins was a senior shareholder at Richards, Watson & Gershon, where he specialized in the practice of municipal law since joining the firm in 1978. During his tenure at the firm, he served for many years on its Management Committee and as Chair of its Public Law Department.

Mr. Jenkins currently serves as City Attorney for the cities of Diamond Bar, Hermosa Beach, Rolling Hills and West Hollywood, as General Counsel to the Los Angeles County West Vector Control District and the San Gabriel Valley Mosquito and Vector Control District, as General Counsel to the South Bay Cities Council of Governments, and as special counsel for numerous municipalities around the State, including Torrance, Oceanside, Fresno and Palo Alto. Mr. Jenkins has previously served as city attorney for the cities of Avalon, Hidden Hills, LaHabra Heights, Malibu, Solvang and Westlake Village.

In the course of his career, Mr. Jenkins has developed expertise in many facets of public law, including municipal incorporation, constitutional law, land use regulation, public works construction, open meetings law, elections law and municipal litigation. Mr. Jenkins has been responsible for the legal affairs of a diverse array of Southern California municipalities.

Mr. Jenkins' statewide stature in the field of municipal law is evidenced by his service as President of the City Attorneys Department of the League of California Cities (1993), his leadership in co-authoring the original version of the League's Municipal Law Handbook and chairing the League's Brown Act Committee, in which capacity he negotiated on behalf of California cities major changes to the State's open meeting laws, which took effect in 1994. Most recently, he served as Editor for *Open & Public III*, the League's manual on the

Brown Act. Mr. Jenkins also served as President of the City Attorneys Association of Los Angeles County and Member of the Executive Committee of the Public Law Section of the State Bar (and Editor of the Section Newsletter).

Mr. Jenkins is also a devoted educator in his field. For the past sixteen years he has taught local government law at the University of Southern California Law Center. He is a frequent lecturer on municipal law subjects and has authored numerous published articles in the field. During 1994-1996, he advised the California Constitutional Revision Commission on behalf of the League of Cities with respect to home rule issues affecting both charter and general law cities. Mr. Jenkins is the author of numerous training programs and exercises for lawyers in his field.



ABOUT J & M

The Law Offices of **Jones & Mayer** is devoted to serving public entities throughout California. We focus our efforts on providing advice and representation to the law enforcement agencies of cities, counties and the state. Every attorney is dedicated to that task. This work is not simply a "part" of what this firm does; it *is* what this firm does.

We bring a team approach to our client service. Our clients have the satisfaction and security of knowing that the primary case/project counsel is backed up by the best depth chart in the business. In addition to our full time staff of professionals, the firm actively utilizes the talents of several attorneys with a variety of backgrounds and expertise who serve "of counsel."

Our expertise includes:

- Government tort defense in State and Federal courts
- Advising on personnel matters, including representation in administrative appeal hearings and arbitrations
- Conducting complex internal affairs investigations
- Drafting of policies and procedures manuals
- Labor negotiations
- Training in personnel and labor issues, supervision, internal investigations, legal liability and employment discrimination
- Management/operational audits
- City prosecutor

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LIEBERT CASSIDY WHITMORE

A PROFESSIONAL LAW CORPORATION

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LOS ANGELES, CA 90045
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FRESNO, CA 93720
T: (559) 256-7800 F: (559) 449-4535

153 TOWNSEND STREET, SUITE 520
SAN FRANCISCO, CA 94107
T: (415) 512-3000 F: (415) 856-0306

RE
07 MAY
CITY ATTORNEY
CITY OF CL

May 7, 2007

Carol Schwab
City Attorney
City of Culver City
9770 Culver Blvd
Culver City, CA 90232

Re: *Agreement for Special Services*

Dear Ms. Schwab:

Carol

This letter is to notify you that we are increasing our billing rates effective July 1, 2007, for all matters. This increase reflects the need to keep our client rates fair, while offering the best possible legal representation. The top hourly rate for Partners will increase from \$260.00 to \$270.00. The top hourly rate for Associates will increase from \$210.00 to \$220.00. The top hourly rate for Of Counsel will increase from \$235.00 to \$240.00. The hourly rate for Paralegals will increase from \$95.00 to \$100.00. For further clarification, a detailed schedule of hourly billing rates is attached.

We are enclosing a new Agreement for Special Services between the City and Liebert Cassidy Whitmore because either the existing contract with the City is outdated or we do not have a fully executed contract. The Agreement provides ranges of rates so that if we increase our rates over the next few years we will not have to execute a new contract. Please follow your Charter in designating the correct person to sign the Agreement. Upon its full execution, please return a copy of the Agreement to our Los Angeles Office.

We appreciate the opportunity to provide legal services to the City. If you have any questions regarding this notice, or any other matter involving our Legal Services Agreement, please do not hesitate to contact me directly.

Sincerely,

LIEBERT CASSIDY WHITMORE

Melanie

Melanie Poturica
Managing Partner

6 Enclosures

I. PUBLIC AGENCY FEE SCHEDULE

Hourly Rates (As of Contract Date)

Partners	\$260.00 - \$290.00
Of Counsel	\$240.00 - \$260.00
Associates	\$160.00 - \$240.00
Labor Relations Professional	\$170.00 - \$200.00
Paraprofessionals	\$100.00 - \$130.00

II. COST SCHEDULE

- | | |
|--------------------------|-----------------|
| 1. Photocopies | \$0.15 per copy |
| 2. Facsimile Transmittal | \$0.50 per page |

LIEBERT CASSIDY WHITMORE

EMPLOYMENT LAW | LABOR RELATIONS | EDUCATION LAW | MANAGEMENT TRAINING

Firm Resume

A PROFESSIONAL LAW CORPORATION

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Suite 500
Los Angeles, CA 90045
tel: 310.981.2000
fax: 310.337.0837

575 East Locust Ave.
Suite 302
Fresno, CA 93720
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www.lcwlegal.com

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With offices in Los Angeles, Fresno and San Francisco, Liebert Cassidy Whitmore provides services for a majority of cities, counties and community colleges, as well as a substantial number of school districts, in California. The Firm is a full service employment and labor relations law firm providing expert consultation, representation, litigation, negotiation and investigation services to public agency management. In addition, the Firm produces a wide-range of dynamic management training workshops and seminars on employment and labor relations issues to cities, counties, courts, special districts, schools, community college districts, and state universities.

Litigation Services

Liebert Cassidy Whitmore attorneys strive to prevent employment disputes before they arise through education, training, audits, advice, planning, and cooperative employer-employee relations. When employment disputes do arise, our defense efforts are designed to meet each client's particular needs, goals, and budget.

We specialize in representing public agencies in the defense of legal actions and enjoy the reputation of a results-oriented, successful litigation firm. We are experts in all phases of litigation in both federal and state courts: pleading, discovery, motion practice, alternative dispute resolution, settlement and trial.

Our particular expertise is the defense of public agencies in actions brought by employees, former employees, applicants or other individuals alleging employment related claims such as violations of the California Fair Employment and Housing Act; Federal Civil Rights Acts (*e.g.*, section 1981 and 1983 claims); Americans with Disabilities Act; Age Discrimination in Employment Act; Fair Labor Standards Act; Meyers-Milias-Brown Act; Family and Medical Care Leave Acts; wrongful termination; and violation of state and/or federal constitutional rights such as due process, First Amendment and privacy rights.

The firm's attorneys have handled a number of cases that have culminated in jury trials resulting in defense verdicts. These cases included claims for violation of constitutional rights; violation of the Age Discrimination in Employment Act; violation of the disability provisions contained in the Fair Employment and Housing Act; reverse discrimination; sex discrimination; sexual harassment; national origin discrimination; age discrimination; intentional infliction of emotional distress; violation of public policy; First Amendment and retaliation claims under both state and federal laws.

Negotiation Services

Members of Liebert Cassidy Whitmore have successfully negotiated thousands of labor agreements for cities, counties, special districts and school and college districts. The agreements negotiated on behalf of these and other public employers, depending upon the particular philosophy and circumstances of a given agency, have run the gamut from brief understandings limited to benefit items to comprehensive labor agreements that define substantially all terms of employment. These comprehensive MOU's and collective bargaining agreements, through management rights, waivers and "zipper" type clauses, provide protection to management's ability to manage the agency. Members of the Firm are experienced in collaborative/interest based bargaining techniques as well as the more traditional labor negotiations approach.

In addition to conducting negotiations for public employers, we continually work with public agencies that employ staff personnel to do their own negotiations. This arrangement has involved all aspects of consultation and related services, including writing initial bargaining proposals, reviewing counter-proposals, providing training and advice concerning negotiating strategies, and giving general advice when particular problems arise.

Negotiating Impasses

Services provided by members of the Firm have included direct participation, as well as general consultation in hundreds of mediation, fact-finding and arbitration proceedings.

Strikes

We have worked with many public sector clients in contingency planning for job actions and in assisting them in strike-related activities. A Firm partner co-authored the "Management Strike Handbook," published by the International Personnel Management Association.

Contract Administration and Grievance Handling

The Firm has extensive experience in the area of grievance administration, ranging from giving advice at the administrative levels of the grievance process through litigating arbitration cases.

Public Employment Relations Board Representation

Members of the Firm have had many years of experience representing our clients in all phases of PERB proceedings, from consultation and responses to Unfair Labor Practice claims through PERB hearings and court appeals. A Firm partner served as counsel to the PERB Board's first Chairperson as well as serving as a PERB Administrative Law Judge. Another Firm partner served as a representative of the League of California Cities and the California Association of Counties in the legislative and administrative proceedings in connection with the PERB assuming jurisdiction over local agency employment relations.

Our Approach to Negotiations

- We work with and for the chief administrative official and his/her designated staff, and through him/her with the Governing Body. We provide professional advice to assist the agency in determining its policy goals and objectives, which then become our goals and objectives; we see our job as applying our best efforts and skills to achieving them.
- We believe in carefully organizing for negotiations, with goals and objectives kept well in mind. The negotiating process, we believe, consists of definable stages, from preparatory activities to the preliminary bargaining phases, "hard bargaining," and finally to agreement, impasse procedure, or work action. Each stage of the process requires an organized approach in order to maximize the chances of attaining bargaining objectives.
- Our philosophy is not one of "union busting," but rather one of using a professional approach that seeks to achieve and maintain professional relationships, notwithstanding the adversarial aspects of the process.

- We call to the attention of our clients that in return for agreeing to competitive benefit adjustments, it is reasonable for them to seek to contractually protect and maximize their management discretion to set standards of service and retain the prerogative to direct, assign, and stimulate employees to meet them.
- We see the conclusion of negotiations as the beginning for establishing a constructive employer-employee organization-employee relations structure, which requires management training and ongoing involvement with agency management on our part.
- While one member of the Firm handles a particular negotiating unit, at least one other designated attorney will be kept advised so that at all times the client has access to an attorney who is familiar with the status of the situation in each bargaining unit.

Local Agency Employment Law Services

We have worked closely with city attorneys, county counsels and general counsels, and have directly handled the representation for our local agency clients in literally hundreds of legal proceedings before civil service and personnel boards, arbitrators, the Public Employment Relations Board (PERB), state and federal EEO and other administrative agencies and the courts. These proceedings have covered the full spectrum of employer-employee relations matters, including such matters as civil service appeals, recognition and unit representation matters, unfair labor practice charges and related negotiating issues, employment discrimination matters, pension and disability issues, wrongful termination and Fair Labor Standards Act claims.

Audit Services

By virtue of the public agency background of members of the Firm, we have extensive experience in developing local agency Employer-Employee Relations Resolutions/Ordinances and personnel policies and procedures. A Firm partner developed the League of California Cities Sample Employer-Employee Relations and Personnel Policies and Procedures Ordinances. The Firm does extensive work in reviewing agency civil service/personnel policies and rules to assure continuing consistency with the ever-changing dictates of EEO and affirmative action, labor relations and other laws and administrative regulations.

Members of the Firm conduct comprehensive audits for public agencies regarding their compliance with the Fair Labor Standards Act (FLSA). Additionally, the Firm publishes a comprehensive guide, "Fair Labor Standards Act: A Public Sector Compliance Guide," that serves as a reference to agencies across the country.

To learn more about the FLSA Audits, log onto www.FLSAaudit.com where you can find detailed information about what an FLSA audit entails.

Investigations Practice Group

The Firm's Investigation Practice Group specializes in investigating allegations of discrimination, harassment and other misconduct. Our investigative practice primarily serves private sector employers and public sector agencies that are not already firm clients. However, we also represent current clients on a case-by-case basis depending upon the specific facts and allegations at issue.

Because of confidentiality issues, we do not identify those employers for whom we have conducted outside investigations. We have conducted investigations for organizations in the hospitality, legal and trade industries as well as public sector agencies.

We continue to publish articles and present workshops on the topic of investigations. Our workshops identify the key components of a successful investigation including how and when to begin an investigation, who should conduct the investigation, how to maintain confidentiality, how to organize and execute an effective investigation, and how to evaluate the facts and take corrective action once the investigation is completed.

Law Enforcement Representation

On a daily basis, the Firm provides advice, counsel and representation to police chiefs, sheriffs, and their respective executives in a variety of issues that impact professional law enforcement administrators. A number of Firm attorneys have had the privilege of representing law enforcement professionals for thirty or more years. Having proudly earned the trust and respect of several generations of police chiefs, the Firm accommodates the emergency nature of law enforcement related employee relations by being readily accessible to assist in addressing issues of administrative leave, administrative/criminal investigations, and investigative methodology and strategic planning. With its immense law enforcement related experience, the Firm brings both legal acumen and practical knowledge to its client interactions. Finally, the Firm may well be unique in the state, in having a senior partner who has not only represented law enforcement for approximately thirty years, but who had fifteen years of experience in representing police associations. This unique insiders knowledge is invaluable in effectively addressing issues confronting management. The Firm is extremely well situated to become your daily counsel regarding these sensitive matters.

Internal Affairs Investigations

Our attorneys are experts in the Public Safety Officers Procedural Bill of Rights and are always available to provide timely advice to your internal affairs investigators. We routinely review investigations in order to assess the strengths and weaknesses of investigations and any discipline which may result.

Our lawyers have obtained important appellate court victories including the following recent cases: *Upland Police Officers Association v. City of Upland* (2003) 111 Cal.App.4th 1294; *Gilbert v. Sunnyvale* (2005) 130 Cal.App.4th 1264; and *Steinert v. Covina* (2006) 146 Cal.App.4th 458.

We continue to publish articles and present workshops on the topic of internal affairs investigations. Our workshops identify the key components of a successful investigation including how and when to begin an investigation, who should conduct the investigation, how to maintain confidentiality, how to organize and

execute an effective investigation, and how to evaluate the facts and take corrective action once the investigation is completed.

Pitchess Motions

Peace officer personnel records are confidential as a matter of law. Our Firm understands the importance of protecting the confidentiality of personnel records, and our lawyers are highly skilled at opposing Pitchess Motions in both civil and criminal cases. We ensure that personnel records are safeguarded to the fullest extent possible under the law.

Disciplinary Hearings

Every disciplinary case is serious, but those which occur in the law enforcement context are not only serious but also complicated by the special protections afforded to peace officers by laws including the Public Safety Officers Procedural Bill of Rights Act. Our lawyers have successfully handled hundreds of disciplinary cases over the years.

Education Law Practice

Liebert Cassidy Whitmore provides general counsel, labor and litigation advice and assistance to a variety of educational institutions in all aspects of education law, employment law and labor relations. Members of the Firm have first-hand experience and in-depth understanding of the special demands of labor relations and employment law as they apply to educational institutions. Known throughout the state for the breadth and depth of our expertise in representing independent, private and religious schools, California public schools and school districts, county offices of education and community college districts, our direct experience includes:

Labor Relations and Personnel

- PERB proceedings (representation cases, unfair practice cases, impasse determination and other matters)
- Contract administration (including advice on grievances, handling of arbitrations, contract interpretation)
- Layoff of certificated/academic and classified employees
- Discipline of certificated/academic and classified employees
- Review and drafting of personnel procedures and policies
- Employee fringe benefits issues (e.g., FMLA, STRS, PERS, COBRA)
- Wage and hour issues (e.g., FLSA)
- Specially funded employees
- Employment discrimination/civil rights
- Harassment investigations
- Administrative hearings before hearing officers, arbitrators and personnel commissions

School and College Administration and Business

- Contracts (drafting, reviewing, negotiating, and related litigation)
- Real property (acquisition, sale, leasing, Education Code requirements)
- Developer fee issues
- Budget and finance
- Literary property (copyright)
- Competitive bid requirements
- Audits and auditors
- Conflicts of interest
- Voting rights/responsibilities
- Brown Act

Student Affairs

- Student discipline (including harassment)
- Civil Rights (e.g., Title IX)
- First Amendment/freedom of expression issues
- Instructional/legal issues
- Student permits/attendance
- Bilingual education

Model Policy and Procedures

Liebert Cassidy Whitmore has partnered with the Community College League of California, to provide a Board Policy and Administrative Procedure Service. The Service is designed to assist districts maintain up-to-date Board Policy and Administrative Procedure manuals, by offering sample policies and checklists for procedures that implement board policies that are either legally required, legally advised, or suggested as good practice. The Service also provides workshops and regular updates reflecting changes in laws, regulations, and other standards.

Consulting and Training Services

One of the Firm's greatest sources of accomplishment comes from its record of success in counseling and advising its clients on the best ways to avoid becoming a party to adversary proceedings. We were "pioneers" in the training field by creating "consortiums" of agencies. The thirty-one Employment Relations Consortia (ERCs) are comprised of over 500 cities, counties, special districts, schools, and community college districts as well as other public sector agencies.

As part of our ERC services, we provide ongoing training on current developments in labor relations and personnel law on subjects including negotiation strategies; performance evaluations; disciplinary actions; employment discrimination, including harassment and ADA issues; Family and Medical Care Leave Acts; violence in the workplace; effective supervision; grievance administration; law enforcement issues and special workshops for governing board members. Experience over the years confirms that not only have the member agencies found the consulting and training services helpful, but an invaluable opportunity for the exchange of ideas and information between agency management.

The Firm provides individual training services to public agencies on a half-day or full-day basis. We customize these training programs to the precise needs of the client. For example, we have provided on-site training programs to employees and/or supervisors and managers of over one hundred agencies last year.

Members of the Firm make presentations on employment relations law issues to a variety of professional organizations including:

- *American Arbitration Association*
- *American Bar Association*
- *Association of Legal Administrators*
- *Association of California Community College Administrators*
- *Association of California School Administrators*
- *Association of California Water Agencies*
- *Association of Chief Human Resources Officers for Community College Districts*
- *California Association of Independent Schools*
- *California Association of Joint Powers Authorities*
- *California Background Investigators Association*
- *California Charter Schools Association*
- *California Council of School Attorneys*
- *California County Counsels Association*
- *California Environmental Health Association*
- *California Fire Chiefs Association*
- *California Minority Counsel*
- *California Peace Officers Association*
- *California Peace Officers Standards and Training (POST) Academy*
- *California Police Chiefs Association*
- *California Public Employer Labor Relations Association*
- *California Sanitation Risk Management Authority*
- *California School Boards Association*
- *California Society of Municipal Finance Officers*
- *California Special Districts Association*
- *California State Association of Counties*
- *California State Bar Labor and Employment Law Section*
- *California State Sheriffs Association*
- *City Attorneys Association of Los Angeles County*
- *College and University Professionals Association for Human Resources*
- *Community College League of California*
- *County Personnel Administrators Association of California*
- *Fire Districts Association of California*
- *International Municipal Lawyers Association*
- *International Personnel Management Association*
- *League of California Cities*
- *Los Angeles County Bar Association Labor and Employment Law Symposium*
- *National Association of Housing and Redevelopment Officials*
- *National Employment Law Institute*
- *National Institute of Municipal Law Officers*
- *National Public Employer Labor Relations Association*
- *Public Agency Risk Management Association*
- *Public Agency Safety Management Association*
- *Public Risk Management Association*
- *Professionals in Human Resources Association*
- *Southern California Labor Relations Council*
- *Southern California Personnel Management Association*

ABOUT THE FIRM

WHAT WE DO

The firm specializes in criminal defense, with an emphasis on complex and white-collar cases, civil rights litigation, appeals, and - where the matter has the potential to affect a client's rights and interests - civil litigation and administrative proceedings. The firm's attorneys are experienced in cases in both the federal and state courts.

WHO WE ARE

The firm has a well-established reputation in criminal law and federal litigation. The firm's partners have varied backgrounds that provide a range of collective expertise. Two partners were federal prosecutors, three were federal public defenders, and four were judicial law clerks. The firm's partners are regularly listed in *Best Lawyers in America* and were included among *Los Angeles Magazine's* selection of "Top Lawyers." *Los Angeles Magazine* has also referred to the firm as the best white-collar criminal defense firm in Los Angeles, and four of the firm's partners were recently named "Super Lawyers," including two partners listed in the top 100 lawyers in Southern California and one partner listed in the top 10. *Chambers USA* lists the firm among the best white-collar criminal defense firms in California, and *California Lawyer* named two partners among the "Best in the West" for business crime matters. *The Los Angeles Daily Journal* placed one of the partners among the top 50 women lawyers in California and top 75 women litigators in California and placed another partner on the list of the top 20 lawyers under 40 in California. One partner received the *Pro Bono Advocacy Award* from the ACLU Foundation of Southern California, while another partner received the *Pro Bono Associate Award* from the Legal Aid Society of Los Angeles. Three of the firm's partners are fellows in the American College of Trial Lawyers.

OUR COMMITMENT

To achieve the most positive result for a client, the firm relies on a collaborative and creative approach, carefully tailored to the matter at hand. The focus is always on achieving the most positive results for the client. The firm offers each client personalized attention as well as a breadth of combined legal experience. Each case is assigned to an attorney, who acts as the primary point of contact and handles all elements, from beginning to end. The firm helps to manage costs by avoiding organizational layers or creating a pyramid of lawyers. Attorneys work efficiently and effectively, taking best advantage of the firm's resources.

OUR INVOLVEMENT IN THE COMMUNITY

The firm is not only committed to serve its clients first and with efficiency, it is committed to being part of and contributing significantly to the legal community and the broader community in which the firm and its clients live. The firm's lawyers are heavily involved in the work of the courts and the legal community. Partners have regularly served as members and chairs of the American Bar Association's White Collar Crime Regional Committee, both nationally and for the West Coast, as Lawyer Delegates to the Ninth Circuit Conference, as members, vice chairs, and chairs of committees of the federal courts, the Los Angeles County Bar Association and the Federal Bar Association, and as members of committees evaluating potential state court judges and federal magistrate judges. Partners have served on the California State Bar Board of Governors, the Los Angeles County Bar Association Board of Trustees, the Ninth Circuit Advisory Board, the Ninth Circuit Advisory Rules Committee, and as officers in various bar associations. Partners are active in the American Criminal Inns of Court, California Attorneys for Criminal Justice, the National Association of Criminal Defense Lawyers, and the Criminal Courts Bar Association. Lawyers have taught and guest lectured at law schools. They have spoken at numerous professional seminars and conferences, including conferences and seminars for prosecutors, law enforcement officers, and judges. They have served on the boards of legal services organizations, including one partner who served as the President of the Legal Aid Foundation of Los Angeles, and non-legal community organizations and institutions, such as hospitals. The firm is proud to financially support many organizations in order to benefit the legal system and the greater community.

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(310) 286-9969 (FAX)
E-MAIL: michaelsonlaw@justice.com

EMPLOYMENT

Law Offices of Alvin S. Michaelson
Los Angeles, California – September 1984 to present

Private Practice Specializing in Criminal Law – April 1969 to present

Trial Attorney- U.S Department of Justice, Anti-Trust Division Los Angeles—1967-1969

Assistant Prosecutor – Hudson County, New Jersey—1964-1967

BAR ADMISSIONS

New Jersey, 1964, California, 1969, U.S. District Court, District of New Jersey, 1964;
District Court, Central District of California, 1969; U.S. Court of Appeals, Ninth Circuit,
1969; U.S. Supreme Court, 1972; U.S. District Court, Southern District of California, 1974;
U.S. Court of Appeals, Third Circuit, 1979; U.S. Tax Court, 1979; U.S. District Court,
Northern District of California, 1981; U.S. District Court, Eastern District of California, 1995

EDUCATION

Columbia University (B.A., cum laude, 1960)
Harvard University (J.D., 1963)

LECTURES

June, 1993 - “A Conference of the Society for the Reform of Criminal Law” Ottawa, Canada

September, 1993 – “Sentencing Guidelines in U.S. – Success or Failure” Canadian Bar
Association, Vancouver, Canada

January, 1995 – “Playing to Win” – Advanced Criminal Law Seminars, Aspen, Colorado

September, 1995 – “Media Techniques in Criminal Cases” – State Bar of California

August, 1996 – “Anatomy of Trying Drug Cases” – National Association of Criminal Defense
Lawyers

August, 1998 – “Cross-Examination – How to Get What You Need” – National Association of Criminal Defense Lawyers

Lectured to various law enforcement agencies, including Glendale California Police Department, California Narcotics Officer's Association, United States Customs Service re: Investigatory techniques and search and seizure issues

BAR –CIVIC ACTIVITIES

Special Counsel to the Webster Commission (Studying Police Responses to the 1992 Los Angeles Civil Unrest)

MEDIA PARTICIPATION

Legal Analyst: CNN
CNBC Rivera Live
Court TV
Fox News Network

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West's California Criminal Law (1995)

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RW&G is a full-service law firm, headquartered in Los Angeles with offices in Orange County and San Francisco. We have specialized in the representation of public and private sector clients for over 50 years. The depth and diversity of our experience cannot be duplicated. RW&G is comprised of lawyers that are committed to excellence in the legal services we provide and to solving problems of business and the public sector with the highest quality legal services.

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Practice Areas

RW&G's principal practice areas are listed below. The boundary lines of these specialties are not rigid, and we often find that the best way to serve a client with a complex legal problem is with a team of lawyers from two or more practice areas. Many of our lawyers practice in more than one of our practice areas. Click on the practice area descriptions below for more information about RW&G's primary areas of practice.

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SEKI, NISHIMURA & WATASE, LLP is a dynamic firm consisting of attorneys with vast litigation experience in the areas of tort litigation, personal injury, administrative law, business litigation, elder abuse, medical malpractice, criminal defense and other areas of general practice. The firm specializes in high profile cases representing individuals, corporations, businesses and public entities. The partners have a combined total legal experience of over 80 years.

SEKI, NISHIMURA & WATASE, LLP is dedicated to providing the best legal representation possible while also providing each client with the personal attention and services to which the client deserves. As a full service firm, its expertise, judgment and depth and range of litigation skills serve its clients well by fulfilling the needs of the clients.

BILL H. SEKI was admitted to the California State Bar in December 1988, and has been admitted to the United States District Court, Central District. From December 1988 until December 1997, Mr. Seki was a Deputy District Attorney for the County of Los Angeles. He prosecuted a wide variety of high profile cases including murder, special circumstances, gang and sexual assault. Mr. Seki joined the firm of Mounger, Gonda & Seki in January 1998 representing law enforcement officers in criminal defense and administrative hearings. Mr. Seki was actively involved in the representation of officers in the "Rampart Scandal". In May 2003, Mr. Seki joined the firm of Harrington, Foxx, Dubrow and Canter, LLP. He continued to focus his practice on representing law enforcement officers while also defending white collar crimes and accusations against public officials. His clientele include large corporations, the Los Angeles Unified School District, police associations, businesses and individuals. He also expanded his practice to include business litigation, representing business owners in contractual disputes, premises liability and employment issues.

In addition to representing his clients, Mr. Seki is a lecturer and instructor. He has lectured to numerous law enforcement agencies and associations, including the City of Los Angeles Police Department and the Los Angeles County Sheriff's

Department. He is also a professor at Southwestern University School of Law teaching trial advocacy. He was honored in 2000 with the Southwestern University Adjunct Excellence in Teaching Award. He is a past President of the Japanese American Bar Association, the Chairman of the Go for Broke National Education Center and a Recipient of the Asian Pacific American Legal Center Pro Bono Award.

GILBERT M. NISHIMURA was admitted to the California State Bar in December, 1973, and has been admitted to the United States District Court, Central District and the United States Court of Appeals for the Ninth Circuit. He has also appeared pro hac vice in the states of Arizona, Hawaii, Nevada and Tennessee. From 1973 until 1976, Mr. Nishimura was a member of the Law Firm of West & Girardi and its successor, the Law Firm of Girardi and Keese. His work experience there involved personal injury litigation, including medical malpractice and products liability. In 1976, Mr. Nishimura formed the law firm of Senzaki, Osajima & Nishimura with offices in Los Angeles and Orange counties. This was an all service law firm for which Mr. Nishimura handled the business and personal injury litigation matters and defended the Los Angeles County Healthcare System in medical malpractice cases. In 1989 Mr. Nishimura joined the firm of Roquemore, Pringle & Moore, Inc., and became the partner supervising the litigation, personal injury and workers compensation departments. His practice has included representing various government entities including the County of Los Angeles and its Sheriff's Department, Healthcare System, Coroner's Office, District Attorney's Office and Public Defender's Office, the City of Bellflower, the City of Bell Gardens, the City of West Covina and the Federal Deposit Insurance Corporation. In addition to his litigation responsibilities, Mr. Nishimura currently supervises the general practice of the Firm, including real estate, estate planning and transactional matters.

Mr. Nishimura is a former referee of the State Bar of California and Judge Pro Tem of the Los Angeles Municipal Court. He has been a member of the Judicial Review Committee of the Los Angeles County Bar Association, Judicial Evaluations Committee of the Japanese American Bar Association, Board of Governors of the Japanese American Bar Association, panelist speaker at the State Bar of California Annual Convention and the Judiciary College in Berkeley, California.

KENNETH D. WATASE was admitted to the California State Bar in December 1977. He is also admitted to practice in the United States District Court, Central and Southern Districts. From May 1978 until November 2000, Mr. Watase was a member and partner with the Law Offices of Bell, Orrock & Watase, LLP. His primary focus of practice was the defense of hospitals, physicians and surgeons in medical

malpractice cases. Mr. Watase has also defended skilled nursing facilities in cases involving allegations of elder abuse. In November 2000, Mr. Watase joined the established firm of Roquemore, Pringle and Moore, Inc., where he continued his representation of nursing facilities, businesses and governmental entities. Mr. Watase has represented governmental entities and businesses such as the City of Riverside, County of Riverside, Riverside County Sheriff's Department, Riverside Unified School District, San Bernardino Unified School District, International Paper, Inc., Los Angeles County Sheriff's Department, County of Los Angeles, City of Pomona, City of West Covina, City of Baldwin Park, City of South Gate and the City of Montebello. In addition, Mr. Watase has also become involved in major probate, real estate and business litigation.

Mr. Watase has extensive trial experience. He also acts as a hearing officer for the Personnel Commission for the City of Montebello. Mr. Watase graduated Magna Cum Laude from the University of California at Los Angeles and is a life member of the Phi Beta Kappa National Honor Society. Mr. Watase also served his country in the United States Army, including a tour of duty in Vietnam.