

CIVIL JUSTICE ASSOCIATION OF CALIFORNIA



LEGAL REFORM SYMPOSIUM

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CJAC Legal Reform Symposium

AGENDA

JUNE 6, 2024 | San Diego, CA

Portions of this meeting are eligible for up to 3.5 hours of California MCLE

L'Auberge Del Mar, 1540 Camino Del Mar, Del Mar, CA 92014

All events in Platinum Ballroom unless otherwise specified

- 9:30 – 10:00 AM Registration**
- 10:00 – 11:00 AM How to Prevent Nuclear Verdicts (CA MCLE 1.0)**
Mina Miserlis, Partner, Tyson & Mendes
- 11:00 – 11:30 AM Ethics in Third Party Litigation Funding (CA MCLE .5)**
Carol Langford, Legal Ethics Expert, Adjunct Professor, UCSF School of Law
Kyla Christoffersen Powell, President & CEO, CJAC
- 11:30 – 12:00 PM Gilead Tenofovir Ruling: Implications for the Business Community (CA MCLE .5)**
Andrew Silverman, Partner, Orrick
Calvin House, CJAC Appellate Counsel, Partner, Gutierrez, Preciado & House
- 12:00 – 1:00 PM Lunch (Sunset Terrace)**
- 1:15 – 2:00 PM Class Action Trends and Best Practices for Reducing Costs and Managing Risk (CA MCLE .75)**
Amir Kaltgrad, Shareholder, Carlton Fields
- 2:00 – 2:15 PM Break**
- 2:15 – 3:00 PM Left Coast Legislative Threats and Strategies for Countering (CA MCLE .75)**
Fawn Barrie, Executive Director, Oregon Liability Reform Coalition
Jaime Huff, VP and Counsel, Public Policy, CJAC
- 3:00 – 4:00 PM California Legislative Candidate Panel**
Councilmember Colin Parent, Candidate, AD 79
Mayor Nick Schultz, Candidate, AD 44
Former Assemblymember Suzette Valladares, Candidate, SD 23
Natalie Bruton-Yenovkian, Political Affairs Consultant, CJAC

Speaker Biographies

Fawn Barrie – Executive Director, Oregon Liability Reform Coalition



Fawn has worked in Oregon politics for close to 20 years. She represents clients on a variety of issues including healthcare, business, telecommunications and environmental issues. Fawn serves as the Executive Director of three associations and is known for her coalition coordination capabilities. Fawn previously served as the Communications Director for two former House Majority Leaders. She has also worked on several candidate campaigns and has an in-depth knowledge of legislative races in Oregon. She received her BA in Political Science from Wittenberg University.

Natalie Bruton-Yenovkian – Political Affairs Consultant, CJAC



Natalie has extensive experience in political strategy and fundraising for California statewide, legislative, and local races, and her clientele includes various elected officials and the California Armenian Legislative Caucus Foundation.

Natalie previously served as Special Projects Manager for California Insurance Commissioner Ricardo Lara and former Insurance Commissioner Dave Jones.

She has a BA in English and Political Science from UC Davis and an MA in Intercultural Communication from University of the Pacific.

Calvin House – CJAC Appellate Counsel, Partner, Gutierrez, Preciado & House



Calvin House is a partner at Gutierrez, Preciado & House, LLP, where he defends public entities and private organizations in the federal and state trial courts and appellate courts located in California. He has tried 41 cases to juries in federal and state court. He has briefed and argued four cases in the California Supreme Court, and over 200 cases in the California Courts of Appeal and the United States Court of Appeals for the Ninth Circuit. He is a frequent speaker on employment law topics. In addition to his work for the Civil Justice Association of California, he has also filed amicus briefs on behalf of such organizations as the League of California Cities and the International Municipal Lawyers Association.

Mr. House is a graduate of Columbia College and Columbia Law School. His experience includes working as a litigation associate at Cravath, Swaine & Moore in New York, and in the Los Angeles office of what is now Norton Rose Fulbright. He also served as New York City Deputy Commissioner of Consumer Affairs during the Koch administration.

Jaime Huff – VP and Counsel, Public Policy, CJAC



Jaime joined CJAC as its chief lobbyist in October 2020. Jaime previously served in roles as a legislative advocate and then political director for Southern California Edison in Sacramento. She was a manager of federal affairs for Edison International in Washington, DC. Prior to that, she was a chief of staff in the California legislature and a legislative correspondent on Capitol Hill.

Jaime is admitted to the California Bar and earned her law degree from Baylor University and her BA in political science from American University.

Amir Kaltgrad – Shareholder, Carlton Fields



Amir Kaltgrad represents businesses and individuals in a variety of commercial litigation matters, including shareholder and partnership disputes, professional malpractice, complex business torts, real estate, and contract disputes. An experienced trial attorney, Amir has experience in federal and state court in cases of first impression, including representing clients in high-stakes litigation and white-collar criminal defense. He also has experience defending individuals and corporations in a range of criminal and regulatory matters, including securities and health care fraud.

Carol Langford – Legal Ethics Expert, Adjunct Professor, UCSF School of Law



Carol M. Langford is a lawyer in the San Francisco Bay Area. She specializes in giving advice on legal ethics and discipline to attorneys, judges, law firms and corporations, and in representing lawyers and law students before the California State Bar in disciplinary and admissions matters. She serves as a national expert witness in the ethics area. She was formerly a partner in the Walnut Creek office of the international law firm of Carroll, Burdick & McDonough, where she was ethics advisor to the firm and a member of the New Business Committee.

Ms. Langford has devoted a considerable amount of her time to training lawyers in issues involving law practice management. She has also co-written two books: a nationally adopted textbook entitled *Legal Ethics in the Practice of Law*, 4th Edition (Lexis Law Publishing) and *The Moral Compass of the American Lawyer, Truth, Justice, Power and Greed* (Ballantine Books).

In addition to her practice, she served as Chair of the Ethics Committee of the American Bar Association Intellectual Property Section. She is the first person in California history to be elected Chair of three committees/sections of the California State Bar. She was the Chair of the Law Practice Management & Technology Committee of the State Bar of California and Chair of the Council of Section Chairs. She also served as the Chair and Special Advisor to the California State Bar Committee on Professional Responsibility and Conduct and has taught ethics as an adjunct professor at the University of San Francisco School of Law since 1992 and has taught at the University of California Berkeley, Boalt Hall School of Law and U.C. Law San Francisco. She has lectured and presented programs on ethics for the California State Bar, local bar associations, the Institute of Internal Auditors, PLI, University of San Francisco School of the Law, U.C. Law San Francisco, and Lawyer's Mutual Insurance Company. Ms. Langford was the ethics consultant to the Judicial Council of California and was a member of the Mandatory Fee Arbitration Committee of the State Bar of California.

She is a member of the California and Washington, D.C. state bars. She recently was appointed to the Commission for the Revision of the Rules of Professional Conduct and served on the Disciplinary Standards Task Force where she was Chair of the Drafting Subcommittee. She also recently assisted in the drafting of the Provisional Licensing Program for new lawyers and published an opinion piece in the Daily Journal about the Boeing lawyers.

She has won a Woman of the Year award from the Senate and the Contra Costa County Commission on Women for "Women Who Seek Justice," and the Lichtenstein Distinguished Professorship of Legal Ethics Award from Hofstra University Law School in New York.

Mina Miserlis – Partner, Tyson & Mendes



Mina Miserlis is the Chair of Complex Trials. Based in Tyson & Mendes' San Diego office, she brings more than 20 years of litigation and trial experience to leading the firmwide Complex Trial Team. She focuses her practice on complex personal injury matters.

Ms. Miserlis has successfully tried several cases throughout California, including alleged traumatic brain injury and multi-million-dollar claims. Along with Bob Tyson, Ms. Miserlis obtained a verdict of \$26,000 in a personal injury matter alleging brain damage and lost earning capacity in which the plaintiff sought over \$30 million in damages. She also obtained a defense verdict on behalf of the premises owner in a personal injury matter in which the plaintiff sought over \$1 million in damages.

Ms. Miserlis is a graduate of the University of California, Berkeley (B.A., summa cum laude, Phi Beta Kappa, 1994) and Loyola Law School (J.D., 1997). She is licensed to practice law in California and is a member of the San Diego Defense Lawyers.

In her spare time, Ms. Miserlis enjoys running, yoga, and reading.

Councilmember Colin Parent – Candidate, AD 79



Colin was born and raised in San Diego County. He became Eagle Scout with Troop 362 in El Cajon, where he developed a dedication to community, teamwork, and service to others. This dedication eventually led to Colin running successfully for the La Mesa City Council in 2016, and again in 2020. Colin wears multiple hats, including his position as the Executive Director of Circulate San Diego, a nonprofit committed to public transit, walkable and safe neighborhoods, and affordable homes. Colin co-founded the San Diego Leadership Alliance and served as a board member of the League of Conservation Voters San Diego.

Kyla Christoffersen Powell – President and CEO, CJAC



Since May 2019, Kyla has led CJAC, the state's foremost civil liability reform advocate on behalf of businesses in the legislature, courts, and regulatory arenas.

Prior to joining CJAC, she was senior legal counsel at AT&T for nearly a decade, her work spanning CA legislative and external affairs, product development, and data privacy. Kyla was also a lobbyist for CalChamber on legal reform and taxation. Early in her career, she defended private and public employers in court on labor and employment matters.

Kyla is admitted to the CA and DC Bars and has a law degree from Pepperdine University and a BA in political science and English from the University of New Mexico.

Mayor Nick Schultz – Candidate, AD 44



Nick Schultz has spent his entire professional career in public service. He currently serves as a Deputy Attorney General with the Special Prosecutions Section of the Attorney General's Office with the California Department of Justice, where he works with local, state, and federal law enforcement officials to investigate and prosecute criminal cases primarily related to public corruption, officer involved shootings, human trafficking, mortgage fraud, tax evasion, and other forms of financial fraud.

In this role, Nick helped lead the charge to create the first-of-its-kind Post-Conviction Review Unit at the Department of Justice, which will review claims of innocence and wrongful conviction for any cases handled by the State. This will be the first time individuals making claims of wrongful convictions will be able to have their voices heard.

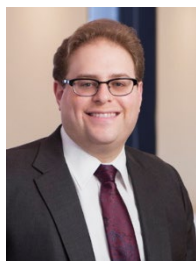
Nick personally understands the hardships the average Californians find themselves in every day. He was largely raised by a single mother who worked to give him every available opportunity to succeed; he is the first person in his working-class family to attend and graduate from college.

Nick was elected to the Burbank City Council in 2020, after receiving the second highest number of votes in the city's history for a city council race. In his time as a Councilmember and Mayor, Nick has played a key role in passing the city's most robust greenhouse gas reduction plan, outlining a path to carbon neutrality for the city; helped implement policies that used resources and treatment to humanely reduce the city's homeless population by 10%, and was able to help reduce crime by 10% while re-allocating \$2 million from the police budget to social welfare spending.

Elected during the height of the pandemic, Nick worked to protect the public health of our community and helped ensure proper PPE supplies for our workers and the public; passed landmark "Hero Pay" legislation, requiring that frontline grocery workers received fair compensation for putting their lives at risk during a public health crisis; and worked with small businesses to coordinate resources and city services.

As a staunch advocate for housing affordability, Nick voted for more than 1,000 new units of housing in Burbank, including creating more housing for low and very low-income Californians than had been created over the last ten years.

Andrew Silverman – Partner, Orrick



Andrew Silverman is an appellate lawyer focusing on high-stakes, precedent-setting cases nationwide. A distinguishing feature of Andrew's practice is that clients routinely call on him in the trial court to win the case even before the appeal.

Andrew is a skilled brief writer who works on significant motions in the trial court to prevent any need for appeal by winning the case first. Drawing on his years as a trial attorney at the U.S. Department of Justice, Andrew collaborates with the trial court team to serve as the point person for law-intensive brief-writing and strategy.

Andrew is frequently retained to work on motions to dismiss, preliminary-injunction briefing, and summary-judgment motions. If the case proceeds toward trial, Andrew leads strategizing and all

manner of briefing from jury instructions to motions in limine to mid-trial objections and pocket briefs to post-trial motions for judgment as a matter of law and for a new trial.

In addition, Andrew focuses on readying cases for appeal by perfecting critical appellate issues and teeing them up in the most favorable posture. Andrew has brought these special skills to bear for some of the world's largest companies in their most important cases, including for Oracle (against Google and the U.S. Department of Labor), PricewaterhouseCoopers (against MF Global), and Gilead Sciences (under the False Claims Act and in a mass products liability action involving tens of thousands of plaintiffs).

Andrew also has a strong record on appeals, including major wins for Oracle (against Google), Dow AgroSciences (against Bayer CropSciences), Basin Electric Power Cooperative (against one of its member-owners), KBC Bank (against Lazare Kaplan), and in the U.S. Supreme Court for the County of Los Angeles and for a Thai Professor (in a landmark copyright ruling). In appellate cases, Andrew takes pride in collaborating with his client and the trial team to rethink the case from the bottom up, searching for ways to present even the most complicated arguments as plain common sense, and drafting a storytelling version of the case that hooks the reader from the first page. Andrew emphasizes oral argument, working tirelessly to develop themes specifically for oral argument that magnify -- not merely parrot -- the briefing.

Former Assemblymember Suzette Valladares – Candidate, SD 23



Suzette Valladares serves as Executive Director of a non-profit organization that partners with law enforcement to invest in youth. Supporting law enforcement, making our neighborhoods safer, lowering California's high cost of living, and working to end the homeless crisis and fentanyl crisis remain her top priorities.

She was elected to the California State Assembly in 2020, serving until 2022, and was one of the founders of the bipartisan Problem Solvers Caucus.

She has earned a reputation of delivering results. In the State Assembly, Suzette brought vaccine clinics to her community early in the pandemic, and co-authored landmark legislation providing access to preschool starting at age four. She is a Republican and supported by both Republican, Democratic, and independent leaders.

Suzette grew up in this community and worked her first part-time job at Six Flags Magic Mountain. After college, she remained close to home serving as a district representative for former local Congressman Buck McKeon. During that time she was honored as a "SCV 40 under Forty" by the Santa Clarita Business Journal. In 2012, Suzette left the public sector and became Executive Director of Southern California Autism Speaks.

After her mother's passing in 2018, Suzette was asked to assume her mother's role as an educator and ran Little Steps of Faith, a faith-based non-profit preschool that provides quality childcare to underserved families in the San Fernando and Santa Clarita Valleys.

Suzette and her husband Shane live in Acton with their daughter Charlotte.