



Inter Alia

San Joaquin College of Law Quarterly Newsletter
Volume XXIII, Number 2

Summer 2012

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Baradat & Paboojian Gives Generously

Baradat & Paboojian, Inc. has recently made generous gifts totaling \$31,000 to San Joaquin College of Law in support of the Law School's new initiatives.

Baradat & Paboojian, Inc. gave \$10,000 to support the International and Comparative Law Chair, \$5,000 to support the New American Legal Clinic, and \$5,000 to SJCL's 11-12 Annual Fund. In addition, Baradat & Paboojian initiated the Baradat & Paboojian Trial Advocacy Scholarship with a gift of \$11,000. A \$1,000

scholarship will be awarded each year to a student with an interest in pursuing a career as a trial attorney.

Asked about their motivation for making these gifts, Warren Paboojian, a 1985 graduate of San Joaquin College of Law, said "SJCL has been a great asset to the San Joaquin Valley community,

providing an opportunity for many local individuals to grow. We made the gifts to give back to the school and the community and to assist our local law students financially." SJCL is extremely grateful to Baradat & Paboojian for their generous support.



(L-R) Warren R. Paboojian (Law '85), Jason S. Bell (Law '00), and Daniel R. Baradat

Law schools nationwide are intensifying their focus on skills training but this has always been a priority for San Joaquin College of Law.

A significant proportion of SJCL students have always participated in private and public internships. For many years, SJCL has offered Pre-Trial Criminal Law, Civil Litigation (pre-trial civil practice), Criminal Trial Practice, Civil Trial Practice, Mediation, and several legal writing courses, and, recently, Contract Drafting. Now, SJCL is gearing up hands-on skills training with the New American Legal Clinic (NALC) and the Central California Center for Conflict Resolution (CCCCR).

In fall of 2011, SJCL opened NALC on an experimental basis, operated by one attorney and one student. The goal was to provide free legal assistance to legal permanent residents seeking citizenship, individuals with a legal basis under current law to become permanent residents or obtain other legal presence in the United States, and victims of violence including domestic violence. Initially, clients were met only in space generously made available by the Mexican Consulate in Pinedale.

NALC opened officially in January 2012 utilizing offices both at the Consulate and in very cramped space at SJCL shared with CCCC. In spite of all these limitations, NALC has assisted 730 individuals in the short span of a few months. More than 485 have been assisted with citizenship applications while more than 220 have received more sophisticated assistance.

Individuals from Canada, Columbia, Dagistan, Guatemala, Honduras, India, Kazakstan, Mexico, Nigeria, Poland, Spain, and Taiwan have been assisted.

In CCCC (formerly the Mediation Clinic), through early June, students worked with 162 couples through to a Marital Settlement Agreement. Students worked with an additional 65 couples, obtaining agreement on some issues, but not a full settlement agreement. Here, students not only learn Family Law, but also how to listen to and work with clients.

Consistent with ABA requirements, NALC now has

a classroom component. In it, students learn the law on recurrent issues, review pending cases, and make decisions as to which cases to accept for extended assistance. Students are excited thereafter to use the law they have learned to help their clients. In the process they also learn how to organize files, calendar deadlines, memorialize case activity, and keep time records. A similar class component is now being organized for CCCC.

This clinical work is crucial for developing the skills that make graduates more prepared for the actual practice of law. The gifts of SJCL's friends to the Annual Fund help make this, and so many other, enhancements to SJCL's legal education possible. For example, new space for the clinics has been completed because of the annual fund, BUT it still needs furniture!! If you have not yet made a gift to the 11-12 annual fund, please consider doing so. Those gifts are more valuable than anyone can imagine.

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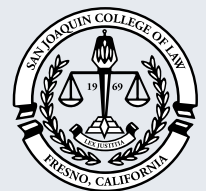
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Traynor Moot Court Team Takes Best Brief

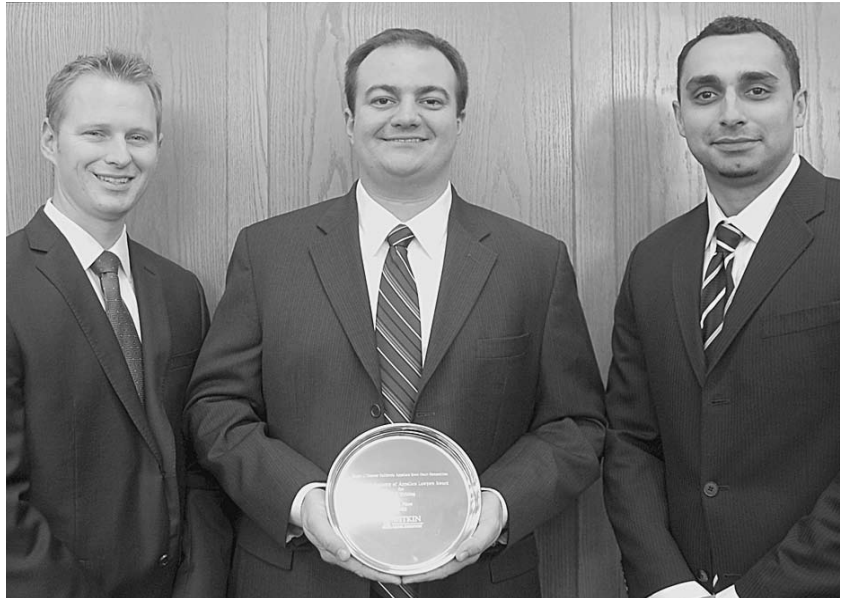
Congratulations to the San Joaquin College of Law Traynor Moot Court team, which brought home the award for Best Brief, all under the careful coaching of Professors Jonathan Conklin and Stanley Boone.

As usual, the competition from 18 law schools was daunting. The SJCL team went head-to-head with UCLA the morning of April 15th, followed by a bout with McGeorge that afternoon. In the end, Hastings won the award for Best Oral Argument while U. C. Berkeley won for Excellence in Appellate Advocacy.

Daren Stemwedel wrote the winning brief, but SJCL Coaches Conklin and Boone believe the honor is shared by all members of the team.

“The team this year showed self-initiative in participating in numerous practice sessions, as well as preparing multiple drafts of the brief that were improved upon every time the team members submitted a new draft. Each team member, Daren Stemwedel, Sam Brar and Chester Walls, earned and deserved this recognition.”

The Best Brief Award comes on the heels of three consecutive years in which SJCL Traynor team members won “Outstanding Individual Achievement in Oral Argument” awards. They include Alexia Kirkland in 2009, Rachel Cartier and Rachel Gonzalez in 2010, and Tim Jolly in 2011.



(L-R) Chester Walls, Daren Stemwedel and Satnam Brar

Coaches Conklin and Boone say SJCL’s performance in the face of stiff competition speaks not only to the quality of the students, but also, the caliber of the Law School.

“As established by the number and presence of top tier law schools, including SJCL, the caliber of the competitors at Traynor is some of the highest in California. This is also exemplified by the presence of numerous Appellate

and State Supreme Court Justices who volunteer to judge the competitors year after year, including Justices Wiseman and (former) Justice Dibiaso from our own Fifth DCA. Each year our teams participate in Traynor, they solidify SJCL’s reputation as a school that provides an outstanding legal education and prepares its students to compete with those from any other law school in the state.”

Full-Time Faculty

Justin B. Atkinson, Andreas Borgeas, Richard M. Cartier, Gregory Gillett, Christine A. Goodrich, Denise M. Kerner, Janice L. Pearson, Sally A. Perring, Jeffrey G. Purvis, Peter Rooney

Adjunct Faculty

Hon. James Ardaiz, Lawrence Artenian, Art Baggett, Barry Bennett, Alyson Berg, Hristo Bijev, Hal Bolen, Stanley Boone, David Camenson, Thomas Campagne, Dan Casas, Hon. Hilary Chittick, Lisa Coffman, Hon. Jonathan B. Conklin, Mark Cullers, Matthew Dardenne, Matthew Farmer, Peter Fashing, Mia Giacomazzi, David Guy, Jason Hamm, Jeff Hammerschmidt, Shannon Harding, Rachel Hill, Kathi Kesselman, Stefanie Krause-Cota, Jeremy Lusk, Jeff Manning-Cartwright, William McLaughlin, Steven McQuillan, Mark Miller, Hilda Montoy, David Mugridge, Doug Noll, Hon. Kim Nystrom-Geist, Sharlene Roberts, Dan Rogers, Rose Safarian, Gary Sawyers, Michael Sheltzer, Michael Slater, Jessica Smith Bobadilla, Hon. Oliver Wanger, Melissa White

Can a lawful arrest be effectuated negligently?

That is the question that Fresno Deputy County Counsel Michael R. Linden and I discuss in the latest edition of the California Bar's Public Law Journal Vol. 35, No. 2 Spring 2012.

By **Justin Atkinson**, *Professor of Law*

The answer, it turns out, is not as simple as it seems. Generally speaking, the decision to effectuate a lawful arrest is an exercise of an officer's discretion. However, while California Government Code § 820.2 provides immunity for discretionary acts, "whether or not such discretion be abused," the applicability of statutory immunity does not arise until it is determined that a defendant owes a duty of care to the plaintiff. As a result, without first establishing a legal duty, an immunity analysis would be superfluous. The focus of our article analyzes whether, and in what circumstances, peace officers

owe a legal duty to subjects in relation to effectuating otherwise lawful arrests.

As every lawyer learns in his or her first-year torts course, there must be a legal duty before any tort liability can be imposed. As a threshold matter, law enforcement officers, in general, do not have a legal duty to come to the aid of another person. In this respect, police officers are no different than ordinary citizens. With regard to the use of force to effectuate an arrest, however, a duty does exist, and a police officer must use reasonable care when using force to effectuate the arrest. The standard for ana-

lyzing whether an officer has breached this duty is the same as analyzing the torts of battery, or excessive force under the Fourth Amendment.

While it is clear that a legal duty is established at the moment a police officer uses force, what is not so clear is if and when a legal duty is established based on police activity, tactics, and procedures used prior to implementing force. In attempting to answer the question, the article analyzes relevant California and Federal law, and includes recommendations to practitioners.

Student Wins Fresno County Bar Scholarship

Congratulations to Rachelle Taylor, a third year law student, who says she was "dumbfounded" when told she won this scholarship.

Taylor is a native Fresnan, but came to SJCL with her bachelor's degree in English from San Diego State University. She hopes to become a civil litigator in employment law with a focus on employer defense. She is currently a law clerk for Sutton Hatmaker Law Co., which focuses on employment consultation and litigation.

Meanwhile, she has tirelessly advocated for helping people with disabilities to remain in the workforce. To this end, she has served as an Adjunct Professor

and Lecturer in Disability Education at Point Loma Nazarene University and is Chair of the City of Fresno's Disability Advisory Commission.

While Taylor jokes it's "so nice not to have to borrow every penny to go to law school," she quickly adds that winning the FCBA Scholarship is also an incredible honor. Taylor was also honored when she was named the recipient of the 2011 Clovis Women's Soroptimist Scholarship and the 2012 Woman Lawyer Scholarship.



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February Bar Boosts Spirits and 2011 Pass Rate

Bar passers were celebrated at the traditional Champagne Reception at San Joaquin College of Law on May 21st.

The February Bar brought good news for the SJCL Class of 2011; its Bar pass rate now stands at 80 percent. For some members of that class, that pass didn't seem like a sure thing.

"Why bother looking? I know I didn't pass." That seemed to be the feeling knotted up inside Barbara Taylor Bell as the SJCL grad hesitated before logging in to see if she had passed the February Bar. It wasn't the best of omens when ExamSoft crashed on her computer after the first question on the first day of the Bar exam. She had to finish with pencil and paper. And then there was the black screen on her computer which confronted her on another day after a ten-minute break. Why bother looking.

Last year, the Fresno Bee ran a picture of Barbara's family, including her grandchildren, at graduation. They asked the Fresno Pacific grad why she would go to law school at this point in her life. "Every family needs a lawyer," she told them. Now hers has one.

Erick Rhoan admits he sobbed for a minute after learning he had passed. His grandfather, Joseph Rhoan Sr., died just a couple weeks before Erick took the Bar. Erick identifies him as "one of the great father figures" in his life, adding "he thought the world of me, even keeping a photo album of some of my little Father's Day arts and crafts I made him in kindergarten." While his grandfather lived to see him graduate from SJCL, Erick wished he could have seen him pass the Bar as well. He dedicates this victory to his grandfather, but says it's a bittersweet moment. As for the future, Erick would like to stay



Behind every Bar passer...

This picture pays tribute to friends, family, and fiancés who provide every kind of support through the often grueling process of prepping for the bar. L to R: Bar passer Rachel Gonzalez is backed by her fiancé, previous Bar passer Michael Mahoney (Law '11), Bar passer Erick Rhoan is backed by his girlfriend, Taylor Hartline, while Bar passer Barbara Taylor Bell gets support from her husband. Also passing the February Bar but not pictured: Brittany Nicol, Karnig Panosian, Matt Schmidt and Jason Taylor.

where he is. He has been working as a law clerk for Weakley & Arendt for nearly two years, and hopes to stay on as an associate attorney.

Bar passer Karnig Panosian may also be looking to turn a clerkship into an attorney position. He was unable to attend the Champagne Reception because he was working late at the Beth Egan's (Law '95) office, better known as the Fresno County District Attorney's Office.

Rachel Gonzalez also plans to turn her clerk position into that of associate attorney at Cole Fisher Bosquez-Flores Cole & O'Keefe, APC. Her mother,

Leah Cole (Law '92), is a partner in the firm, but that's not Rachel's only connection to SJCL. She was joined at the reception by her classmate and fiancé, Michael Mahoney, an associate attorney in the Law Offices of Quinlan, Kershaw & Fanucchi. Michael passed the July bar, but was unable to make it to the November Champagne Reception in his honor. He was included with those hailed and hugged.

Others who passed the February Bar but were unable to attend the reception include Brittany Nicol, Matt Schmidt, and Jason Taylor. Congratulations to all!

Faculty Appreciation Reception

On April 13, San Joaquin College of Law celebrated its amazing faculty with an evening reception at the Painted Table in Fresno's Tower District. Thank you to the SJCL Alumni Association for their generous sponsorship of this event.

Umbrellas and raincoats were stashed away as guests filled The Painted Table (former Daily Planet) for the first ever Faculty Appreciation Reception. Hours of heavy rain could not put a damper on our celebration of the many faculty who have made an impact on the lives of San Joaquin College of Law students over the past 41 years.

Guests dined on beautifully presented hors d'oeuvres and enjoyed the view of the lights and nightlife through large picture windows. As one of our alumni stated, "Where would any of us be if it weren't for the dedication, hard work and great mentorship we as students received from our law school instructors? These instructors sacrifice much for our benefit and it is certainly well that we acknowledge such with events like this."

Thank you to the faculty who attended and the alumni, current students, staff and friends who joined in the celebration. It was a memorable evening.



Chris and Professor Chrystine Carvalho



Professor Ronald Henderson



Janice Pearson, Dean and Professor Mary Kathryn Rau



Jody Zamora and Professor Jessica Smith Bobadilla



Professor Jeffrey Manning Cartwright



Professor Dan Rogers with wife Holly



Professor Jacqueline Yates



Will and Professor Shannon Harding



Professor Andreas Borgeas with wife Anna



Professor Jeffrey Hammerschmidt and guest



Professor Jason Hamm and wife Karen



Professor David Camenson



Professor Peter Rooney, Law Librarian



Judge Dale Ikeda and Joan Lassley, Staff

*San Joaquin College of Law recognizes and thanks the following
faculty for their contributions over the last 43 years.*

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Legacy Luncheon

This Legacy Luncheon celebrated the classes of 1989, 1990, and 1991.



(L-R) **Michael Keitz** (Law '91), **Jean Pinkerton** (Law '91), **Deborah Coe Hood** (Law '91), **Janice Pearson**, *Dean*, **Judith Hall** (Law '91), **Chuck Magill** (Law '89) and **Michael Jurkovich** (Law '90)

Also attending but not pictured was staff member **Joan Lassley**.

Legacy Luncheon (Entering Classes)

San Joaquin College of Law is mixing it up a bit by inviting alumni with similar entering class years. This Legacy Luncheon focused on those who entered law school in 1988 or 1989.



(L-R) **Stanley Surabian** (Law '92), **Thomas Zynda** (Law '93), **Hon. Geoffrey Sims** (Law '93), **Lourdes Espinosa** (Law '93), **Scott VanWagenen** (Law '92), **Marina Gonzales Sorlie** (Law '93), **Juliana Gmur** (Law '93), **Mark Blum** (Law '92), **Richard Hemb** (Law '92), **Janice Pearson**, *Dean*, **Carol Moses** (Law '92), **Trudi Manfredi** (Law '93), **J. Stanley Teixeira** (Law '93), **Michael Dias** (Law '93), **Darryl Freedman** (Law '93), **Victor Salazar** (Law '93), **John Gist** (Law '92), **John Devlin** (Law '93), **Rosemary Rusca** (Law '93), **Andrew Flanigan** (Law '92), and **C. Michael Carrigan** (Law '92).

Also attending but not pictured was staff member **Joan Lassley**.

Alumni Forum

Five San Joaquin College of Law graduates in diverse areas of practice spoke to a room full of newly accepted SJCL law students and prospective students about the value of a legal education.



(L-R) **Janice Pearson, Dean, Rick Wolf** (Law '97), **Trudi Manfredo** (Law '93), **Zepure Attashian** (Law '05), **Art Baggett** (Law '93), and **William Eric McComas** (Law '08)

On May 22, 2012 Zepure Attashian, a Sole Practitioner Family Law Attorney; Art Baggett, a Water Law Attorney and Senior Consultant for Kennedy Jenks Consultants, a full-service engineering and environmental science consulting firm; Trudi Manfredo, a Sole Practitioner Bankruptcy and Family Law Attorney; William Eric McComas, a Civil Litigation, Real Estate and Construction Attorney and Rick Wolf, the Vice President and General Counsel for Children's Hospital Central California each discussed their unique career paths. San Joaquin College of Law Dean Jan Pearson stated that the Alumni Panel Forum is a reminder of the many different things people accomplish with their law school education. "They come into law school with a goal or a dream and then they go out into the community and they accomplish things that are amazing. We do this alumni panel as it is the embodiment of the law school's tagline of 'One Degree. A World of Options'. We want prospective students to have the opportunity to see the amazing array of options that are available with a law degree."

When asked what a typical day is like for an attorney, Zepure Attashian remarked "No day is the same. Every case is dif-

ferent. You are able to go in and provide some rationality. You are dealing with highly emotional people, and you go in and provide direction and a game plan. They start to listen. You are as busy as you want to be and as efficient as you want to be. It is fun. You lose track of days. It keeps you going. You can create your own schedule. You have control." The panelists were not only passionate about their work but also encouraging to prospective students to pursue a legal education.

William Eric McComas, an attorney for Pascuszzi, Moore & Stoker, remarked to participants that time is going to pass anyway whether they go to law school or not. "If I can do it, you can do it. It takes time management. It takes discipline. You have to put the time in. Rather than watching another season of American Idol, why not achieve a law degree instead."

Thank you to the alumni who served on the panel and to all alumni who continuously encourage others to pursue a legal education with San Joaquin College of Law. Please refer potential law students to SJCL by contacting Diane Steel, Director of Admission by email dsteel@sjcl.edu or phone (559) 323-2100 ext 1455. We offer free informational Law Forums each month.

I again had the pleasure of speaking at the commencement ceremony.

On May 26th, 2012, at the William Saroyan, law students became graduates. I did not know more than a handful of this year's graduates; however, I still seem to enjoy being there. These people are now part of our alumni family. I spoke a few words about how they will forever be part of the history of SJCL. You too are forever a part of the history of SJCL. Personally, I could not be more proud of that fact.

I know many of you are busy with your lives, your families and your careers. However, I hope you can find some time to attend one of the many events we have scheduled for this year. I trust by now you have at the very least become a member. We have a wonderful board this year and they are working very hard to ensure our events will be successful.

Remember the GOT MCLE? is free to members. That event alone is more than worth the \$30.00 membership cost. Please go to the website www.SJCL.edu for the dates and times of our upcoming events. And while you are there you can join. It could not be easier.

If you are already a member we thank you. Remember it is never too late to get involved. We are always looking for ideas, suggestions and volunteers. Please feel free to attend a meeting or email your suggestions to DedeAgrava@gmail.com.

I look forward to seeing your name added to our membership list and visiting with you at one of our upcoming events.

On behalf of the entire alumni association board, I wish you a safe and spectacular summer.

Sincerely,
Dede J. Agrava
SJCL Alumni Association President
Class of 2007

2012 Graduating Class Includes 1,300th J.D.

She came to San Joaquin College of Law four years ago with her Bachelor's degree in Spanish from U. C. Riverside. During her time in law school, she worked for the in house counsel for Nationwide Insurance, along with Yarra, Kharazi & Associates. She says developed a passion for the courtroom and "would love nothing more than to become a judge. On May 26, 2012, Daisy Castro moved a little closer to that dream; she received the 1,300th Juris Doctorate issued by San Joaquin College of Law.

The class of 2012 includes 43 graduates. Thirteen entered with degrees from Fresno State. Another 13 had degrees from UC campuses, including Berkeley, UCLA, Davis, Irvine, Santa Cruz, Santa Barbara, and Riverside. Both Cal Polys were represented. Their majors included everything from Political Science to Engineering, Biology, Business Administration, Agriculture Education, and more.

The students graduating at the top of their class with high honors were Satnam Singh Brar, Daren Allan Stemwedel, Rajinder Singh Sungu, Christina Anne Widner, and Allie Elizabeth Wieland. Joshua Kevin Kruger graduated with honors. Timothy Douglas Bartell, Nicea Michelle Bates, David George Litman, Jeremiah Landon Paul, Kyle Richard Roberson, and Derek John Walzberg graduated with distinction.

Congratulations go out to Michael James Brady, Ranjeet Kaur Brar, William Gearhart Buttry, Gary Adam Caine, Daisy Elizabeth Castro, Mark Joseph Castro, Nicole L. Christy, Bryon Hunter Clay, Elizabeth Louise Durbin, Travis Yuji Ishikawa, Tim W. Jolly, Kent Hendrick Jones, Feras Moufid Khoury, Tomas Anton Kunder, Justin John Loyear, Francisco Martinez, Corryn Jelene McQuown, Lorena Perez-Garcia, Alethea L. Pettebone, Stacie L. Prickett, Kendall Tyler Reynolds, Nicole Diane Rothford, Stephanie Rae Smittle, Zachary Ward Stringham, Tara Michelle Tarasen, Michelle L. Tostenrude, Chester Edward Walls, Phillip James Walsky, Ian Blade Wieland, Jonna Rae Williams, and Joshua Sebastian Ziessler.



SJCL was honored to have **Honorable Lawrence J. O'Neill** as Commencement Speaker. Here O'Neill shares a moment with Dean **Janice Pearson** and Chairman of the Board **Doug Noll**



Christina Widner



(L-R) **Jeremiah Paul, Stacie Prickett, and Aletha Pettebone**



(L-R) **Feras Khoury, Kent Jones, and Tim Jolly**



(L-R) **Ranjeet Brar, Michael Brady, and Nicca Bates**



Valedictorian **Allie Wieland**



(L-R) **Francisco Martinez, Tomas Kunder, David Litman, and Joshua Kruger**



(L-R) **Elizabeth Durbin, Travis Ishikawa, and Byron Clay**



(L-R) **Rajinder Singh Sungu, Zachary Stringham, and Daren Stemwedel**



(L-R) **Nicole Rothford, Kyle Roberson, and Kendall Reynolds**



(L-R) **Nicole Christy, Gary Caine, William Buttry, and Satnam Brar**



(L-R) **Lorena Perez Garcia, Stephanie Smittle, and Michelle Tostenrude**

Spring Banquet

This year's Student Bar Association's Spring Awards Banquet was more than just a night of fabulous food, outfits, entertainment and good times; it was also a night of many big surprises and two huge ones.



In addition to the awarding of more than three dozen scholarships, the night also included the announcement that the family of the student bar president intends to create a brand new scholarship. Student Bar Association President Raj Sungu says “The purpose of the scholarship is to honor the Dean for her continued support of the Law School... Last month my parents were blessed with their first grandson, Ajai Singh Sungu, and in honor of that my father and his company, Royal Sungu Group, Inc. decided that instead of having a huge party or celebration it would be better to use that money for education of needy individuals. We have truly been blessed and we look forward to supporting the law school in the future.”

The other huge surprise of the night was when Drew Trippel (1L) popped the question to Becca Ganbill, his girlfriend of three years. Although obviously shocked, she managed to say “yes!”

Scholarship Recipients

Abota Memorial Scholarship
Kyle Roberson

Albert Ramirez Bail Bonds Scholarship
Tim Bartell

Alumni Association Carolyn T. Mirviss Scholarship
Gabe Delgado

Alumni Association Spirit of SJCL Scholarship
Candice Campo

Baradat & Paboojian Trial Advocacy Scholarship
Raj Sungu

Brown Scholarship for Women
Angelica Ambrose

CCBA Scholarships
Andrew Antaramian
Kevin Stimmel
Andrew Kucera

Clovis Soroptimist Woman's Advocate Award
Stephanie Smittle

Darryl B. Freedman Bar Study Support Scholarship
Mark Castro

Delta Theta Phi Scholarships
Mary Raterman-Doidge
Kristina Garabedian
Travis Ishikawa

Elizabeth O'Neill Memorial Scholarship
Mary Raterman-Doidge

Ernest Kinney Trial Lawyer Scholarship
Travis Ishikawa

Florentino Jose Memorial Scholarship
Michael Shaddix

Ibarra/Casillas LawSUIT Scholarships
Josh Longoria
Lisa Craig

Judy Wiseman Memorial Scholarship
Jesse Molina

Ken Coyle Memorial Scholarship
Daren Stemwedel

Kharazi Bar Study Support Scholarship
Mike Brady

Legal Edge Consumer Scholarship
Jeremiah Paul

Leon S. Peters Foundation Leadership Awards

David Litman
Eric LiCalsi
Andrew Driscoll
Tomas Kunder
Ian Wieland

Proctor Scholar of the Year
James Mugridge

Robert F & Kathryn S. Price Scholarship
George Vasquez

Student Bar Association Law Scholarship for Merit
Allie Wieland

Student Bar Association Law Scholarship for Need
Jonna Williams

Student Bar Association Law Scholarship for Participation
Chester Walls

The Founder's Scholarship
Christina Widner

Theodore R. Forrest, Jr. Trial Advocacy Memorial Scholarship
Josh Kruger

Woman Lawyer Scholarships
Rachelle Taylor
Amanda DeHart

Ag Law Review Celebrates 20 Years

By **Kyle Roberson**, 21st Volume Editor in Chief

We are proud to present two professionally written pieces as our two lead articles. First, in *The Pitfalls and Dangers of the Additional Insured Vendor Endorsement Form*, Brynjar A. Peterson explores the importance of evaluating if an additionally insured will be afforded insurance coverage from the insurance policy of the named insured given the current jurisdictional split on this issue. Mr. Peterson examines how this impacts producers and suppliers of agricultural goods.

Our second lead article is co-authored by Elizabeth R. Rumley and Rusty W. Rumley, both staff attorneys at the National Agricultural Law Center at the University of Arkansas. In *Enforcing Animal Welfare Statutes: In Many States, It's Still the Wild West*, they examine differences in authority that various states grant to members or officers of humane societies and the liability concerns that arise from this grant of authority. This article highlights that the authority granted to private citizens, under the auspices of a local humane society, ranges from the power to arrest, the ability to seize and destroy private property, to, in some states, the ability to carry a gun.

We are most excited by the level of participation from our student authors and the number of student written Comments we will be publishing in the 21st Volume.

In *A National School Garden Program: A Holistic and Sustainable Approach to Combating Food Deserts*, Angelica Ambrose gives an overview of the problem of “food deserts,” areas effectively void of affordable access to fresh and nutritious food, as well as the government incentives meant to eradicate the health problems associated with the areas by bringing in supermarkets. Her Comment suggests that in order to be completely effective and sustainable, these incentives should be supplemented by a National School Garden Program, by



Retired U.S. District Court Judge Oliver Wanger shares a moment with the Hon. W. Richard Lee at the March 9th SJALR Reception.

While most of the roughly 75 people who came to the reception for the release of the 20th Volume of the San Joaquin Agricultural Law Review came to celebrate and reminisce about its 20 years of success, keynote speaker Oliver Wanger had a different view of the past two decades.

The retired U.S. District Court Judge and founder of San Joaquin College of Law lamented “After 20 years of water wars, I have no friends!”

However, he went on to explain the water problems plaguing the Valley reach far beyond the farm, moving into areas of science and politics as well. And understanding the power of the SJALR, the oldest agricultural law review in the country, Wanger

proposed a solution: “Dedicate an entire volume to water issues and then mail a copy to every member of Congress!”

Other speakers at the event included the Editor in Chief for Volume 20. Lisa Cutts, who is now an attorney for Bolen Fransen, says it is nearly impossible to practice any type of law in the Valley without touching on Ag issues somehow, be it through eminent domain, labor laws, estate planning, real estate, or other areas. She points to the 15 pages in the back of Volume 20 which list all the various citations for previous SJALR Comments and Articles, ranging from other law journals to the California Supreme Court and, just this past year, the Ninth Circuit Court of Appeals.

which experiential agricultural education will equip food deserts’ children with hands-on experience with fresh, nutritious produce and the knowledge they need to make healthy choices now and in the future.

Lisa Craig, in *Childhood Obesity, the Unhealthy School Lunch and School Liability Under 42 U.S.C. § 1983*, similarly address the consequences of the

consumption of unhealthy food has on U.S. children. Her Comment examines the nexus between school lunches and childhood obesity and explores the legal action that may be taken against school districts under 42 U.S.C. § 1983 for the unhealthy meals that are served in cafeterias.

In *Pruning Direct Shipping Barriers for Optimal Yield: How The Dormant*

Commerce Clause Limits The Twenty-first Amendment, Seth Mehrten explores how the Supreme Court's recent decision in *Grainhol v. Heald* has narrowly defined the scope of the states' authority under the Twenty-first Amendment by tethering all regulation of wine to the nondiscriminatory principles of the dormant Commerce Clause, and the split of authority this decision has created.

Jesse Molina addresses the weaknesses in the Mandatory Mediation Conciliation Program and its ineffective hybrid of mediation and arbitration procedures the California legislature provided to help resolve labor disputes in the agricultural industry in *Broken Promises, Broken Process: Repairing the Mandatory Mediation Conciliation Process in Agricultural Labor Disputes*. His Comment focuses on discussing the ethical issues of the same person serving as mediator and arbitrator, and how the core principles of mediation have been gutted out of the process, specifically confidentiality, self-determination, and prompt resolution.

In *Is a Grape Just a Grape? California Table Grape Commission's Mandatory Assessment Funded Generic Advertising Scheme vs. Grower's First Amendment Rights*, Jeremiah Paul takes a critical look at the application of the government speech doctrine in the context of First Amendment challenges to the California Table Grape Commission. His analysis is based on the challenge of a table grape producer, Delano Farms, to the validity of mandatory assessments that fund the generic advertising scheme of the California Table Grape Commission on the grounds that Delano Farms did not agree with the advertising message.

Mary Raterman-Doidge, in *Un-Just Compensation: Different Outcomes of California High-Speed Rail Takings*, discusses whether or not noise and vibrations created by the California High-Speed Rail will constitute a taking from farmers, and whether farmers will be entitled to compensation under theories of inverse condemnation or severance damages.

Conlin Reis evaluates the applicability inverse condemnation to lands impacted by water releases associated with the San Joaquin River Restoration Project, in *A River Reclaiming: Application of Inverse Condemnation to the San Joaquin River Restoration*. His Comment advocates changes in the method used to identify impacts to landowners and will promote additional legislation to facilitate compensation for impacted lands.

In "*USDA Certified Legal Producers: A Program to Give Consumers a Voice and a Choice in Immigration Reform*", Michael S. Shaddix proposes a "USDA Certified Legal Producers" program, which would involve the federal and state governments, agribusinesses, immigrant farm workers, and U.S. consumers, all working together collectively toward a viable, sustainable reform to the immigration of farm workers into the U.S. Through his proposed program, agribusinesses voluntarily conforming to established immigration employment laws would be government certified as legal producers, thereby enabling those same producers to promote and label their products accordingly.

Raj Sungu, in his comment *Growing Energy: Amending the Williamson Act to Protect Prime Farmland and Support California's Solar Energy Future*, proposes that solar energy farms be specified in the Williamson Act as a compatible use on non-prime farmland and incompatible on prime farmland. His Comment discusses how land use planning for solar projects affects the various stakeholders in California, recommends an amendment to the Williamson Act, and proposes specific solutions by which prime farmland will continue to be protected while enabling expansion of the solar energy industry on non-prime farmland.

George Vasquez also discusses changes to the Williamson Act in his Comment entitled *The Need for Consistent Assessments of Williamson Act Contract Properties*. His Comment examines the effect of California's budget crisis on the Williamson Act and likely reasons for the history of

improper assessment practices, the passage of Proposition 13, and its effect on the Williamson Act. He concludes by providing a recommendation to amend the Williamson Act using the conceptual framework of Proposition 13 to protect property owners and ensure proper assessment practices.

Jonna Williams explores the use of methane digesters by the dairy industry as a clean energy solution and the regulatory challenges surrounding the use of methane digesters, in her Comment *California Cow Power: Massachusetts v. EPA and the Regulatory Challenges Facing Dairy Manure Biogas Production Projects in the San Joaquin Valley*. Her Comment argues for a change in regulatory framework that restricts the use of methane digesters on dairies by focusing on the decision in *Massachusetts v. EPA* and the 2006 California Global Warming Solutions Act.

Finally, the San Joaquin Agricultural Law Review was fortunate to be able to include two submissions from students attending other law schools.

In *Timber Piracy, Statutory Interpretation, and Legislative Intent: The Louisiana Supreme Court's Decision in Sullivan v. Wallace*, Mirais M. Holden highlights the problem of timber piracy in the state of Louisiana. Her Comment focuses on the issue of remedies available to private owner of property when a co-owner wrongfully removes timber from the property, which is explored in her analysis of the Louisiana Supreme Court's decision in *Sullivan v. Wallace*.

Jennifer J. Kalyuzhny in *Cultivating the Next Generation: Why Farming Internships Should Be Legal*, discusses how agricultural internships play a critical role in educating the next generation of food producers to continue to ensure adequate food production. In her Comment, she argues that federal and state labor laws must be revised to allow mutually beneficial internship experiences for a new generation of farmers."

Alumni Profiles

SJCL congratulates our alumni celebrating 10, 20 and 30-year anniversaries in 2012. It has been a wonderful opportunity to contact all of our alumni to write their amazing stories. Thanks to all for reading and participating.

1982 Pauline Getz

Pauline was working at Kimble, MacMichael when she decided to go to law school, and continued working there full time throughout and beyond. In 1987, she married the “boy next door” and they moved to San Diego, where she joined Ferris & Britton, doing corporate and securities work. Pauline became a shareholder in 1991, and in 1996 decided to start her own firm and get off the freeway commute. Over the next 15 years, Pauline grew and shrunk her firm with the economy. Then in October of 2011, she closed her office and founded a startup with a long-time client. The new company is called LuminOre CopperTouch. Check out the website: www.luminorect.com. It’s pretty exciting.

Over the years, Pauline has had some nice “firsts.” First female attorney at Kimble, MacMichael, first woman to Chair the Corporate Finance Council of San Diego, and first woman and lay person to serve as President of the Standing Committee of the Episcopal Diocese of San Diego.

While in Fresno, Pauline was very involved in the community, where her activities included the YWCA Board; Fresno Arts Center & Museum; KMTF talk show host and producer; Citizen Advisory Commission member and Chair; and the Scottish Society of Central California.

In San Diego, she has continued that trend. Her service includes Corporate Finance Council Board and Chair; Women In Business Board and President; Wireless Consumers Alliance Board; American Electronics Association Executive Committee; San Diego Chamber Orchestra Board and Executive Committee; Palomar Health Foundation Board and Chair;

Poway Chamber of Commerce Board and Chair; Junior Achievement Volunteer Teacher; Poway Business Park Association Board and Chair; Rotary Club of Poway Board and President and Assistant District Governor, Episcopal Community Services Board. (Not all at the same time, of course!)

One of the areas where she has spent the most time is in and around the Episcopal Church. Pauline has served on almost all of the governing bodies of the Episcopal Diocese of San Diego, has served as Vice Chancellor to the Bishop for 20 years, and has served in a wide variety of roles at the parish level. She has been elected six times as a Deputy to the General Convention of the Episcopal Church, which is the legislative body of the national Episcopal Church meeting once every 3 years, and has served as Parliamentarian of the House of Deputies of that Convention for the last 10 years.

While at Kimble MacMichael, Pauline took up golf, and said she doesn’t play any better today than she did then! She can still hear Wally Upton asking her why she carried so many clubs, since the ball goes about the same distance regardless.

Pauline and her husband are blissfully child-free, but have some nieces and godchildren they adore, including two who are the children of fellow alum Mac Stewart.

Asked about SJCL memories, she related; “Dennis Caeton stomping out his cigarette inside the podium or ripping the thermostat cover off the wall; that sinking feeling when you realize you didn’t brief the cases in the footnotes; the professor who shall remain nameless who suggested to a female classmate that she consider becoming a legal secretary: ...where was Mary Louise when you

needed her? “But the best memories were the friendships we forged—studying together, playing together, eating and drinking together. Joanne Sanoian, Deborah Byron and I have almost nothing in common, but we will be best friends until we die. It’s been an interesting career and one I never could have imagined when I was a French major in college. And now, with a husband who has been retired for 7 years, I am reinventing myself and trying to make room for some fun.”

Loren J. Harlow

Loren as employed by the State Water Resources Control Board for nearly 37 years. He retired as the Assistant Executive Officer for the Central Valley Region and has been Of Counsel with Stoel Rives LLP for nearly three years practicing in complex water quality issues.

Loren has been married to Fran for 40 years. Fran retired from California Department of Corrections and is actively engaged in managing the home front. They have two sons, Chris and Matt. Both graduated from the US Air Force Academy in Colorado Springs. After active duty, Chris attended law school at George Washington University and works for S/R Denton in Washington DC. Chris met a fellow Air Force graduate at their 10 year class reunion and is now married to Kathleen. Matt was an AWACS pilot. After active duty he received his professional engineering license (Civil) and is employed by AMEC/GeoMatrix, where he deals with environmental remediation issues.

Loren is a Licensed California Professional Civil Engineer. He has been a member of many organizations. They include the Civil Engineering Advisory Committee at California State University, Fresno (CSUF), American Bar Association, Fresno County Bar Association, State Bar of California, Environmental Law Division, and American Society of Civil Engineers. He also served as an adjunct faculty member at CSUF. Loren was also President of the North Fresno Lions Club and a youth baseball coach.

Loren has written three publications:

- *Regulation of Nonpoint Source Agricultural Discharge in California*, Natural Resources & Environment, Vo. 21, No. 1, (Summer 2011) (co-author)
- News Alert, *Ambitious NPDES Permit Issued to the Sacramento Regional County Sanitation District* (Dec. 10, 2010) (co-author)
- *Effects of Growth Rate and Influent Substrate Concentration on Effluent Quality from Chemostats Containing Bacteria in Pure and Mixed Culture*, Biotechnology and Bioengineering, Vo. XIV, Pages 391-410 (1972)

As for his time at SJCL, Loren says the “entire four years are a blur.” Matt was born in his first year. He worked full time and managed other activities concurrently. Loren remembers using vacations to study for midterms and finals. Additionally he remembers graduation, studying for the bar exam and having major surgery three weeks prior to the exam. Overall, he is glad it was thirty years ago.

1992 Mark Blum '92

At the end of the first year of law school in 1989, Mark began as a law clerk at Smurr, Henry & Gelegan. He joined the firm as an associate upon graduation and admission to the bar. In 1994 that firm divided according to practice groups, and in 1998 changed its name to Henry, Logoluso & Blum. Mark's practice focuses on business and probate litigation, business formation, estate planning and public agency law. The firm serves as legal counsel to the City of Kerman, Biola Community Services District and several local water agencies. Mark has served for many years on Fresno County Law Library's Book Committee, recommending acquisitions to the Library's Trustees.

Mark and his wife, Betsy, have two children, and in homage to Jan Pearson, feed several cats (nobody owns cats) and occasional foxes, raccoons and deer with a taste for cat food.

Betsy has retired after 35 years of teaching world history and running the li-

brary/ learning media center at Yosemite High School in Oakhurst. Betsy's retirement is filled with quilting, arranging foreign travel (last year, Machu Picchu and Galapagos) and extolling the joys of retirement. In years when there is snow, Mark and Betsy continue to downhill and cross-country ski.

Their son, Chris, is a product manager for Mountain Hardwear, an outdoor equipment manufacturer. He spends every free moment escaping Berkeley to climb or ski in the Sierra. Daughter, Caitlin, hasn't been able to get the mountains out of her blood either, and lives in Incline Village, Nevada. She scrapes together a living lifeguarding at Lake Tahoe and is enrolled in a program leading to a master's degree at University of Nevada at Reno for the behavioral modification of autistic children.

Mark continues to marvel at the breadth and strength of the legal education he received at SJCL. The class of 1992 was privileged to learn from some great professors. We learned (or had the opportunity to learn?) trial practice from Judge Lawrence O'Neill, criminal law and procedure from Judge Dennis Caeton, evidence from Justice James Ardaiz, and civil procedure from Judge Oliver Wanger. When attending hearings in Judge Wanger's courtroom, it really took Mark back to law school to hear the same voice on the bench that he had heard all those years ago in civil procedure.

Michael Carrigan

Mike knew from the time he was about 8 years old that his career was going to be as a welder. He entered active duty with the U.S. Navy right after graduating from Merced High School in 1978, because the Navy offered a year-long welding school that culminated in certification to weld on the coolant systems of naval nuclear reactors. After spending 6 years welding for the Navy all over the world, and another 3 years welding for manure pump, food processing and farm implement manufacturers in the Winton and Turlock areas, Mike looked at the burns and cuts on his body, coughed a few times and, when the smoke cleared, wondered whether he might have made a better

choice for his lifetime career. He entered the SJCL Paralegal Program at the beginning 1987, and moved to Fresno in the summer of 1987 to take a job as a paralegal with a local insurance defense firm for about half the pay he was then earning making farm equipment.

After graduating from the Paralegal Program, Mike entered the SJCL Law Program because it seemed like the law was an easy subject and he believed that being a lawyer paid more than being a paralegal which, he was sure, would someday before his graduation from law school pay more than being a welder. Since he had never gotten around to attending college, Mike was required to take the Baby Bar after completing the first year of law school, taking the day-long test in San Francisco with his fellow “special students” Maureen Holford and Susan Hall. All three passed, and began their second year of law school confident that the “real” bar exam was probably not going to be too big of a deal since the Baby Bar hadn't completely exhausted them or crushed their spirits – at least to the point that they could not be revived by many drinks at a nearby bar after the test was over. This belief (mistaken as it eventually turned out to be) carried over somewhat into their study group (which, in addition to Mike, Maureen and Susan, included Crystal Sullivan), and resulted in an almost 1 to 1 ratio of cases briefed to beers consumed by each member (or at least by Mike) in a typical study session.

Luckily, it was about this time that Mike met his future wife, Gwen, at an informational forum for the SJCL Paralegal Program. Both were invited to participate in the forum because of their diverse, non-legal backgrounds: Mike a welder with no college education, and Gwen a bartender and cocktail server with a Bachelor's Degree in Creative Writing. After a halting start, their courtship took flight and they were married in 1990. Mike's case briefing and study group activities dropped off noticeably thereafter.

After graduating from law school and passing the bar exam in 1992, Mike

continued working at the same firm – having progressed through the positions of paralegal and law clerk to that of highly-paid associate.

Mike and Gwen welcomed the birth of their son, Andrew, in 1993. Although Mike had previously suspected it, Andrew's birth convinced him that there was more to life than billable hours and client lunches. So, Mike stepped off the traditional associate-to-partner career path in 1994, and focused his efforts almost entirely on legal research and writing, drafting and arguing most of the appeals and complex law & motion matters in the firm's cases – and also moonlighting for several years teaching the Civil Litigation course in SJCL's Paralegal Program. While he did many appeals for the firm, and published several articles in legal and professional publications, the pinnacle of Mike's work with the firm was briefing and arguing an appeal before the California Supreme Court on Election Day in 1996.

Although the firm had multiple attorneys and a respectable flow of insurance defense, insurance coverage and construction defect cases, there just wasn't enough legal research and writing work to keep Mike as busy or as challenged as he thought he needed to be. So, in the summer of 2000, after 13 years with the firm, Mike left to start his own practice devoted exclusively to legal research and writing on a contract basis for other attorneys in all types of civil cases – and he has never looked back. Even after 13 years with the firm and 12 years on his own, Mike still thoroughly enjoys legal research and analysis. When he isn't reading about legal theories and rules, and figuring out how to apply them most beneficially to his clients' cases, Mike enjoys nonfiction books about physics, cosmology and other light reading subjects, and occasionally attends events at a local Masonic Lodge where he has been a member since 1998.

Mike and Gwen (who has her own contract paralegal practice) both work from the tract home in North-Central Fresno where they have lived since they were married – although when they got

married, their home was considered to be in Northwest Fresno. Working at home came in handy while raising Andrew, who is now in college and no longer amenable to constant monitoring and instruction. Now it just comes in handy by keeping their 12-year-old pound-puppy, Max, from having to spend too much time in the few hundred square feet of "great outdoors" constituting their back yard.

Kim Nystrom-Geist

When Kim graduated from college she was six months pregnant with their son, Josh, so she did part time work during her son's early childhood. Kim started law school when Josh entered second grade. At the end of her first year, she began to clerk for Judith Soley. Kim stayed with Judy as a law clerk until she graduated, at which time Kim became Judy's associate. A few years later she became Judy's law partner. Very quickly, family law became her only practice area. In May 2005, she received one of the best phone calls of her life when Judge Sarkisian called and told her she'd been selected to be a Commissioner of the Fresno County Superior Court. In April 2007, Governor Schwarzenegger appointed her as a judge. Kim's first assignment as a Commissioner was for a trial department in delinquency. She was then assigned to family law in 2006 and has been the presiding family law judge since early 2009.

Kim's husband is Rod, and they are about to celebrate their thirty-first anniversary. Their son, Josh, is about to turn thirty. Josh and his wife, Megan, have two dogs but no kids yet. Rod and Kim have a funny little rescue dog of unknown ancestry whose name is Burton Guster (his friends call him Gus).

During her career, Kim, has had the good fortune to be able to participate in a leadership role in the statewide family law community. She is currently co-chair of the Family and Juvenile Advisory Committee to the Judicial Council. She served as a member of the Elkins Family Law Task Force, and now serves as a member of the Elkins Implementation Task Force. Kim is a member

of the Family Law Education Committee for the Center for Judicial Education and Research. She has participated as a faculty member in a variety of judicial education courses, and served as adjunct faculty for SJCL. In 2010, Kim received the Champions of Justice Award from Central California Legal Services. While an attorney, she served on the Family Law Section Executive Committee of the State Bar, as well as on the Executive Committee for the Conference of Delegates (which was then under the State Bar umbrella). As an attorney, Kim was a Certified Family Law Specialist through the State Bar Board of Legal Specialization. The achievements that she find most satisfying are those that no one else can really see. They are calendars that they have created or approaches that they have implemented which help to provide better service and access in family law.

Kim works a lot, and otherwise leads a quiet and delightfully boring life. She enjoys her family, reads a book almost every day, and spends lots of time in the garden. Gus the dog is very demanding, and a good part of each day is spent throwing a tennis ball over and over and over again. The rest of the time is spent telling him, yes, he does indeed have a nice belly, and yes, she will rub it for him yet again.

All of Kim's memories from law school are special. She is one of those people who loved law school—every part of it. She can't help but have little joyful feelings if she thinks of Sally, Jan or Denise. Her best memories are of the friends she made during law school, who are dear to her heart to this day even though they do not see each other as much as they would like. Kim actually has lots of happy memories centered around study sessions with her friends and those many passionate discussions they all had after tests about the "right" answer. It's been twenty years, but seems like yesterday. She liked the camaraderie they had—that sense of somehow all pulling together toward the same goal. One of her favorite memories was of she and Dorothy Carroll trying to figure out who the stealth good student was in

third place in their class. (It was Trudi Manfredo, but it took a lot of work to figure that out.) Of course, that brings to mind Dorothy and her watching the sun come up as they tried to put the final touches on their moot court brief. They had worked all night on their brief. In those days, they were limited by space rather than word count. Dorothy and Kim both always had a lot to say, so as the sun came up, they were trying to find short words (which would take up less space than their original choices) so that they could squeeze their thoughts into the allotted pages. SJCL gave her many happy memories, and provided her with the opportunity to have a career that has surpassed her highest hopes.

2002 Joseph Arnold

Joseph worked for the Law Offices of Bennett & Sharpe while still in law school. Upon graduating and passing the bar, he continued working as an associate for approximately a year and a half, and then opened his own practice. Joseph was a solo practitioner until 2009, practicing in the area of family law and employment litigation. In 2009, he partnered with Dale Blea, as Arnold & Blea, LLP. They increased staff and associates and expanded into bankruptcy law and civil litigation. This went well until Mr. Blea was appointed a superior court judge in Madera County. In 2011, Joseph incorporated as Arnold Law Group, APC. Currently there are three San Joaquin College of Law graduates working at the firm. They hope to open a satellite office in San Jose, California.

Joseph has been married to Kerry for almost 30 years. They have three children. The youngest, Katherine, is attending California State University Fresno, and works at the law firm during her breaks. Their oldest son, Michael, graduated from San Joaquin College of Law in 2009 and upon passing the bar, commenced working with the firm as an associate attorney. Jennifer, their middle daughter, is currently living in San Diego and opened a marketing business.

In their spare time Joseph and Kerry enjoy traveling. They try to go to a new

destination each year. Hopefully, they can increase the vacations to two per year but it is difficult to get away from the business.

During the summer between Joseph's second and third years, Jarrett Cline and he were taking Insurance Law as one of their summer school courses. Jarrett arrived slightly late for class and could not find a parking spot (nothing unusual so far). Upon entering the classroom, there were a row of students (four total), sitting at a table, who were between their first and second years (keep in mind; this was prior to grades being posted for the first year students). Jarrett came into the classroom (prior to the professor arriving) and slammed his hand on their table stating he could not find a parking spot and could they hurry up and flunk out so that there would be more parking available. All of them laughed in a nervous manner. The irony was the next week upon grades being posted the students sitting at that table apparently did not pass and were no longer present.

Joe also remembered sitting for hours and hours on end, going over barf cards and old exams with Kim Madayag, Jarrett Cline, Darin Powell, Geoff Adalian and Steve Koch. Every member of their study group passed the bar the first time around. What makes this fact really amazing is that their class and group in particular were probably most responsible for the new absentee policy introduced the year after their graduation.

Joe tries to stay in touch with the members of his former study group, and several other friends with whom he attended SJCL. Unfortunately it is not as often as he would like.

Tres Porter

While at SJCL, Tres worked as a law clerk for the Law Offices of Joseph A. Uremovic and later with Henry, Logoluso & Blum. He remained with the later after being admitted to the bar in 2003, practicing in probate, estate planning, and civil litigation. In 2008, he went to work for his friend and classmate at the Law Offices of Joseph M. Arnold, which

shortly thereafter became Arnold & Blea practicing primarily in family law and bankruptcy. In 2010, Tres opened The Law Offices of Tres A. Porter in downtown Fresno, where he is a sole practitioner in the areas of family law, estate planning, and civil litigation.

Tres married his wife, Julie, who is a school teacher for Central Unified School District, during his first year at SJCL, taking their honeymoon during the break just before finals. They have a son, Trystan James Porter, 7, and a daughter Raegan Faye Porter, 5, who keep Tres and Julie extremely busy and constantly entertained.

Tres is currently a member of the Board of Directors for the American Cowboys Team Roping Association, and the Fresno Grangers Federal Credit Union.

Tres is also a farmer. He bought a vineyard of 20 acres of Thompson grapes and 10 acres of Zinfandel grapes approximately a mile and half away from his parents' ranch in Kerman where he was raised. In addition to farming, Tres' entire family is very involved in the sport of team roping, both competing in events throughout California, Arizona, and Nevada and producing team roping events in the Central Valley.

There are a number of special memories from Tres' time at SJCL. It remains his view that he has the distinction of receiving the worst grilling by a professor of any of his classmates during their time at SJCL by "volunteering" to discuss the case of Sir Walter Raleigh regarding the hearsay rule during Justice Ardaiz's Evidence class to get Joe Arnold "off the hook." Tres also recalls some vicious verbal battles, that remain unresolved to this day, in his study group during their first year regarding what sort of person was a "reasonable person" in discussing negligence. Tres had a number of extended study groups and he had many long but enjoyable hours studying with Charles Leath, Nick Zinkin, Dan Bruce, and Edgar Page. There were also some outright hilarious group study sessions with Joe Arnold, Jarrett Cline, Geoffrey Adalian, and Darin Powell.

Thank you for your support!

February 21, 2012- June 15, 2012

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