

LOS ANGELES

Daily Journal

© 2005 DAILY JOURNAL CORPORATION. ALL RIGHTS RESERVED

SINCE 1888

OFFICIAL NEWSPAPER OF THE CITY OF LOS ANGELES AND THE COUNTY OF LOS ANGELES

FRIDAY,
JULY 15, 2005
VOL. 118 NO. 136

www.dailyjournal.com

915 EAST FIRST STREET, LOS ANGELES, CA 90012 (213) 229-5300

\$2.50

State Bar Elects Five New Governors

By Draeger Martinez

Daily Journal Staff Writer

The State Bar of California on Thursday elected five attorneys to its Board of Governors, and plans to swear them to three-year terms by Sept. 11. The new board members include Holly J. Fujie and John P. McNicholas III, both of Los Angeles, Danni Murphy of Santa Ana, James N. Penrod of San Francisco and Maria Carmen Ramirez of Oxnard.

Fujie, 49, a litigation partner of Buchalter, Nemer, Fields & Younger, has served on the Central District of California's Judicial Advisory Committee under Presidents Bill Clinton and George W. Bush. She has also worked on the boards of Bet Tzedek and the Women Lawyers Association of Los

Angeles.

McNicholas, 68, a partner in McNicholas, has been a lawyer representative on the Ninth Circuit Judicial Conference and a board member of the American Board of Trial Advocates, the American College of Trial Lawyers and the Commission on Judicial Nominees Evaluation.

Murphy, 57, supervisor of the Orange County Public Defenders South Justice Center branch office, is a former president of the Orange County Bar Association has served on many local bar assoc committees, and has served on the board of a number of legal charities.

Penrod, 63, a partner in Morgan Lewis & Bockius, formerly headed the litiga-

tion section of the Bar Association of San Francisco. He has also lectured and taught on litigations and trials across the country.

Ramirez, 56, coordinates a self-help legal access center for the Ventura Superior Court. She has spent her entire career providing legal advice to poor residents of Los Angeles, Santa Barbara and Ventura counties.

The California Young Lawyers Association also announced the results of its own elections, adding Rachael Cianfrani of Riverside and Eric Lifschitz of San Francisco to its board. They join Katherine Hren and Sean Paisan, both of Los Angeles, who joined the board after running unopposed.

Father's Son

Patrick McNicholas was not impressed the first time he visited his dad's law office. Later, he realized the career gave him a chance to do good.

BY LEONARD NOVARRO

Patrick McNicholas remembers the first time he visited his father's law office.

"All I saw was files and paper work. I said, 'This is definitely something I don't want to do when I turn into an adult. It looked like too much work,'" recalls McNicholas, 39, who did join his father, John Patrick, 64, in forming McNicholas & McNicholas in 1993. They have since been joined by McNicholas' younger brother, Matthew, 28, who played a key role in winning a recent \$5.3 million verdict on behalf of an African-American member of the Los Angeles Police Department's Bomb Squad, who claimed he was discriminated against (*Francois v. City of Los Angeles*, BC 186536, Los Angeles Super. Ct., 2000).

The Francois case is only one of a number of discrimination cases McNicholas has been turning to more and more recently.

"We almost always represent individuals against larger institutions," McNicholas says. "The lions share of civil rights cases and employee discrimination cases and even molestation cases are against institutions on behalf of individuals. A large portion of the practice is civil rights and discrimination, which, by nature, is going to be an individual versus an institution."

Law ran in McNicholas' family. His father, John, is widely known as a highly skilled civil litigant who has been involved in more than 300 jury trials in Los Angeles superior courts and also handled several high-profile homicide trials in his time.

"Obviously, he was a big influence on me," says McNicholas, who grew up in Los Angeles around the law but did not want to be a part of it until well into college. His major at the University of San Francisco was political science and after graduating in 1983, he worked a summer as a White House intern. "It was a ton of fun," he says. "The access to people making decisions affecting the country and the world could all be seductive, but I knew that if I didn't go to law school at the time, it would never happen for me."

Also, he saw in trial work "one of the few jobs where you had an opportunity to do good and make lots of money at the same time."

After graduating from the University of the Pacific's McGeorge School of Law in 1986 and working part-time for sole practitioner Michael Piuze in

SNAPSHOT

Patrick McNicholas

Law school: McGeorge School of Law, University of the Pacific, 1983.

Career highlights: Partner, McNicholas & McNicholas, Los Angeles, 1993-present; associate, Magana, Cathcart & McCarthy, Los Angeles, 1985-93.

Case types: Discrimination and racial bias

Brentwood, McNicholas joined Magana Cathcart & McCarthy in Los Angeles, where his career really took off. At the time, his mentor, attorney James McCarthy, was heavily embroiled in the Cerritos air crash case. McNicholas jumped in to help with other cases that McCarthy would normally handle and later assisted in a claim against USAir involving another plane crash.

"That's how I was able to get my foot back in the door," says McNicholas, who stuck around for seven years.

During that time, according to John Taylor, who worked with him, McNicholas began to demonstrate a trait that was to serve him well: "He was able to simplify very complex and emotional issues into various appealing themes."

"Appealing" is the key word, for that has come to serve McNicholas, too.

Said Carol Salmacia, who also knows McNicholas' father: "He's got that Irish charm, and he knows how to use it. It can be very effective — to accuse people of doing some horrendous things and do it pleasantly to keep the ear of the jury. In that sense, he's a very compelling, difficult opponent," said Salmacia, a partner in the Santa Ana firm of Ahrens, Rosa & Salmacia.

Juries love him, according to Skip Keesal, a partner in Keesal Young & Logan in Long Beach. "He is charming, gracious and a hundred percent sincere. He's able to understand his case and communicate its strong points. Some people can never figure out their case and sell it wrong. He al-

see FATHER'S SON, page 11

Father's Son

Continued from page 7

ways knows where it is and that puts him over the top."

As a result, McNicholas has been able to amass a considerable record for his clients, including a \$10.8 million jury verdict for a minor molested by a school teacher and \$2.2 million for an executive fired by Toshiba because of his age, in addition to a \$6 million settlement for a family whose father died during the collapse of the MTA tunnel in Hollywood and \$1 million for a tenant burned by overheated water while showering.

Keesal, who was co-counsel in a suit over an elevator collapse that injured several people, commended McNicholas for getting some jury verdicts he described as spectacular. "One of his clients with a broken ankle got \$1.6 million — a giant number," he says.

The formula is simple, says McNicholas. McCarthy taught him that "you can never go wrong if you keep your client's interest first." And be prepared. "You need to be optimistic and persistent. If you look at any given case, you first review a million things that can and will go wrong. "It takes a lot of

money and a lot of time and a lot of things to go right to turn a huge file with complex facts into payment for your client."

In his spare time, McNicholas, who with wife Molly has a 20-month-old son, John Patrick, plays guitar.

Like his musical taste, which favors Neil Young, James Taylor and other early 1970s folk rock stylists, McNicholas, in a lot of ways, harks back to a time when obligation and commitment meant something.

"He's a generous guy," says Richard Bridgford, a partner in Bridgford Knotnerus & Gleason in Los Angeles and a friend of 15 years. "Of all the attorneys I know, this truly is a guy not driven by money. He is a very traditional, high integrity guy and really cut from the old mold."

Bridgford, who regularly seeks McNicholas' input, recalled one incident in which a witness, who could damage one of his cases, told him he was thinking about leaving the country so he wouldn't have to appear in court. Bridgford turned to McNicholas.

"I had no obligation to produce this guy. He wasn't my client, but I called Patrick to ask him what to do," explains Bridgford. "He didn't hesitate for a second. He said, 'You have to tell him to appear.' He confirmed to me what my conscience was telling me. "You don't get that from a lot of guys — especially when it's all about winning."