

ADVOCATES FOR JUSTICE

San Francisco Bay Area • Los Angeles • Washington, D.C. • New York

WILLIAMS APPOINTED TO CALIFORNIA COURT CASE MANAGEMENT SYSTEM COMMITTEE

Steve Williams has been appointed by the **Judicial Council of California** to the California Court Case Management System Justice Partner Advisory Committee. The Committee will advise and make recommendations concerning statewide policies, business practices, and standardization relating to the deployment of an electronic court case management system used in all trial courts. Williams served as part of a Judicial Council Committee responsible for the drafting of California's e-discovery laws.

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EDLING APPOINTED BOARD OF HAMILTON FAMILY CENTER

In January, Matt Edling was appointed to the Board of the **Hamilton Family Center**. Hamilton Family Center is the largest provider of shelter, eviction prevention assistance, rapid re-housing, youth programming, and support services for homeless families in San Francisco.

CPM STOPS THE SALE OF THE CALIFORNIA SUPREME COURT BUILDING, THE RONALD REAGAN BUILDING AND OTHER STATE BUILDINGS



Joe Cotchett, Anne Marie Murphy and Eric Buescher represent two former members of the Los Angeles State Building Authority in litigation to halt the fire sale of eleven iconic state-owned facilities, including the San Francisco Civic Center Buildings and the Ronald Reagan State Building in Los Angeles. The lawsuit alleged that the \$2.3 billion sale to a private consortium with roots in Mumbai, India and Texas was both **illegal and unconstitutional**. According to the suit, the sale was hatched out of last minute efforts by the Schwarzenegger Administration to "allegedly" close the recent budget shortfall. The independent analysis of the **Legislative Analyst's Office** said the deal would cost future generations of Californians nearly \$10 billion in exchange for present day savings of barely one-tenth that amount. Plaintiffs obtained an important victory at the appellate court level when the 6th District Court of Appeals stopped the sale. Newly-elected Governor Brown reconsidered the transaction and on February 9, 2011 he **announced that the sale would not occur**. He noted that the transaction would have cost taxpayers \$6 billion, which was a **primary argument** in the case filed by CPM. The lawsuit has been the subject of investigative reporting by dozens of newspapers including *The Los Angeles Times* and *The New York Times*.

"Selling and leasing back the state's buildings for one-time gains is not prudent."
- CA Governor Brown

JURY HOLDS FORMER CEO OF HOMESTORE.COM LIABLE FOR THE LOSSES TO THE CALIFORNIA STATE TEACHERS' RETIREMENT FUND



A Los Angeles Federal jury awarded the California State Teachers' Retirement System (CalSTRS) and other investors a **multi-million dollar security fraud judgment** against the former CEO of Homestore.com. The jury found Stuart H. Wolff, the former chief executive officer and chairman of the board of Homestore, liable for damages while heading the company. The jury found that the CEO was responsible for the actions of other senior executives who engaged in a fraudulent scheme where Homestore created a circular flow of money, known as "purchased revenues" in which money flowed from Homestore to outside firms and back to Homestore. After the fraud was uncovered, Homestore was forced to restate more than \$120 million in revenue. The securities fraud case, one of the few brought to trial, was headed by **Nancy Fineman**, and with her was **Daniel Sterrett**. CalSTRS had previously settled with other Homestore executives and with the company's auditor, PricewaterhouseCoopers. CalSTRS is the second largest pension fund in the U.S. CPM has represented CalSTRS for many years.



CPM APPOINTED CO-LEAD COUNSEL IN BRITISH PETROLEUM SECURITIES GULF CASE BY FEDERAL COURT IN HOUSTON - TEXAS



On December 28, 2010, Judge Keith P. Ellison of the Southern District of Texas appointed CPM and **Richard Mithoff** of Houston as Co-Lead Counsel for investors of BP securities during the period of March 4, 2009 to April 20, 2010. CPM alleges that BP touted its unique ability to conduct deep sea oil drilling operations in high-risk environments such as the Gulf of Mexico. BP, however, **concealed internal warnings** about its Gulf operations and failed to implement appropriate safety protocols in order to keep costs down. These misrepresentations were discovered after the explosion of the Deepwater Horizon. CPM and Mithoff were appointed to serve as Lead Counsel for investors because their interests were potentially in conflict with the pension funds for New York and Ohio, who were appointed to represent a longer class period. **Joe Cotchett, Mark Molumphy** and **Richard Mithoff** are the lead attorneys representing this group of BP shareholders and lead a team of attorneys that include **Matthew Edling, Jordanna Thigpen, Imtiaz Siddiqui** and **Bryan Payne**. CPM is honored to work with Richard Mithoff on this important case.

**CPM WINS ARBITRATION
AWARD AGAINST
WALL STREET BROKER**

Steve Williams and Aron Liang won a \$3 million award against investment advisory firm, Wedbush Morgan, in a FINRA arbitration in Seattle, Washington. This lawsuit, brought on behalf of aggrieved investors, involved Wedbush Morgan's wrongful recommendation to invest in Nuveen Auction Rate Preferred Securities ("ARPS"), an investment vehicle that imploded in February of 2008. When the ARPS market crashed in February of 2008, almost \$300 billion became frozen, leaving millions of investors unable to access their own money. Many investors were injured by the collapse of the ARS market and CPM was one of the first law firms to investigate the problem and take cases to trial. CPM has long been a leading advocate for Main Street investors who have been deceived by Wall Street firms and major corporations.

**LOCAL BAY AREA FISHERMEN
RECOVER MILLIONS AFTER OIL
SPILL BY OIL TANKER IN BAY**

Through a class action, \$6 million has now been returned to local fishermen in the aftermath of the November 7, 2007 Cosco Busan oil spill. About 120 commercial fishermen will share in the settlement. Frank Pitre led the CPM lawyers, which resulted in the award to fishermen.

**JURY AWARDS \$800,000 TO
PENINSULA RESIDENT**



Jordanna Thigpen secured an award of \$800,000 on behalf of a local resident who was victimized by a Ponzi scheme targeting senior citizens. "We hope that the jury's verdict sends the message loud and clear to people that they can't take senior citizen's money without consequences," Thigpen said.

**CPM WELCOMES
NEW ASSOCIATES**



ERIC J. BUESCHER received his B.A. in Political Science, with a focus on International Relations from Duke University and J.D. from Georgetown University Law Center.



JESSICA L. CURIALE received her B.A. from the University of Southern California. Curiale graduated magna cum laude from the University of California, Hastings College of the Law.



BRIAN M. SCHNARR received his B.A. in Political Science from California State Polytechnic University San Luis Obispo. Schnarr is a proud graduate of the University of San Francisco School of Law.

**COTCHETT RECEIVES AWARD FROM
SAN MATEO CHAMBER OF COMMERCE**



In February, the San Mateo Area Chamber of Commerce and the City of San Mateo presented Joe Cotchett with the Frances Bohannon Nelson Legacy Award. The commemoration took place at the 16th Annual Business Awards Dinner where Hon. Jackie Speier and Hon. Anna Eshoo were in attendance to honor Cotchett. Cotchett received the award for his dedication and involvement with the community, his pro bono work and his efforts to make a change in society in San Mateo County.

**MORE MUNICIPALITIES
SUE WALL STREET**



Nanci Nishimura is leading the charge against 40 major banks, insurance companies and brokers that provided guaranteed investment contracts and swaps to cities, California counties, and other agencies. In the federal government's criminal investigation, Bank of America admitted that the bidding process for obtaining these municipal derivatives was rigged. Recent complaints filed by CPM, the Los Angeles Unified School District and New York state entities, now totals 24 entities taking on Wall Street.

**HISTORIC SETTLEMENT IN ELDER ABUSE -
LEGAL AID SOCIETY PRAISES OKCU**



Lead attorney, Niki Okcu, along with Hope Nakamura of Legal Aid Society of San Mateo County handled the elder abuse case pro bono, which involved the bilking of an 89 year old widow, Pauline Reade, out of nearly \$600,000. Ms. Reade faced foreclosure on the Pacifica home she has lived in since 1951 after Fetuu Tupoufutuna, a scam contractor, tricked her into signing loan documents in the sum of hundreds of thousands of dollars with various banks and mortgage entities. The settlement comprised that the lien on Ms. Reade's property will be completely removed and she will have no obligation under the loan which currently exceeds \$420,000.

FINANCIAL ELDER ABUSE SETTLEMENTS



Justin Berger successfully resolved several financial elder abuse cases in recent months, including the case of Berry v. Ibrahim, in which Berger secured over \$200,000 for an elderly Stockton couple that had been sold an unsuitable life insurance product. This is one of many cases where senior citizens are victims of fraud.

CPM SUPPORTS OUR TROOPS - 101ST AIRBORNE -



CPM has been a long-time participant in the "Americans Supporting Americans ("ASA") Program". ASA provides the opportunity to support the morale of troops serving in military units overseas. In times of war, a strong connection with our troops has proved richly rewarding to the troops. Units deployed abroad serving in harm's way count on letters and care packages to boost morale and help them feel connected to home. CPM is honored to foster Alpha Troop 1st-75 Cavalry, 2nd Brigade Combat Team from the 101st Airborne Division (currently in Kandahar Province, Afghanistan). CPM has sent Alpha Troop approximately 350 lbs of various goods. Darren Kelley, a former 82nd Airborne paratrooper and paralegal, heads up the cause along with Joe Cotchett, a former Special Forces JAG Colonel and Pete McCloskey, a former Marine Colonel decorated for heroism in Korea.

PITRE RECEIVES EDWARD I. POLLOCK AWARD FROM CONSUMER ATTORNEYS



At a recent Consumer Attorneys of California Annual Awards Dinner, Frank Pitre was honored with the organization's Edward I. Pollock Award, given "in recognition of many years of dedication, outstanding effort and effectiveness on behalf of the causes and ideals of consumers." With over 25 years experience in mass tort cases, Pitre has earned national acclaim for his work in consumer fraud, product liability and personal injury cases. Presently, Pitre serves in leadership roles managing prosecution of economic loss class action cases against Toyota Motors, as well as coordination of hundreds of injury, death and property damage cases arising out of the PG&E pipeline explosion and fire which occurred in September 2010. Pitre served as Co-Lead Counsel in the recent settled drug cases against Pfizer.

FINEMAN APPOINTED TO BOARD OF DIRECTORS OF THE CALIFORNIA BAR FOUNDATION



The Board of Governors of the State Bar of California has appointed Nancy Fineman to the Board of Directors of the California Bar Foundation. Founded in 1990, the California Bar Foundation is a nonprofit organization dedicated to building a better justice system. To achieve their mission, the Foundation expanded the size of its Board to provide better representation throughout the state's legal community and to assist the nonprofit organization's resource development efforts. Effective January 1, 2011, Fineman will serve a two-year term on the Board. Fineman is a UC Boalt Hall Law School graduate.

CASE UPDATE:

SAN BRUNO PIPELINE EXPLOSION FRANK PITRE -- ARA JABAGCHOURIAN -- NIKI OKCU

On September 9, 2010, a pipeline owned and operated by PG&E ruptured below the Crestmoor neighborhood of San Bruno, killing eight, injuring many more, and destroying more than three-dozen homes. Early reports from the National Transportation Safety Board and others charged with investigating the disaster have revealed disturbing details about PG&E's maintenance and inspection of the pipe. For example, the NTSB found that the pipe that exploded contained welding "imperfections," and PG&E has come under fire in the wake of the disaster for being unable to locate key records and information relating to the ill-fated pipe. As NTSB chairwoman Deborah Hersman summed it up, "In the years since the pipe was put into service, decisions regarding inspections, operating pressures and risk management plans were all based on facts that were just plain wrong." CPM represents over **forty-five families and individuals** who lost loved ones or were injured in the fire, or whose homes were destroyed or damaged in the blaze.

**CPM zài zhōngguó zuò le hěnduō
gōngzuò, bìng zài zhōngguó fèn zhī jīgòu.**

HON. PETE McCLOSKEY



AWARDED THE

PEACE PRIZE

BY THE

NO GUN RI PEACE COMMISSION
SEOUL, KOREA

DECEMBER 2010

*For his historical account and essay on the tragedy
at a railroad bridge near the small village of
No Gun Ri during the Korean conflict.*

*FOLLOWING STANFORD, PETE McCLOSKEY ENTERED THE
MARINE CORPS AND SERVED IN THE KOREAN CONFLICT.
HE WAS WOUNDED TWICE AND IS A RECIPIENT OF THE NAVY
CROSS FOR EXTRAORDINARY HEROISM, THE SILVER STAR FOR
BRAVERY IN COMBAT AND TWO PURPLE HEARTS.
McCLOSKEY WAS A COMPANY COMMANDER.*

*McCLOSKEY SERVED IN THE U.S. HOUSE OF REPRESENTATIVES
AND REPRESENTED THE SAN FRANCISCO PENINSULA
AND SILICON VALLEY FOR FOURTEEN YEARS.*

A DISTINGUISHED PARTNER OF CPM

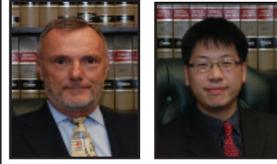
CPM HAS OFFICES IN THE SAN FRANCISCO BAY AREA, LOS ANGELES, WASHINGTON, D.C. & NEW YORK

COMMUNITY GATEPATH APPOINTS WILLIAMS AS CHAIR OF THE BOARD SERVING ADULTS WITH DISABILITIES



Steve Williams has been named Chair of the Board of Community Gatepath. Community Gatepath fosters hope, dignity, and independence among **children and adults with disabilities**, and is dedicated to building inclusive environments where individuals of all abilities can thrive. Community Gatepath helps people with disabilities in all aspects of their lives including meaningful employment. More information about Community Gatepath can be found at www.gatepath.org.

CPM WORK RECOGNIZED BY COURT OF APPEAL



In a published decision, California's First Appellate District Court applauded CPM's **Phil Gregory** and **Aron Liang** for doing "an excellent job for [client]," going on to characterize the lawyering as "Stupendous." The court said "the litigation was extraordinarily complex and required a high level of legal skills to achieve a favorable result." **Gregory** heads up a number of **environmental cases** at CPM.



NIALL P. McCARTHY
PRESIDENT-ELECT



ANNE MARIE MURPHY
BOARD OF DIRECTORS



MATTHEW EDLING
BOARD OF GOVERNORS

McCARTHY, MURPHY AND EDLING ELECTED TO CONSUMER ATTORNEYS OF CALIFORNIA LEADERSHIP

Niall McCarthy, **Anne Marie Murphy** and **Matthew Edling** have each been elected to leadership positions within **Consumer Attorneys of California** ("CAOC"), which is the leading state-wide consumer trial lawyer organization with over 3,000 members. **Niall McCarthy** is the **President-Elect** of the organization and will begin his term as President in December 2011. **Anne Marie Murphy** was elected to the Board of Directors after previously serving on the Board of Governors. **Matthew Edling** is newly appointed to the Board of Governors. CAOC is actively involved in efforts to protect the rights of California consumers, including the right to a jury trial and access to the Courts. CAOC also plays a leading role in Sacramento legislative affairs, ensuring that the rights of everyday citizens are protected against wrongful acts and conduct.

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