



FBA Sacramento News & Notes

A periodic publication of the Sacramento Chapter of the Federal Bar Association

April 2009

Eastern District Conference in Napa Valley



Magistrate Judge Kim Mueller, Bob Slobe, Magistrate Judge Greg Hollows, Norm Hile, and Belinda Beckett gathered in Napa Valley for a successful Eastern District Conference. Enjoy more photographs from the event on page 2 of this issue.

Solicitation for Comments and Suggestions on Our Local Rules

The Eastern District is considering revising its Local Rules in conjunction with anticipated amendments to the Federal Rules of Civil and Criminal Procedure. If you have any comments about or suggested amendments to the Eastern District's Local Rules, please forward them to Jean Hobler at jmhobler@gmail.com. ■

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Comments from the President

**By Jean M. Hobler,
United States Attorney's Office**



Past-President Antonia Darling and President Jean Hobler

Greetings! Welcome to the 2009 series of the award-winning *FBA Sacramento News & Notes*. We bring back this year's newsletter better than ever, with new columns and a new editor, Bre Moebius. Senior District Judge William Shubb will again return with his personal histories of a few of the many significant cases and events in the District's history. The Clerk of the Court, Victoria Minor, joins us with a new column providing news and information of interest to federal practitioners. And our "10 Things You May Not Know About" series will kick off with a look at the newest appointee to the Eastern District bench, the Honorable John A. Mendez.

This year we are planning many new seminars and programs, as well as bringing back favorites such as our annual summer review of key United States Supreme Court decisions. Already this year we have had our first Members' Mixer, at the new Morton's on Capitol Mall. March saw the return of our wildly popular program of a few years ago, "Technology in the

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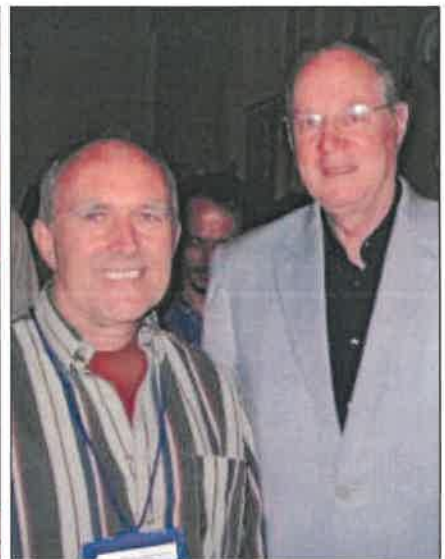
Eastern District Conference

Judges, practitioners, and other honored guests gathered for the annual Eastern District Conference at the Napa Valley Marriot Hotel and Spa. Attendees also enjoyed an elegant dinner in the caves at Clos Pegase Winery.



Ninth Circuit Conference

Judges and practitioners from our district also traveled to Sun Valley, Idaho, for the Ninth Circuit Conference from July 28 to July 31, 2008. Among of the highlights was a session led by Justice Anthony Kennedy.



10 THINGS YOU MAY NOT KNOW ABOUT JUDGE JOHN A. MENDEZ

By Candice Fields,
Kronick Moskowitz Tiedemann & Girard

Judge Mendez is very into sports. **His whole life has been about baseball.** Throughout childhood, he was a utility infielder. He is a huge Giants fan and will never forget being taken to his first game by his beloved dad. Among his office toys are a mini-bat and ball. His chambers occasionally turn into a field of dreams.

Judge Mendez was the **highest point scorer on his junior high basketball team!** He believes that athletic ability saved him from socially-driven "height challenges."

As a young lawyer, he landed tickets to the **1982 Super Bowl in Detroit.** He took his dad to see the 49ers win that game.

While he is "not good" at golf, he loves the game. Cypress Point is his favorite course, although he is working on playing a round at the Augusta National Golf Club, home of the Masters Golf Tournament. One of his remaining life goals is to **break 90 on a regular basis . . . someday.**

Being a member of the **fraternity Zeta Psi** as a Stanford undergrad "toughened him up." As a result, he now very much enjoys lawyers who are well-prepared to respond to his challenges from the bench.

At Harvard Law, Judge Mendez found time to 1) attend weekly viewings of **Saturday Night Live**, 2) help a future United States Senator organize an **unauthorized kegger** in the law library "green room," and 3) take **ballroom dance lessons** from a fellow law student. Undoubtedly, the list goes on.

Never forgetting what he learned at Harvard Law, Judge Mendez and his staff often **"dance it out"** on Fridays in chambers. He loves swing but one of his favorite tunes,



"Burrito Song," is a strong indicator of his eclectic taste in music.

Although he is an **avid fan of television** as an escape from a long day, perhaps surprisingly, Judge Mendez is not a fan of "Dancing with the Stars." He still watches SNL (but taped, being "too old to watch it live anymore"), 30 Rock, Sopranos, Entourage, and, yes, Weeds.

Well-known as a **family man**, Judge Mendez takes his family on an annual trip to Napa where the kind folks at Silverado ensure that they always stay in the same room for the comfort of his daughter, Caroline. That said, a **yellow toy corvette** he keeps next to his computer reveals his fondness for a fun weekend shared with his wife in Southern California. The corvette he rented had racing stripes. The one he would own in another life might, too.

Judge Mendez believes that the whole point is that "you've got to enjoy life. It's serious business in court, **but you have to have balance.**" ■

Courthouse Connection

As the success of your practice requires familiarity with our federal court, FBA Sacramento News and Notes has created a new column designed to provide useful information about litigating effectively in the Eastern District of California. FBA Sacramento is grateful to Ms. Minor and her staff for their work on this new column.

**By Victoria Minor, Clerk of the Court,
United States District Court for the Eastern District of California**



Greetings from the Clerk's Office for the Eastern District of California. We are happy to have this opportunity to contribute to this newsletter and we hope our column will be helpful and keep you up-to-date on the activities in the district court. For our "inaugural" submission, we thought it would be a good idea to give you key staff contact information and highlight some technology changes happening in Sacramento.

The Clerk's Office has a wonderful group of supervisors who can help you navigate the Clerk's Office, CM/ECF, financial questions, or find out what is happening with technology. The key people are listed for you at the bottom of this page.

In addition to the "legal" side of our work, we are also actively involved in reaching out to our community through school tours that allow students of all ages to see how we do our work and to help educate them on what the federal courts do. If you would like to schedule a tour of the Sacramento courthouse, please contact Yelena Williams (Executive Assistant to the Clerk) at (916) 930-4042 or ywilliams@caed.uscourts.gov. To schedule a tour of the Fresno courthouse, please contact Rachel Balli (Facilities and Resources Specialist) at (559) 499-5621 or rballi@caed.uscourts.gov.

We have been doing a lot with technology these days, and you may have noticed new equipment in our Sacramento courtrooms. Over the

last fifteen months, the court has been involved in a major courtroom infrastructure upgrade that was recently completed. Because of this project, "new and improved" technology is now available in all fourteen Sacramento courtrooms. The audio/video systems installation includes evidence displays in the jury and witness boxes. Video conferencing is now available in the courtrooms and allows for multiple camera views that include the judges, witnesses, and the lecterns. The evidence markup panels at the witness and lectern locations provide touch screen, markup editing capability and annotation on existing documents. In addition, we have made significant systems improvements with the help of a software upgrade in each courtroom. We encourage you to visit any of our courtrooms to see the new equipment and how it works. If you would like to talk to our IT staff about the equipment, you should contact Glenn Fowler, our IT Director. If you would like training on the equipment, you can arrange and schedule it through the courtroom deputy for your assigned judge. The training lasts approximately thirty minutes and is well worth the time investment.

Finally, if you have specific topics or areas you would like to hear about in future columns, please contact Yelena Williams. We want this to be a worthwhile, helpful, and educational addition to the newsletter. ■

Clerk's Office Contact Information

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Jeannie Vasquez (559) 499-5968
Courtroom Servs.: Angela Alvarez (559) 499-5614

First FBA Mixer of 2009

FBA Members gathered for wine and hors d'oeuvres at the new Morton's Steakhouse on Capitol Mall.



Alex Medina, Candice Fields, and Melissa Jones



Matt Jacobs, Larry Brown, and Deborah Caplan



Jean Hobler and Magistrate Judge Ed Brennan



Bhavani Murugesan and Antonia Darling



2009 Officers of the FBA Sacramento Chapter

Don't Miss the Spring Members' Mixer!

In the hopes of seeing your smiling face in the next newsletter, please be sure to join your fellow FBA members at the Spring Members' Mixer on May 14th from 5:00 to 7:00 p.m. at Lounge ON20. At the mixer, we will elect the first Board of Directors of the newly-incorporated Sacramento Chapter. ■

Great Turnout for Technology in the Courtroom

On March 5, 2009, FBA Sacramento presented "Technology in the Courtroom: Courtroom Upgrades, Strategies and Advantages." Presenters, Dr. Dan Dugan of Trial Science, Inc. and attorneys Jack Diepenbrock and David Robertson, shared innovative technology and strategies they successfully used in a complicated trial in the Eastern District of California. Of particular note is "smart board," which allows presenters to manipulate documents on demand and in real time in front of the jury. This technology is now available for use in all Sacramento courtrooms. FBA Sacramento is grateful to Dr. Dugan, Mr. Diepenbrock, and Mr. Robertson for their time and efforts. Thanks also to Judge Morrison England for his assistance in allowing us to use the ceremonial courtroom for this event. ■

Comments from the President – continued from page 1

Courtroom” – and those of you who attended can attest to its success. In May we’ll provide a primer for civil practitioners who get the call that their client is undergoing a search warrant or has been arrested.

May will also see the return of our Spring Membership Mixer, where we’ll hold a vote for the Board of Directors for the remainder of the year and vote on new bylaws. Why two elections for 2009? Because we’re incorporating the chapter for the first time in its many-decades history, as a non-profit, mutual benefit corporation – a move we think will help us work more efficiently and effectively.

In June we’ll work with the Eastern District to once again present training for the District’s Section 1983 Pro Bono Panel of Attorneys – open to both existing panel members and anyone who is interested in joining this vital program. The Chapter strongly encourages members and non-members to sign up for the panel both to provide representation to non-frivolous prisoner rights cases and to grasp the opportunity for trial practice that eludes so many practitioners these days.

The second half of the year is just as action-packed, with the nineteenth iteration of our signature program “Supreme Court Year in Review.” Professors Brownstein and Kelso will once again provide their unique, entertaining, and often quite different takes on the opinions from the previous session of the United States Supreme Court. Other programs in the works include Ninth Circuit practice from the insider’s perspective, asset forfeiture updates, and, of course, an end of the year mixer.

We look forward to serving you and invite suggestions as to topics to be covered at events, possible speakers to invite, or other ideas to help us serve you better. ■

Save the Date:
Supreme Court Year in Review

The Sacramento Chapter of the FBA will host its annual and much-anticipated “Supreme Court Year in Review” on August 6, 2009. Please plan to join us for a memorable session with Professors Alan Brownstein and Clark Kelso at the Sterling Hotel. ■

*Become a Member of the
Supreme Court Bar*

Monday, June 8, 2009

Take advantage of a unique opportunity to join the bar of the United States Supreme Court, with the help of the FBA.

The Younger Lawyers Division is hosting its annual Supreme Court Admissions Ceremony at the Court. As in years past, we will be inviting the Justices to join us for a breakfast reception after the ceremony. Although the Younger Lawyers Division sponsors this event, FBA members of all ages and levels of practice are welcome to participate.

While some believe that the highlight of the day is being sworn in before the nine Justices in the historic courtroom of the highest court in the land, many others find the breakfast reception to be equally memorable. Each year we have been joined by one or two Justices. Other dignitaries such as the Solicitor General of the United States have also made welcome appearances. Whatever your preference, joining the most elite bar in the United States is an experience that will last a lifetime.

More information is available at the YLD Web site at www.fba-yld.org and from Adrienne Woolley at FBA Headquarters (awoolley@fedbar.org or (571) 481-9100).

*Don't miss this chance to join the bar
of the Supreme Court*



What Programs Would You Like to See in 2009?

The Sacramento Chapter of the FBA intends to continue its tradition of bringing exciting social events and quality educational programs to its members. While several programs and mixers are in the works, the Programs Committee is anxious to hear the types of programs and events that would benefit your practice. Please submit your ideas to our Programs Co-Chairs, Meghan Baker at mbaker@downeybrand.com or Michael Wilcox at michael.wilcox@bullivant.com. ■

**Upcoming FBA Program:
Document Production by Other Means:
What to Know When Your Client's
Address Ends Up on a Search Warrant**

On May 7, 2009, from 12:00 to 1:00 p.m., the Sacramento Chapter of the FBA will host a beneficial program focusing on what civil litigators and transactional attorneys need to know when a client suddenly calls – in a panic – because criminal investigators are executing a search warrant at their business or home. The program's distinguished panel of speakers will include Malcolm Segal, Mark Reichel, and Shari Rusk. The panel will explain how execution of a search warrant can raise complicated, interrelated issues involving the Fourth Amendment, the Fifth Amendment, the attorney-client privilege, the work product doctrine, and attorney conflicts of interest. The speakers will also explain what attorneys should do when confronted with these issues in an emergency situation. ■

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What Do You Want to See in the Next Issue?

The *FBA Sacramento News and Notes* is created for its members. If you would like to write an article, place a member announcement, advertise or place classified ads, submit photographs, or make suggestions about the content of the newsletter, please email our Newsletter Editor, Breann Moebius at bre.moebius@gmail.com. ■

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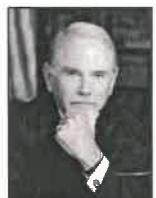
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Inside: The April 2009 Issue of *FBA Sacramento News & Notes*



Please Keep in Touch!

The FBA Sacramento communicates with its members primarily through email. If you have not been receiving emails from the FBA, check your spam filter and send an email to FBA Sacramento Membership Chair Breann Moebius at bre.moebius@gmail.com. Additionally, if you have recently changed your address, phone number, or other contact information, please let us know so that we can update our records.

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