



FBA Sacramento News & Notes

A periodic publication of the Federal Bar Association, Sacramento Chapter

March 2010

Do You Know Our District's History?



Can you identify the judges in the picture above?

Take the Eastern District History Quiz, written by Judge William B. Shubb, on pages 2 and 3 and find out if you are worthy of a Ph.D. in the History of the Eastern District.

Comments from the President

By Stephen Lau
Mennemeier, Glassman & Stroud LLP



I am excited and honored to be the 2010 President of the Sacramento Chapter of the Federal Bar Association. Last year's President, Jean Hobler, set high standards for leadership and hard work. I will do my best to follow.

2010 promises to be an exciting year for our Chapter. In January, our programmatic year kicked off with a terrific and well-attended mixer and election at Il Fornaio. This Spring, the Chapter will be hosting another social mixer with newly appointed U.S. Attorney Benjamin Wagner as the guest of honor. Our mixers are a great way to meet up with old friends and colleagues, to interact with friendly Judges, and to experience fun spots around town.

For the past nineteen years, Professor Alan Brownstein (of King Hall) and Professor J. Clark Kelso (of Pacific McGeorge) have presented insightful and entertaining commentary at our Supreme Court Year-in-

See page 11 – Comments from the President

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Eastern District History Quiz

By Judge William B. Shubb

*Test your knowledge of the history of the Eastern District of California.
Answer each one of the questions below, then check your answers on page 13.*

- 1. The first Chief Judge of the Eastern District of California was:**
 - a. Sherrill Halbert
 - b. Myron D. Crocker
 - c. Thomas J. MacBride
 - d. Philip C. Wilkins
 - e. Robert E. Coyle
- 2. The first United States Marshal of the Eastern District of California was:**
 - a. Robert LaRoche
 - b. Arthur VanCourt
 - c. Edward Heslip
 - d. John Begovich
 - e. Wyatt Earp
- 3. The present United States Courthouse at 501 I Street is named after Congressman Robert T. Matsui. The former Courthouse at 650 Capitol Mall was named after:**
 - a. a Senator
 - b. a Congressman
 - c. a Judge
 - d. an Attorney
 - e. none of the above
- 4. Lynette Fromme was tried and convicted in the Eastern District of California for attempting to kill which President:**
 - a. Richard Nixon
 - b. Gerald Ford
 - c. Jimmy Carter
 - d. Ronald Reagan
 - e. George H. W. Bush
- 5. Who was the judge who presided over Fromme's trial?**
 - a. Thomas J. MacBride
 - b. Philip C. Wilkins
 - c. Oliver J. Carter
 - d. Lawrence K. Karlton
 - e. Raul A. Ramirez
- 6. What was Fromme's nickname?**
 - a. Squeaky
 - b. Lyn
 - c. Red
 - d. All of the above
 - e. None of the above
- 7. Fromme's attorney was:**
 - a. Aubrey Grossman
 - b. Sheldon Grossfeld
 - c. Michael Virga
 - d. John Virga
 - e. J. Tony Serra
- 8. How many present or former United States District Judges for the Eastern District of California were formerly Assistant United States Attorneys?**
 - a. One
 - b. Two
 - c. Three
 - d. Four
 - e. Five
- 9. How many present or former United States Magistrates for the Eastern District of California were formerly Assistant United States Attorneys?**
 - a. One
 - b. Two
 - c. Three
 - d. Four
 - e. Five
- 10. Who was the first United States Magistrate for the Eastern District of California?**
 - a. Robert E. Woodward
 - b. Rothwell B. Mason
 - c. William B. Shubb
 - d. Esther Mix
 - e. John F. Moulds

Continue to test your knowledge on page 3

11. The first United States Attorney for the Eastern District of California was:

- a. Cecil F. Poole
- b. Rothwell B. Mason
- c. John P. Hyland
- d. Dwayne Keyes
- e. Clarence Darrow

12. The Eastern District of California was created on:

- a. September 14, 1850
- b. July 14, 1911
- c. July 14, 1939
- d. September 16, 1954
- e. September 18, 1966

13. The first Clerk of the United States District Court for the Eastern District of California was:

- a. Jack Wagner
- b. James R. Grindstaff
- c. James D. Walsh
- d. Robert C. Williams
- e. William C. Robb

14. How many Assistant U. S. Attorneys were in the Sacramento Office when the Eastern District was formed?

- a. Three
- b. Thirteen
- c. Twenty three
- d. Thirty three
- e. Three hundred and thirty three

15. The first Federal Defender for the Eastern District of California was:

- a. Carl E. Larson
- b. E. Richard Walker
- c. Arthur Ruthenbeck
- d. Quin Denvir
- e. Dan Broderick

16. The "Unabomber" was:

- a. Theodore Kaczynski
- b. Alex Kozinski
- c. Peter Nowinski
- d. Erwin Chemerinsky
- e. Roman Polanski

17. The District Judge who was assigned the Unabomber case was:

- a. David F. Levi
- b. William B. Shubb
- c. Garland E. Burrell, Jr.
- d. Frank C. Damrell, Jr.
- e. Morrison C. England, Jr.

18. Before he was appointed to the United States District Court, Judge Karlton was:

- a. a Superior Court Judge
- b. a State Assemblyman
- c. a State Senator
- d. an Assistant Public Defender
- e. all of the above

19. Which judge's father, by the same name, was a Superior Court Judge?

- a. Frank C. Damrell
- b. Morrison C. England
- c. Garland E. Burrell
- d. Milton L. Schwartz
- e. None of the above

20. Bankruptcy Judges used to be called:

- a. Administrative Law Judges
- b. Bankruptcy Hearing Officers
- c. Referees in Bankruptcy
- d. Bankruptcy Mediators
- e. None of the above

To find out if you earned your Ph.D. in the History of the Eastern District, continue to page 13 for answers and explanations.

The picture on the front page of this edition shows Martin I. Welsh (top right) when he was sworn in by Chief Judge A. F. St. Sure as the first federal judge to reside in Sacramento, in 1939. In the bottom row, from left to right, his successor Judge Dal M. Lemmon (1947-1954) of Sacramento and Judges Campbell E. Beaumont (1939-1954) and Gilbert H. Jertberg (1955-1958) of Fresno.

January FBA Mixer at Il Fornaio

In January, FBA members gathered at Il Fornaio's heated patio for cocktails and hors d'oeuvres to celebrate the new year and elect the FBA Board of Directors for 2010.



Judges John Mendez, William Shubb, Larry Brown, and Lawrence Karlton



Bre Moebius, Ken Mennemeier, and Ashley Joyce



Peg Toledo, Alex Medina, Dennis Chappabitty, and Antonia Darling



Steve Lau, Dan Croxall, and Melissa Jones



Sigrid Waggener, Michael Mills, and Jeff Galvin



Candice Fields and Ward Campbell

10 THINGS YOU MAY NOT KNOW ABOUT U.S. BANKRUPTCY JUDGE MICHAEL S. MCMANUS

By Walter R. Dahl
Dahl & Dahl, Attorneys at Law



1. Multiple Mascots. Judge McManus attended four high schools during his four year high school career: Livermore High School (home of the "Cowboys"), Highlands High School (the "Scots"), Foothill High School (the "Mustangs"), and finally Bella Vista High School (the "Broncos"), from which he received a diploma, on time. Thereafter, his mascots were the Cal "Bears" (undergrad), and the UCLA "Bruins" (law school).

2. Something In The Water? Judge McManus was a founding partner of the Sacramento bankruptcy boutique firm of Felderstein, Rosenberg & McManus. That firm has spawned more than its share of judges. In addition to Judge McManus, alums Jane Dickson McKeag served as a bankruptcy judge in the Sacramento Division of the Eastern District of California from 1994 to 2005, Whitney Rimel, appointed in 1998, continues to serve as a bankruptcy judge in the Fresno Division of the Eastern District of California, and David Rosenberg has been a judge of the Yolo County Superior Court since 2003.

3. Sleeping In Chambers. When appointed to the bench in 1994, Judge McManus was primarily assigned to the Modesto Division Bankruptcy Court, and he and his family moved to Modesto. With the retirement of Judge David E. Russell, Judge McManus was assigned to Sacramento and made plans to move north. When the escrow for the sale of their Modesto home fell apart, and another school year commenced, the family stayed in Modesto. With back-to-back court calendar days, Judge McManus would come in to Sacramento for two to three days at a time, using his chambers as not only an office but also an apartment. After returning from obtaining dinner (urban foraging?) he was often the only person in the U.S. Courthouse overnight.

4. Author, Author! The Chapter 13 model plan and accompanying general order in use in the Eastern District of California were authored by Judge McManus. Many other bankruptcy courts across the country have since adopted a model plan and procedures based largely on his work. After about one year on the bench, Judge McManus, who had

never handled a Chapter 13 debtor case in private practice, recognized a need for uniformity and predictability to assist the court, the Chapter 13 trustees, and the other parties-in-interest in efficiently processing these high-volume and rapid-track repayment plan cases.

5. Judicial Wheelman. After his aching feet decided that his first ½ marathon would be his last, Judge McManus purchased a road bike in April 2007 and began a training regimen under the tutelage of Bankruptcy Judge Robert S. Bardwil, a life-long rider. Currently Judge McManus has both a metric century (100 km) and a century (100 mi) under his belt, and is now training for the Davis Double Century this May.

6. Antiquarian Book Collecting. With the shift to electronic case reporters, Judge McManus found that most of the floor-to-ceiling bookcases in his chambers resembled Mother Hubbard's cupboard. Slowly at first, but with increasing frequency, those bare shelves have been filling up with rare and beautiful old books. Judge McManus' passion is for historical fiction, but almost any first edition of a significant author may find a home in his personal library, either at home or in chambers.

7. On the Move. His father served for many years in the U.S. Air Force, so Judge McManus moved frequently as a child. Born at McDill AFB in Florida, the family moved to Massachusetts when Dad was posted to Greenland, and then Camp Parks AFB (in Alameda County), Japan, Kansas City, Livermore (when Dad was posted to Korea), and finally McClellan AFB in Sacramento.

8. A Family Man. Judge McManus and his wife are the proud parents of three talented young women: one in high school, one in college, and one an elementary school teacher. Judge McManus' wife is a first grade teacher.

9. Extra Duty Volunteer. As if he didn't have enough to keep him busy in the Eastern District, in 2009 Judge McManus volunteered to help out in the Reno division of the District of Nevada. He was formally appointed a temporary Bankruptcy Judge of the neighboring district and has been hearing the Chapter 13 calendar in Reno about two days per month, freeing up the other bankruptcy judges in

Nevada to cover the significantly increased filings in the Las Vegas Division.

10. King of the Tentatives. Back in 1994 (pre-Internet), Judge McManus began creating detailed tentative rulings for almost all matters on his law and motion calendar. He started with the goal of getting himself better prepared, but soon realized that lawyers would benefit too by focusing (read "shortening") their oral arguments. Collateral benefits include minimizing in-person appearances when all parties accept the tentative and reducing appeals. Each tentative is composed of multiple "macro" standard paragraphs (which Judge McManus continually refines) coupled with individualized facts relevant to the particular motion or other matter. Pre-hearing dispositions (the new, broader term for tentative rulings) are now posted on the court's website by at least the afternoon of the day prior to hearing. For a recent law and motion calendar containing 127 separate items, Judge McManus published 96 pages of single-spaced pre-hearing dispositions four days in advance of the hearing. ■

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congratulates

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upon his appointment as
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Upcoming FBA Program: "Meltdown 101: Lessons Learned from the Great Recession"

The recession and subsequent "mortgage crisis" have received endless attention in the media, but what are the facts behind the hype and what effect will they have as we recover? During the lunch hour on March 17th, join Kevin Baker of the FBI, Matthew Stegman of the U.S. Attorney's Office, and Professor Michael Malloy of Pacific McGeorge School of Law to learn more about what brought the economy to its knees, what the government is doing about it, and what legal practitioners should know as we recover. The cost, including lunch, is only \$5 for members and \$15 for non-members. More information and a formal invitation were emailed to all members. ■

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Do You Have Gently-Used or New Business Attire to Donate?

The Federal Defender's Office maintains a "Clothing Closet" to provide defendants with business attire clothing to wear for court appearances and is in need of new additions to its collection. If you have new or gently-used business clothing you would like to donate or would like to make a financial contribution to assist in the cleaning of the existing clothing, please contact Dawn Conyers at (916) 498-5700. ■

CONGRATULATIONS TO NEWLY APPOINTED SACRAMENTO SUPERIOR COURT JUDGE LARRY BROWN

Congratulations to Larry Brown for his recent appointment to the Sacramento Superior Court! Larry—that is, Judge Brown—is an active member of our Chapter and a familiar face at our mixers and programs. Judge Brown's career with the U.S. Attorney's Office, the California District Attorneys Association, and the Ventura County District Attorney's Office is impressive to say the least. But we suspect that what sealed the deal for Governor Schwarzenegger was Judge Brown's active participation in the Federal Bar Association.

We hope to see you at our next event, Judge Brown! ■

Informative Panel Discussion on "Managing Litigation Costs in Rough Economic Times"

On October 29, 2009, the Sacramento Chapter of the FBA was honored to present a panel discussion on litigation strategies in rough economic times. Our esteemed guest panelists were the Honorable John A. Mendez of the Eastern District of California, Honorable Edmund F. Brennan of the Eastern District of California, Norman C. Hile, partner at Orrick, Herrington & Sutcliffe, Jan Patrick Sherry, general counsel for Los Rios Community College District, and Norman J. Hamill, senior counsel for the University of California Regents. The event took place at the law firm of McDonough, Holland and Allen. We would like to thank our distinguished panelists for an informative and well-attended panel discussion. Close to forty participants attended the luncheon and we are grateful to McDonough, Holland and Allen for hosting the event. ■

What Programs Would Benefit Your Practice?

The Sacramento Chapter of the FBA intends to continue its tradition of offering quality educational programs for its members. What types of programs and events would benefit your practice? Please submit your ideas to our Programs Co-Chairs, Dan Croxall at dc@sojllp.com or Bre Moebius at bmoebius@caed.uscourts.gov. We also welcome suggestions for new places to hold mixers or other member events. ■

Amendments to the Federal Rules of Civil Procedure Effective December 1, 2009

**By Bhavani G. Murugesan
McDonough, Holland & Allen PC**

This article was electronically sent to members on November 30, 2009 and is included here for your convenience. If you did not receive the electronic version, please contact our Membership Chair, Michael Wilcox, at michael.wilcox@bullivant.com.

On December 1, 2009, the Federal Rules of Civil Procedure ("FRCP" or "Federal Rules") will change significantly. Rules on calculating time periods will change, doubts about electronic filing deadlines will be clarified, and new procedures on jury polling and relief pending appeal will make their debut. As required by the preemptive Federal Rules, the Eastern District of California has amended its local rules. This article is a short summary of the changes federal practitioners should keep in mind. Readers will be well served to review the Rules in their original form, and use this article as a summary rather than a source.

Before the December 1, 2009 amendments to Rule 6, time periods of less than 11 days did not include intermediate weekends and holidays. Time periods of 11 days or more included intermediate weekends and holidays. This created inconsistencies in the actual time allotted toward a deadline, although the inconsistencies were mitigated in the Eastern District by local rule provisions. Before the December 1, 2009 amendments, time limits of 10 days and 14 days usually ended on the same day because weekends were not counted for a 10-day deadline and weekends were counted for a 14-day deadline. In addressing this inconsistency, the Supreme Court has amended the rules to reflect a "days will be days" change. Under the amended Rule 6, each day will count to the time period regardless of the brevity of the deadline. A court order requiring action in 7 days that is given on a Thursday will begin the next day and end on the following Thursday. A similar "hours will be hours" amendment has been made to deadlines given in hours. The time will commence immediately and

every hour will count towards the time period. A 24-hour deadline ordered at 9:00 a.m. will thus end at 9:00 a.m. the next day. This rule on counting every hour and every day applies to both counting forward to and backward from an event. When counting backward, the time will commence the day before the event and every day prior will be counted.

Rule 6 also clarifies what happens when the last day of a time period is a Saturday, Sunday, or legal holiday or when the clerk's office is inaccessible. In those situations, the last day will be excluded from the time period, thus moving the deadline to the next day that is not a weekend or legal holiday. The rule defines "next day" as counting forward after the event or counting backward before the event. This amendment applies to counting hours, as well as days. If the clerk's office is inaccessible at the prescribed hour, the deadline will fall on the same hour on the next day that is not a weekend or a holiday.

Amendments to the deadlines proscribed in the various Federal Rules also serve to increase the chance of a required action occurring on a weekday. To facilitate this, time periods of less than 30 days will now be counted in 7-day increments. Time periods that end within 1, 3, or 5 days will now end in 7 days, time periods of 11 days will end in 14 days, 20 days in 21 days, and 25 days in 28 days. Chances are, under the amended rules, a deadline will fall on a day the court is open. Amended Rule 6 also clears any previous ambiguity about deadlines for electronic filing. The last day for electronic filing ends at midnight in the time zone where the main clerk's office of the court is located.

See page 11 – Amendments to FRCP

In Memoriam:
Judge Myron Donovan Crocker
September 4, 1915 to February 2, 2010

On February 2, 2010, Judge Myron Donovan Crocker passed away peacefully in his sleep at the age of ninety-four. Judge Crocker joined the federal bench in 1959 and served as a federal judge for more than forty-two years before taking inactive status in 2002. In a 1999 *Fresno Bee* article, Judge Crocker was described as having a "relaxed style and reputation for fairness" and presiding over most trials "like a kindly grandfather mediating a family dispute." He was the last surviving judge of the original three judges of our district.



Judge Crocker graduated from Fresno State College in 1937 and then earned his LLB from Boalt Hall in 1940. He began his legal career working on espionage cases as a Special Agent for the FBI and was honored for his meritorious service to the war effort. After that, he served as an Assistant District Attorney from 1946 to 1952, a judge of the Chowchilla Justice Court from 1952 to 1958, and a Superior Court Judge from 1958 to 1959. He also maintained a private practice from 1946 to 1958. In a "Who's Who in California" questionnaire from 1971, Judge Crocker indicated his involvement in the Sequoia Council Boy Scouts, Valley Children's Hospital, and Lions Club. He also identified his hobbies as golf, hunting, fishing, and bridge.



Judge Crocker in November 1999 with his law clerks Laural Gerbrandt and Donna Korotie and courtroom clerk Linda Lucas.

Judge Crocker was predeceased by his wife, Mrs. Elaine Crocker. The two were married in Albany, New York on April 26, 1941. At his retirement party in 1999, Mrs. Crocker described her husband as a "partner in life." Together, they had two children, Glenn Donovan Crocker and Holly Elaine Crocker Longatti.

The Federal Bar Association is grateful for the contributions Judge Crocker made to the administration of justice in our district and sends its condolences to Judge Crocker's family, friends, and colleagues. ■

Courthouse Connection: Highest Caseload in the Nation

Excerpted from the Eastern District 2009 Annual Report

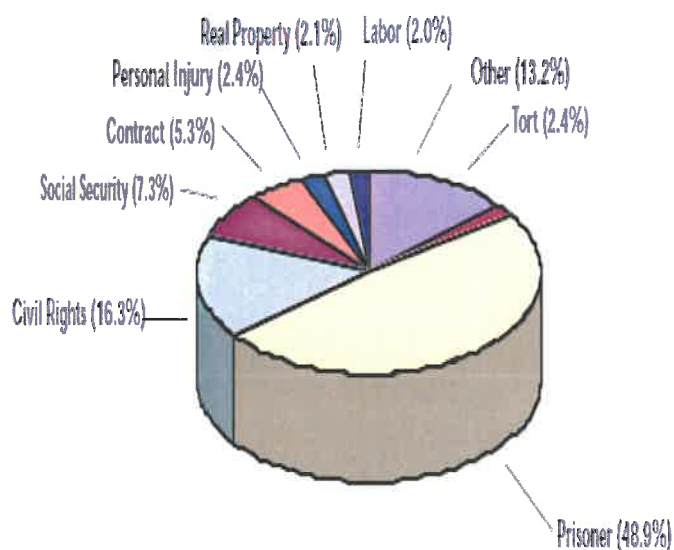
The "Courthouse Connection" section of *FBA Sacramento News & Notes* offers a series of articles designed to provide useful information about litigating effectively in the Eastern District of California.

The caseload per judgeship in the Eastern District for 2009 totaled 1,187 cases, which is the highest in the nation and more than double the national average of 497 cases. With respect to weighted caseloads per authorized judgeship, which modifies raw case filings to reflect such factors as complexity of different case types and judicial time requirements for processing a case from initial filing to termination, the Eastern District stands at 1,095. This weighted caseload is the highest in the nation and far exceeds the national average of 471.

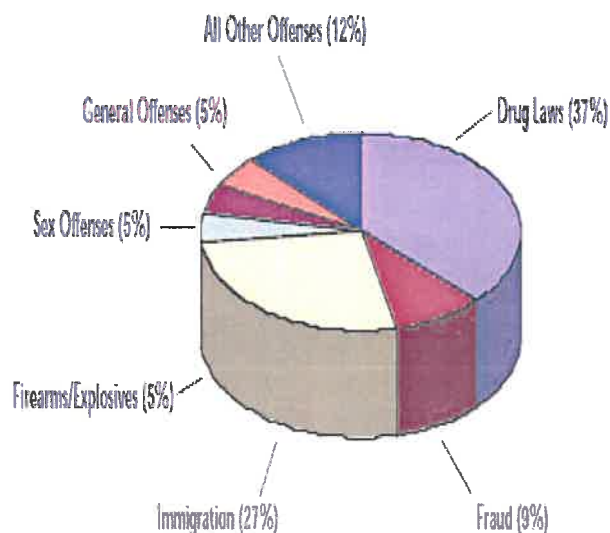
The pace of filings in the Eastern District of California increased during the past year from 5,571 to 6,497 in 2009, rising 16.9 percent above the 2008 filing level and 21.3 percent over the last five years. Civil and criminal filings were up over 2008 levels by 18.3 percent and 7.6 percent, respectively.

Overall case terminations rose significantly as well, increasing 15.3 percent over the previous year and 18.2 percent since 2005. While case terminations increased 14 percent over the previous year and 18 percent over the last 5 years, criminal case terminations have increased 23.8 percent in the last year and 19.3 percent over the 2005 level. The pending caseload continues to grow at a steady pace, increasing 7 percent over the previous year and 27.8 percent over the last 5-year period. The increase in pending cases is partially attributed to the loss of an authorized judgeship in 2004 and to vacant judgeship months the court has experienced since that time. ■

2009 Civil Filings
(by Selected Nature of Suit)



2009 Criminal Defendant Filings
(by Selected Nature of Offense)



Review program. An era will come to a close this August, when the professors will speak at that program for the twentieth and final time. In a world where nothing (not even constitutional jurisprudence) stays the same for long, the professors' twenty-year run is remarkable. To celebrate the occasion, the Chapter will host a special *evening* edition of Supreme Court Year-in-Review, where we will have the opportunity to thank the professors and to meet their successors. The professors, for their part, promise a review not only of the 2009-10 Supreme Court Term, but the evolution of Supreme Court jurisprudence over the past twenty years. This will be a truly special event. If you ever attended the program in the past twenty years, we hope that you will join us this year to thank Professors Brownstein and Kelso for their efforts.

Of course, several other educational programs are in the works as well. In March, we will present a program for federal practitioners called "Meltdown 101: Lessons Learned from the Great Recession." In the summer, we will work with the Eastern District to present training for the District's Section 1983 Pro Bono panel of attorneys. This program is designed not only for current panel members, but also prospective members interested in taking on prisoners' rights cases (and gaining the opportunity for trial practice that such representation provides). We also plan to host an event with the purpose of thanking those dedicated panel members.

Finally, we will continue to publish the award-winning newsletter you are currently enjoying. Senior U.S. District Court Judge William B. Shubb will return with stories of significant cases and events in our District's history. Also, the "Courthouse Connection" column will provide federal practitioners with important and practical information about our courthouse. And our "10 Things You Didn't Know About" series will kick off with a profile on U.S. Bankruptcy Judge Michael McManus.

I conclude with the following promise. We know that your time away from the office—evenings, lunch hours—is precious. Accordingly, we are committed to putting together programs and events that are worthy of that time. I hope to see you soon! ■

These amendments are preemptive, displacing and invalidating any local rules that are inconsistent. As a result, the Eastern District local rules have been revised to eliminate the preempted time periods and to conform to the amended Federal Rules in other respects. Also of interest to local practitioners, the Eastern District local rules numbering system has changed to a straight numerical system, where each rule number is followed by a reference to the corresponding Federal Rule of Civil Procedure, e.g., "Local Rule 100 (Fed. R. Civ. P. 1)."

The FRCP also has two new procedures that are making their debut this year. The addition of subpart (c) to Rule 48 allows the court to conduct a jury poll after a verdict is returned and before the jury is discharged either on the court's own initiative or upon the request of either party. If the court determines after the poll of individual jurors that a different result from the one presented on the verdict form emerges, then the court may order the jurors to deliberate further or order a new trial. This rule codifies existing practice in most district courts.

New Rule 62.1 addresses the options of a district court when a timely motion for relief is sought but an appeal is pending on the matter. The district court has the option of denying the motion, deferring it, stating that the court would grant the motion if the court of appeals remands for that purpose, or declaring that there is a substantial issue at hand. The clerk at the court of the appeals must be informed if the district court states that it will grant the motion or that there is a substantive issue to be considered. In these circumstances, the court of appeals has the option to remand with or without directions. Again, this rule generally codifies existing practice.

Federal practitioners should look through Rules 6, 12, 13, 14, 15, 23, 27, 32, 38, 48, 50, 52, 53, 54, 55, 56, 59, 62, 62.1, 65, 68, 71.1, 72, and 81 to get a thorough understanding of amendments to the Federal Rules and then review the many corresponding amendments to the local rules of the four California districts. ■

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ANSWERS TO THE EASTERN DISTRICT HISTORY QUIZ

1. (b) The first Chief Judge for the Eastern District of California was M. D. Crocker, of Fresno. He served in the position from September 18, 1966 to June 20, 1967, when he turned the responsibility over to Judge MacBride.
2. (d) John Begovich, former State Senator from Amador County, was the first United States Marshal for the Eastern District of California.
3. (b) The courthouse at 650 Capitol Mall remained unnamed for many years, until it was finally named for United States Congressman John E. Moss, who held the seat presently occupied by Congresswoman Doris Matsui.
4. (b) On September 5, 1975, in the park just behind the State Capitol, Charles Manson follower Lynette Fromme pointed a pistol at President Gerald Ford. The gun failed to go off, and she was immediately restrained by Secret Service Agent Larry Buendorf.
5. (a) Judge Thomas J. MacBride presided over Fromme's trial and upon conviction sentenced her to life in prison. She was just recently paroled.
6. (d) All of the above. Manson gave Fromme the nickname of "Squeaky" because of her voice. Fromme and her friends called her Lyn. She wore a red robe and hood and called herself "Red" (for the redwood trees); her roommate Sandra Good wore a blue robe and hood and was called "Blue" (for the skies and the oceans).
7. (b) Fromme's court-appointed counsel was Sacramento attorney John Virga.
8. (d) There have been four District Judges for the Eastern District of California who were formerly Assistant U.S. Attorneys. David F. Levi, William B. Shubb, and Garland E. Burrell were Assistant U. S. Attorneys in Sacramento; and John A. Mendez was an Assistant U. S. Attorney for the Northern District of California in San Jose.
9. (d) There have also been four Magistrate Judges for the Eastern District of California who were formerly Assistant U.S. Attorneys. Gregory G. Hollows, Peter A. Nowinski, Edmund F. Brennan, and Kendall J. Newman all served in the Civil Division of the United States Attorney's Office in Sacramento.
10. (d) Esther Mix was the first United States Magistrate appointed in Sacramento.
11. (c) John P. Hyland, a practicing attorney from Visalia, was the first United States Attorney for the Eastern District of California.
12. (e) The District was created by Act of Congress on September 18, 1966. Prior to that, since September of 1850, Sacramento was part of the Northern District, and Fresno was part of the Southern District of California.
13. (e) The first Clerk for the Eastern District of California was William C. Robb, who had previously served as the senior Deputy Clerk in the Sacramento office when it was part of the Northern District.
14. (a) There were only three Assistant U.S. Attorneys in the office for several months after the District was formed: Rothwell B. Mason, William B. Shubb, and James J. Simonelli.
15. (b) The first Federal Defender for the Eastern District of California was E. Richard Walker, who had served as law clerk to United States District Judge Oliver J. Carter in San Francisco, an Assistant U.S. Attorney in Sacramento, an Assistant Public Defender in Yolo County, and the District Attorney for Trinity County.
16. (d) The Unabomber was Theodore (Ted) Kaczynski.
17. (e) Judge Garland E. Burrell, Jr., handled the Kaczynski case.
18. (a) Judge Karlton had been a Superior Court Judge and an attorney in private practice before he was appointed to the federal court. He was never a state senator, assemblyman, or assistant public defender.
19. (a) Frank C. Damrell, Sr., was a Judge of the Superior Court of the State of California, in and for the County of Stanislaus.
20. (c) Bankruptcy Judges used to be called Referees in Bankruptcy.

If you answered 19 to 20 questions correctly, you have earned a Ph.D. in the History of the Eastern District. If you answered 17 to 18 questions correctly, consider yourself a master. 15 or more correct answers is considered a passing grade. If you got less than 15 correct answers, you might want to consult the Eastern District History web page at <http://www.courthistory.org>, where the answers to most of these questions, and many more, can be found.

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