



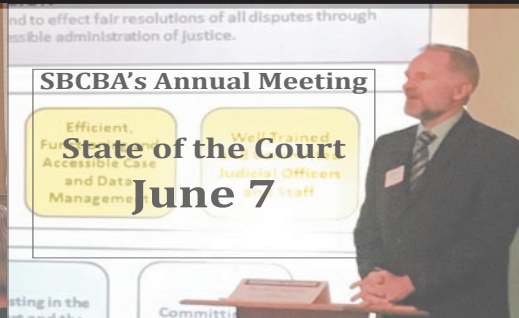
# BULLETIN

Vol. 46, No. 8

Our 143rd Year

June 2018

## New Admittee Swearing-in June 7



### SBCBA Probate Section

## Bench-Bar Symposium: Estate Planning, Trust & Probate Law

June 14



# June Bar Events



SBCBA's  
FAMILY LAW SECTION  
BROWN BAG SEMINAR  
JUNE 20

### SBCBA

## General Membership Meeting

June 12



## Bridging the Gap for New Attorneys

June 29



### SOCIAL MEDIA MCLE - June 21



HDBA

## Mark Your Calendar!

**Annual Meeting: June 7, 2018 - noon**  
DoubleTree Hilton

**Brown Bag: June 12, 2018 - noon**  
SB Justice Center, S-3

**Bench Bar Symposiums:**  
Probate Law - June 14, 2018  
Family Law - September 2018  
Civil Law - November 2018

**SBCBA Installation - October 25, 2018**

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*"Most caring and amazing lawyer." Kendall (client)\**

*"Great attorney who cares about his clients!" Igor (client)\**

*"Integrity and Excellence." James (client)\**



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## From the President's Desk

by *Michael Reiter*

What a night, what a show, Kaufman Campbell 2018 is all over.

It was a magical night. We had a hosted bar at the beginning. We ended with "Soul Station," a magnificent eleven-piece band. But we were there for more than a party. We came to honor Judge Bryan F. Foster. We had a very large attendance and some wonderful sponsors. Thank you to everyone who came, and thank you to Judge Foster for accepting the honor.

For those of you who weren't there, you certainly missed out on a moving tribute to Judge Foster by our past president, William D. Shapiro. You missed out on an event that was not stodgy at all. You missed out on a very enjoyable evening.

Thank you to our Secretary of Fun, Derek Raynes. Derek, you really know how to throw a party. Thank you to Justin King for picking the band. They played all sorts of music, from Prince's "Kiss" to Foster the People's "Pumped Up Kicks." I'm surprised that you can dance to a song about teenage mental illness, but it was a great performance.

Thank you to Barbara Keough, Mike Abacherli (Happy Birthday!), Josefina Valdez and all the members of our Social Committee. Thank you to Jeffrey Raynes for being our Master of Ceremonies. Thank you to the Orange Show for renting us an outdoor venue knowing that the K&N Pro Series West Night was happening at the Orange Show Speedway. Thank you to our staff for battling high winds and unexpected events to bring a smooth event. And thank you to all the attendees.

I hope that you now will be convinced to come to our Annual Installation in October. This will be President-Elect Eugene Kim's big night, so we want to make sure to get your sponsorships in early. The best sponsorships will go quickly.

We have not yet voted on which awards will be given during the Installation Dinner, so feel free to nominate someone for our existing attorney awards (Surr Award, Kearney-Nydam-Shouse Award, Garza Award or the Porter Award), or suggest an attorney for a new award. We have had some discussion about creating a trial attorney of the year award, which would not be a lifetime achievement award, but recognize the local attorney, criminal or civil, that had the best trial of the year.

It was good to see Judge Foster's court staff at the dinner. We are trying to get court staff more involved with our organization, because though it is obviously good for our organization, it is good for our courts as well to be involved in the greater community. We have invited the court's attorneys to our General Membership meetings, and they have been attending quite frequently.

We need more participation in our General Membership Meetings. They are free to members and include one hour of MCLE included with your membership. They are often called "brown bags" because we do not include lunch. However, if you or your firm would like to sponsor and bring lunch, or if you know of a vendor who would like to do so, that would be great. We're averaging about fifteen people per meeting. The court rooms that we use can easily fit fifty people, so I encourage you to come. It will help you and it will help strengthen the organization.

Each one is the second Tuesday of the month, though we are dark in October and December. Once again, they are free. The schedule is published in the Bulletin, and you can subscribe to our email list at our recently revamped website, sbcba.org.

On a final note, see the notice in this Bulletin for our Annual Meeting. It's important that you come to our Annual Meeting, because it is your chance to get involved in Bar business and vote on our slate of officers for next year. If you are unhappy with how the Bar operates, here is your opportunity to make your opinion known.

'Til next month.



### Join the SBCBA June 7, 2018

*for an evening of baseball, great food and refreshments at the new "Garage" at San Manuel Stadium!*

**280 S. E Street, San Bernardino  
Gate access 6:00 p.m.**

**GAME STARTS AT 7:05 p.m.**

**Our very own Rod Curbelo  
and his Band, "415 Infraction"  
will be on hand to sing the  
National Anthem!**

*At the time of this printing, we still have a few seats left. Call 909.885.1986 for details.*

*Co-sponsored by SBCBA Criminal Law Section and its co-chair, Mike Abacherli.*

## THANK YOU...

*to the 2017 Settlement Conference Week  
Volunteer Attorneys*

During the week of October 23-27, 2017, dozens of the best attorneys in San Bernardino County converged on the San Bernardino County Justice Center. These attorneys responded to the call from the Superior Court and the Bar Association to participate in the annual Settlement Conference Week at the Justice Center. The Bench and Bar are again asking these volunteers to converge downtown – this time at the DoubleTree by Hilton on Thursday, June 7, 2018, to receive the well-deserved public recognition for their efforts!

During the last week of October for the past several years, the Court has closed down its “regular business,” and has opened up instead, exclusively, for the business of settling cases. Under the guiding hand of the Hon. Michael A. Sachs, the Court analyzes its cases and selects those matters it believes have a good chance of settling. The Court notices the selected parties, trial counsel, and all parties necessary to effect a settlement, i.e., carriers, etc., to appear.

A critical piece of MSC Week is participation by the Bar. Volunteer attorneys assist the Bench in reading settlement conference briefs, meeting with the parties, and conferring with Bench officers to settle cases. This year, 82 attorneys took time out of their busy schedules to help settle cases. By the combined efforts of the Bench and Bar, more than half of all participating matters reached a settlement!

Who are these fantastic volunteer attorneys? I invite you to scan the battery of names listed alongside this article. You recognize your colleagues’ names – you know them. They come from all points: West End, High Desert, East Valley, Downtown, and even Riverside. They come from varied practices: sole practitioners; large, medium and small sized firms; personal injury, both plaintiff and defense; probate; business law; real property; etc. The attorneys come from nearly every area of the law. Moreover, a few of the volunteers I know to be retired!

Judge Sachs and the Bench are grateful for the participation of the Bar, year after year, in the MSC Week program. To show their gratitude, Judge Sachs will be presenting certificates of appreciation to all volunteers at the Annual Meeting of the SBC-BA at noon on June 7, 2018 (SEE FACING PAGE). I invite everyone – volunteer attorneys and those interested in volunteering – to attend this lunch time meeting. And, I might add, Judge Sachs is already looking to sign up volunteers for the October 2018 MSC Week, so be prepared to sign up.

## SUPERIOR COURT OF SAN BERNARDINO COUNTY

**In recognition and appreciation for their participation as settlement officers during the 2017 Civil Settlement Week the Court recognizes the following attorneys:**

- Keith Adesko
- Leila R. Baker
- Christie O. Beard
- Erica F. Berrett
- Kevin B. Bevins
- Michael J. Bidart
- Diana J. Carloni
- Vickie L. Cartony
- Johnathan D. Cloud
- Richard R. Clouse
- Angel Coleman
- Darla Cunningham
- Veronica C. Cutler
- Pamela Edwards-Swift
- Dina I. Farhat
- Karen A. Feld
- J. Pat Ferraris
- Steven B. Goldstein
- Carol A. Greene
- Scott J. Grossberg
- Cynthia D. Hafif
- Randal P. Hannah
- Brian G. Hannemann
- Daren E. Hengesbach
- Janine Highiet-Ibicebic
- Sharon A. Hodges
- Laurel A. Hoehn
- Cheryl Houde
- John J. Hyland IV
- Barbara A. Keough
- Justin H. King
- Harlan B. Kistler
- Jay S. Korn
- Harold Gun Lai, Jr.
- Christina Lam
- Linda A. Lindsey
- Darren H. Lipinsky
- Rebekah Ryan Main
- Douglas K. Mann
- John F. Mansour
- Matthew J. Marnell
- Linda B. Martin
- Donald W. Matejka
- Kelly McNamara
- Steven Messner
- Adam Miederhoff
- Thomas J. Mullen
- Mitchell L. Norton
- Kevin M. Osterberg
- Eric D. Paris
- Amanda T. Parker
- Darren M. Pirozzi
- John M. Porter
- Sam R. Price
- J. Patrick Ragan
- Jacob M. Ramirez
- David H. Ricks
- Gregory G. Rizio
- Nicole R. Roggeveen
- Elaine S. Rosen
- Mandeep S. Rupal
- Jason R. Sanchez
- Heather N. Seigler
- William D. Shapiro
- Keith L. Shoji
- John W. Short
- Charisse L. Smith
- Katharine L. Spaniac
- Raeet D. Taddesse
- Matthew L. Taylor
- Bruce Todd
- Lisa V. Todd
- Venus Griffith Trunnel
- Fernando D. Vargas
- Dennis E. Wagner
- Jeffrey A. Walker
- Margaret M. Warner
- William W. Weathers
- Cory R. Weck
- John M. Wilkerson
- Courtney F. Writer
- Shelly L. Zeise

PLEASE JOIN US FOR THE

*Annual Meeting of the  
San Bernardino County Bar Association*

**Thursday, June 7, 2018 • 12:00 noon to 1:30p**

**Presiding Judge John P. Vander Feer**

*will present the*

**“State of the Court”**

*and*

**Assistant Presiding Judge Michael Sachs**

*will present*

**Certificates of Appreciation to Attorneys who participated  
as Settlement Officers for the Court’s 2017 Civil Settlement Week  
(<< See facing page)**

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**Election of SBCBA Officers & Directors**

The following officers and directors have been nominated to serve  
on the board for the 2018-2020 term of office:

Officers: Eugene Kim, President; Barbara Keough, President-Elect;  
John W. Short, Vice President; Michael Abacherli, Secretary-Treasurer;  
Michael Reiter, Immediate Past President.

Directors-at-Large: Diana J. Carloni, David Colella, Joyce M. Holcomb, Justin H. King,  
Derek Raynes, Josefina Valdez, and Stephen P. Levine. The President-Elect automatically  
becomes President, and the President automatically becomes Immediate Past President.

One Director-at-Large (2018-2020), Stephen P. Levine who will be  
replacing retiring Immediate Past President Victor J. Herrera.

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\$40 Court Staff & SBCBA, WSBCBA & RCBA Members; \$50 non-members.***

***Please email us at [RSVP@sbcba.org](mailto:RSVP@sbcba.org) or call 909.885.1986 to sign up.***

***San Bernardino County Bar Association, California State Bar-approved MCLE provider #2813, certifies  
that the above activity is approved for 0.75 hour of general MCLE credit by the California State Bar.***

## Monthly Brown Bag General Membership Meeting

The one-hour monthly MCLE programs are normally held at the new San Bernardino Justice Center in Dept S-3, from 12:00 p.m. to 1:00 p.m. on the 2nd Tuesday of each month (except as noted below). The programs are free to SBCBA members and court staff, and \$10 to all others.

**Tuesday, June 12, 2018 • 12:00 noon to 1:15p - Dept S3**

**"Effective Representation During Mediation"**

**Judge Joseph R. Brisco (Ret.)**

*San Bernardino County Bar Association, California State Bar-approved MCLE provider #2813, certifies that the above activity is approved for one (1) hour of MCLE credit by the California State Bar.*

*Please email us at [RSVP@sbcba.org](mailto:RSVP@sbcba.org) or call 909.885.1986 to sign up.*

## Neutrals Like No Others



### Hon. Joseph R. Brisco (Ret.)



Judge Brisco served for 21 years on the San Bernardino County Superior Court, most recently presiding over the mandatory settlement conference department. Regarded as a prompt and thoroughly prepared

neutral who is firm but fair with all sides to a dispute, Judge Brisco is available as a mediator and arbitrator in cases involving **business/commercial, employment, personal injury/tort, professional liability** and **real property** matters.

### Hon. Jeffrey King (Ret.)



Most recently an associate justice for the California Court of Appeal, Fourth District, Division Two, Justice King also handled civil and probate cases during eight years on the San Bernardino County Superior Court. Adept at keeping

cases on track and settling cases on appeal, he serves as a mediator, arbitrator, special master and referee in **appellate, business/commercial, employment, insurance, personal injury/tort, professional liability** and **real property** matters.

PRESENTED BY THE SAN BERNARDINO COUNTY BAR ASSOCIATION AND  
THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

## 2018 BENCH-BAR SYMPOSIUM: ESTATE PLANNING, TRUST & PROBATE LAW

State of the SB Courts - *Presiding Judge John P. Vander Feer*

State of the Probate Court - *Tara Reilly, Supervising Probate Judge*

### "Trust Administration"

First Steps in Trust Administration – Phillip Savage, IV

New Tax Laws – Paul Shimoff, Esq. and Joseph Walloch, CPA

Litigation Issues in Trust Administration – Layne Bartholomew

**Thursday, June 14, 2018**

**Social 5:00 to 6:00p; Program 6:15 - 9:15p**

**DoubleTree by Hilton • 285 E. Hospitality Lane, San Bernardino**

*Cost includes buffet dinner and materials:*

*\$55 members (SBCBA, RCBA & WSBCBA; court staff), \$65 non-members*

*You may call in with your credit card information (909/885-1986)... OR send your name, firm,  
and a list of attendees, with your check made out to SBCBA to:*

**SBCBA Symposia • 412 E. State St. • Redlands CA 92373**

*or go to <https://www.formdesk.com/sanbernardinocountybarassociat/rsvp>*

**3.0 hours MCLE:** *The San Bernardino County Bar Association, a California State Bar-approved MCLE provider, certifies that this activity is approved for 3.0 hours of credit, including 1.0 hour of Ethics Credit.*

FROM THE DESK OF THE PRESIDENT OF THE  
**HON. JOSEPH B. CAMPBELL**  
**AMERICAN INN OF COURT**

By Mark McGuire

*A Second Look at a Year in the  
 Joseph B. Campbell Inn of Court*

My time as the president of the Joseph B. Campbell Inn of Court is drawing to an end. It's now time to take a second look at the events of the past year, and to thank all those who have helped make it a wonderful year for the Joseph B. Campbell Inn of Court. While recently attending the Kaufman-Campbell Dinner in which Honorable Judge Bryan Foster was honored, I was reminded of how wealthy we are in legal talent in our community. Our county is rich in the tradition of civility and excellence in practice of law. We are fortunate to have so many members who continue this legacy. Many of our local Inn members attended the dinner, hosted by the San Bernardino Bar Association under the stars on a perfect evening in May.

I have been incredibly blessed to have the support of a wonderful board at the Inn of Court this year to help bring about all of our programs and outreach activities. They had to put up with me all year and should be given combat pay for the duties so honorably discharged. It goes without saying that they are greatly appreciated, but still it is best to say it.

My year as President of the Inn started off on an amazing note being able to attend the American Inn of Court National Achieving Excellence Awards Banquet in Washington D.C. at the Supreme Court of the United States. The evening's festivities were hosted by the Hon. Justice Elena Kagan. Our local Inn received two awards that night. One for the program "Twelve Angry Tweepers", put on by Linda Lindsey and Steven Bell, who also attended the dinner; and one for the board in achieving Platinum Status, yet again. As Yogi Berra would have said, "We have deep depth" in our Inn, and it shows.

That quality of excellence and depth in the Joseph B. Campbell Inn is perhaps most exemplified by the quality of the programs put on each year. This year Eric Anderson and Amar Hatti did not disappoint, holding up the Inn's high standards presenting six programs, each on a reboot of legal issues presented in classic legal novels. In October and November 2017 we revisited an updated version of the legal issues presented in "Anatomy of a Murder" and "To Kill a Mockingbird". In January and March 2018, the Inn took part in panel discussions on the legal issues presented in "The Merchant of Venice" and "The Caine Mutiny" respectively. In April and May the Inn took a second look at the legal ethics and public policy issues presented in "Presumed Innocent" and "Bleak House".

Our Inn has a tradition of breaking up the regular schedule of meetings and taking time from the panel discussions, debates, and presentations to do outreach, take legal related field trips,

and attend joint functions with other local Inns of Court. In December 2017 the Inn took a field trip to the San Bernardino Registrar of Voters. Michael Scarpello, the San Bernardino Registrar of Voters presented us with an update on local, State and National Election Law changes, as well as informing us of the invocative solutions his office has created and the unique programs they are participating in to make our elections secure, efficient, and broad based. In February many of our members attended the joint meeting of the four Inland Empire Inns of Court, hosted by the Leo A. Deegan Inn. The event took place at the California Citrus State Historic Park and we enjoyed a presentation on legal tactics and marketing by Carl E. Douglas, a member of the O.J. Simpson legal "Dream Team".

Mentorship and outreach are part of the core values of the Inn of Court in general and the Joseph B. Campbell Inn specifically. Each year we are entrusted with a group of third year law students from La Verne Law School for this purpose. This year we had four law students participate in our mentorship program. Each mentee was placed on a program committee and paired with the leader and mentor of that group. The law students participated in presenting and facilitating discussions on the legal issues presented in their program. The Inn is also a regular supporter of local High School Mock Trial teams, and this year we awarded three mock trial scholarships. Presenting these awards is one of the highlights of each Inn year.

Our final meeting of the year in June will take place at the San Manuel Tribal Court. There, Jack B. Osborn will introduce the Hon. Judge Claudette C. White, Presiding Judge of the San Manuel Tribal Court, Hon. Judge John P. Vander Feer, Presiding Judge of the Superior Court of California for the County of San Bernardino, and Justice Manuel A. Ramirez, Presiding Justice of the California Court of Appeal Fourth District. Each presiding bench officer will present the status of their respective court.

In May our Inn held elections, or draft day, and tapped David Colella, a partner with Fullerton, Lemann, Schaefer & Dominick, LLP to head the Inn for the coming year and hopefully fix any of my blunders. His term starts in July 2018, and although I am sad to have the year finally come to an end, I know David will do a wonderful job— not only because of who he is but because of the team he has to support him.

I had a ball being President of this Inn for a year and in writing these articles. Thanks to all my mentors who allowed me to pick your brains and interview them, giving me the foundations for the articles. A special thanks to Claire Furness of the San Bernardino County Bar Association and Lisa Purcell-Rorick of the Western San Bernardino County Bar Association, for edits and assistance in writing these monthly articles. Your local bar associations do great work in assisting all of us in the practice of law and deserve our appreciation and support.

Lastly, I want to thank you the readers for taking the time to read these articles and for your comments. I tried to bring a bit of my philosophically-inclined self to them while still making them relevant and interesting to a larger legal audience. If I have confused or offended any, I apologize. Alas, I am but a poor associate attorney struggling to find his way. In my defense, I end on this note from the Yogi himself, remember, "I did not say all the things I said."

With all love and joy, thank you.



## NOTICE

*If you wish to have an article, notice, or advertisement published in the Bulletin, please submit it to the bar office by the 15th of the month prior to publication month.*

*Space for camera-ready ads must be reserved by the 10th of the month prior, ad copy submitted by the 15th. (Items submitted will be accepted depending on available space.)*

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## PAST PRESIDENTS OF THE SAN BERNARDINO COUNTY BAR ASSOCIATION



## 1959-60: James Lindsay King

### 32nd President of the San Bernardino County Bar Association.

by Michael Reiter

James Lindsay King was our 32nd San Bernardino County Bar Association President - from 1959 to 1960. He was of no relation to John Lewis King, though often you would see either of them referred to in contemporary newspapers as "J.L. King." President King was "known throughout the San Bernardino area as an authority in water law."

James L. King was born in New Kensington, Pennsylvania on November 12, 1898 to Elizabeth Melinger and Edgar P. King. He enlisted in the military on October 8, 1918, about a month before World War I ended, and was released on December 12, 1918, about a month after the war ended. He married his wife Mary Alta Jones on August 19, 1921 in New Kensington. They moved to Los Angeles after the wedding. Together, they had one son, James L. King II, in 1932.

He attended Washington and Jefferson College in Washington, Pennsylvania and headed west for law school at the University of Southern California. While in school, he lived in Torrance with his father, who died in Torrance in 1928.

Mr. King was admitted to the California bar in September 1920 after passing the July bar examination. His first case mentioned in the San Bernardino papers was a release of attachment case in November 1926.

He came to San Bernardino in 1926, establishing an office in the Platt Building. He was appointed a Deputy District Attorney on January 1, 1927, along with future District Attorney Jerome Kavanaugh. His appointment, and that of another deputy, was challenged by the auditor, because at the time an appointee had to be an elector for one year to draw a county salary.

The District Attorney, the official who appointed Mr. King, gave an opinion that the appointment

was legal. District Attorney George H. Johnson wrote that he held no doubt as to the legality of the appointment of the deputies and that the County charter took precedence over state law regarding the qualification of county officers. That ended the matter.

At the District Attorney's Office, Mr. King served as a legal advisor to the Board of Supervisors, school districts and county officers. However, he also tried criminal cases. In one heated 1928 case, he almost got into a fist fight with a defense attorney over the People's introduction of surprise witnesses. As a deputy district attorney, he organized the San Bernardino County Employees Association in 1932.

When he left the District Attorney's Office, he was involved in private practice as King & King with his brother Harold King, and as such, was attorney for the City of San Bernardino Water Department, the San Bernardino Valley Water Conservation District, Victorville County Water District, Mojave River County Water District, Bloomington County Water District, the Arrowbear Park County Water District and the San Bernardino Police Association. He was special counsel for Colton and Rialto, and represented the City of San Bernardino and the City of Colton in the monumental Orange County water litigation (in part of the litigation) which lasted a long time.

The Orange County water litigation was the adjudication of the water rights of substantially all water users in the area tributary to Prado Dam in the Santa Ana Watershed. Many of our presidents were involved, including Lawrence Hutton and John Surr. Together with the Western judgment, the two cases adjudicated the rights to all surface and groundwater in the Santa Ana River watershed.

He was dismissed by the City of San Bernardino Water Department on June 2, 1964 by the Board of

Water Commissioners following San Bernardino voters defeating the plan to annex to the Metropolitan Water District. The new Commissioners were led by future Mayor W.R. Holcomb, who led the fight against joining MWD. Even after the dismissal, James L. King represented mutual water companies in the litigation.

President King was elected on May 8, 1959 at the luncheon meeting at the California Hotel in San Bernardino. Also elected were Waldo Wilhoft, Vice President; A. Merle Sessions, Secretary-Treasurer; and named to two year terms as directors at large were William J. Ward and Robert M. Castle of San Bernardino, Louis Olio of Fontana, and Lawrence A. Hutton, who went back onto the board after ending his term as president. Lynn Kloepfer, Conrad Mahlum, and Robert J. Farrell continued their terms on the board. The May program speaker was then-Attorney General Stanley Mosk, who was introduced by program chairman and future President Edgar C. Keller.

President King was installed as President on June 25, 1959 at the Arrowhead Springs Hotel. His bar year included donating a lectern to the Fourth District Court of Appeals, celebrating Law Day, and hearing from speakers from around the state. He served as our president until the installation dinner on June 24, 1960. He was succeeded by Vice President Waldo Wilhoft.

In addition to the Bar, Mr. King was involved in numerous civic activities, including being President of the Kiwanis Club of San Bernardino, Commander of the San Bernardino County American Legion, a Shriner, a Mason, the Chamber of Commerce, Redlands Country Club, the Orange Show, St. Paul's Methodist Church in San Bernardino, Elks Club of San Bernardino, and many more.

He was with King & King for forty-one years, and lived in Redlands from the 1950s until he died. His last office was at 370 W. Sixth Street, Suite 110 in San Bernardino.

James L. King died on December 21, 1976 in San Bernardino after a long illness. He was survived by his wife, Floy, his son James L. King II, his brother Harold and five grandchildren. He is interred at Hillside Cemetery in Redlands, along with his brother Harold, his mother, Elizabeth, and his wife Floy.

## San Bernardino County Superior Court

### Welcomes New Judge

### Stephanie E. Thornton-Harris

June 1, 2018 – Today, Governor Edmund G. Brown announced the appointment of Stephanie E. Thornton-Harris to a judgeship in the Superior Court of California, County of San Bernardino.

The Governor's office released the following statement:

Thornton-Harris, 54, of Pasadena has served as a deputy federal public defender in the Federal Public Defender's Office, Central District of California since 2012. She served as a bench officer at the San Bernardino County Superior Court from 2007 to 2011, where she was a juvenile hearing officer from 1999 to 2001. Thornton-Harris served as a judge pro tem at the San Bernardino County Superior Court and the Office of Administrative Hearings from 2003 to 2007 and was an administrative law judge at the Office of Administrative Hearings from 2001 to 2002. She earned a Juris Doctor degree from the Northwestern University School of Law and a Bachelor of Arts degree from Princeton University. She fills the vacancy of a new position created on September 18, 2017. Thornton-Harris is a Democrat.

Presiding Judge John P. Vander Feer said of the appointment, "We are pleased to receive an appointment to our bench. Ms. Stephanie E. Thornton-Harris is a welcome addition to our court. Her appointment fills a vacancy created by the reallocation of two judgeships to San Bernardino County Superior Court on January 1, 2018, under AB103."

The San Bernardino County Superior Court has an overall need of additional judicial officers and currently has one judge for every approximately 30,000 residents – one of the highest ratios in the State.

# Scenes from the 2018 Kaufman Campbell Awards Banquet...



*Held at the Lagoon, Nat'l. Orange Show*



# Honoring Judge Bryan F. Foster



*The Foster Family*



*Shapiro presents to Foster*



*Master of Ceremonies Jeff Raynes*



*Music by Soul Station; dancing by everyone else!*

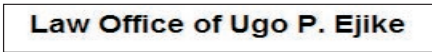
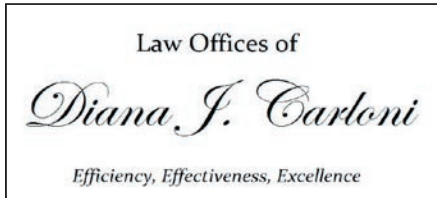


*(More KC banquet photos coming soon on [www.sbcb.org](http://www.sbcb.org)!)*

# Our Thanks to the Generous Sponsors Who Made this Event Possible!



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## *In Remembrance: Ronald Powell*

*October 21, 1958 - May 23, 2018*

*Written by Mitchell I. Roth and Michael A Scafiddi*

On May 23, 2018, the Inland Empire legal community lost a colleague, a father, and a friend. Ron Powell, a leviathan in the field of criminal defense law was taken from us much too early at the age of 59. Ron was an attorney dedicated to his craft in representing defendants in criminal cases. He was not one of those attorneys who would simply “cut a deal for a plea bargain.” To the contrary, he was always willing to try a complex criminal case to its conclusion, steadfastly protecting the rights of the accused. Annoyingly, he was one of those attorneys who could simply receive a file a few days before a 3-4 week trial and provide a stellar defense for his client. Ron was beloved in the legal community. Opposing counsel, bailiffs, judicial assistants, and bench officers were all taken in by his charm, rapier wit, and sarcasm. He was a trial attorney who was never self-important and was often self-deprecating. He had an innate gift of thinking on his feet and being able to pivot his position if the situation warranted such a change in trial tactics. He was intelligent, glib, and always connected with his juries.

Ron grew up in Anderson, California - not exactly an incubator of extraordinary legal talent. He was able to graduate from Cal State Chico and then went to La Verne Law School. He received his license to practice law in 1994 and set out on a course that culminated with working for the Law Offices of Michael A. Scafiddi in downtown San Bernardino. He was previously a panel attorney with the Law Offices of Earl Carter. Ron served his community for 24 years as a well respected defense attorney. Ron tried in excess of 300 felony cases and in excess of 150 murder cases to their conclusion. Earl, and then Mike gave him an opportunity for his legal talents to flourish.

Ron was an inveterate reader of books and magazines. However, his real passion was his love of the local sports teams. He witnessed numerous Laker championships. After years of torment, his beloved Kings brought him two Stanley Cup championships this decade, and he attended Game One of the Finals against the Rangers in 2014. His loyalty to the Los Angeles Rams was rewarded with their return to the Coliseum last year and he attended the home play off loss to the Falcons. He was a diehard Trojan fan and yearned for the championship days of John Robinson and Pete Carroll. His greatest sports passion lay with the Dodgers. When in college at Cal State, LA, he

used to attend almost every home game in the late 70's and early 80s. His heart was broken with last year's excruciating 7 game loss. However, he was one of the fortunate ones to attend Game Six when the Dodgers knocked out Justin Verlander and forced a Game Seven. Ron was willing to travel to satiate his passion for live sporting events. He saw a World Series game at Fenway Park. He recently attended a Green Bay Packer playoff game at the frozen tundra at Lambeau Field, when it was 6 degrees outside. He went to a Ryder Cup and the PGA tournament in Minnesota and Wisconsin, respectively.

Ron was an avid music lover. He attended hundreds of concerts. He had to be Ryan Adams' greatest fan - he attended concerts all over the World to see his musical muse, including last year's concert at the venerable Royal Albert Hall in London with his childhood best friend, Al Portney. He attended every Coachella Festival since 2006 with Al and his oldest son, Ryan.

Given all of these accolades, the one thing that made Ron the proudest were his children. They were the joy and inspiration of his life's work. His son, Ryan, and his daughters, Natalie and Carly, have grown to be amazing adults. He always took great pride in their athletic and scholastic accomplishments. With the assistance of ex-spouse, Karin, and his longtime companion, Shauna, the bond between Ron and his children dwarfed any of the accomplishments he earned in his profession. He provided them the lessons of his hard work ethic, how to enjoy their lives and most of all, to have fun along the way. They are all a living testament to his greatness as a parent.

Ron will be sorely missed. His absence will affect everyone who knew him and leave a gaping hole for his friends and family. For those who practiced with him or against him will forever remember him as a personality which could not be replicated. He was a great attorney and an even better human being.





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# Ransomware:

## *No Honor Among Thieves — and More Expensive*

By Sharon D. Nelson, Esq. and John W. Simek

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The FBI says that ransomware nets cybercriminals \$1 billion a year. No wonder so many people want a piece of that pie.

Computerworld recently reported that hackers spreading ransomware are getting greedier. In 2016, the average ransom demand to provide the decryption key for encrypted data rose to \$1,077, up from \$294 the year before, according to a report from security firm Symantec. Symantec also reported a 36% increase in ransomware in 2016 from the prior year. We are aware of small law firms in Virginia that paid \$1200 and \$3000 to get their data back – the damage being furthered by the length of time it took to restore the data.

Helping to fuel the ransomware boom is the digital black market, where hackers can sell ransomware kits for as little as \$10 and as much as \$1,800, making it easier for other cybercriminals who can't code to get a piece of the action.

Cybercriminals also spread ransomware through exploit kits, or automated hacking toolsets, that operate on compromised websites. The kits can work by scanning a victim's web browser for any unpatched software vulnerabilities and then exploiting them to serve ransomware. We are guessing that most readers didn't know that this was an attack surface – most people think ransomware can only be contracted by opening an e-mail and clicking on a link or attachment – that's certainly the most common way, but there are others!

Symantec's report found that 34 percent of victims pay the ransom. However, only 47 percent of that number reported getting their files back. In a business where trusting the bad guys is important, figures like these may diminish the number of victims willing to "pay up."

Dark Reading also recently reported that about 40% of small and midsized businesses hit with ransomware paid their attackers, but less than half got their information back. This data came from a Bitdefender survey of 250 IT pros working in small and medium businesses (SMBs).

This survey, conducted by Spiceworks, discovered that one in five SMBs was hit with a ransomware attack within the past 12 months. Of the 20% targeted, 38% paid attackers an average of \$2,423 to release their data. Less than half

(45%) got their information back. The honor among thieves is clearly evaporating.

As attackers seek weaker victims, SMBs are favored targets. Larger businesses have strongly engineered backups and high level security tools. Researchers have found SMBs are appealing targets for ransomware because they handle the same sensitive business information (customer data, financial records, product info) as larger organizations, but lack the strong security measures to protect it. Attackers know they're more likely to receive payment from SMBs, which have more sensitive data than consumers.

E-mail, cited by 77% of SMBs – as mentioned above - is the most popular vector of attack.

Most SMBs hit with ransomware attacks were able to mitigate the attack by restoring data from backup (65%), or through security software or practices (52%). One-quarter of those targeted could not find a solution to address the infection and lost their data as a result. Since our clients are largely SMBs, we can affirm that they are more vulnerable - and sometimes resist a well-engineered backup system because they don't fully appreciate the danger and are resistant to the costs - which tend to seem very minor once they've become a ransomware victim. After being hit with ransomware, they tend to ask us for a proposal to enhance their backup system so they can in fact get their data back.

Though the FBI and other law enforcement agencies counsel ransomware victims not to pay, if they haven't properly engineered their backups to recover the data, many say they have no choice but to pay. Payments (usually in bitcoin) used to be in the \$300-\$500 range but we are seeing much larger demands these days. Some entities are even stockpiling bitcoins so they can pay the cybercriminals quickly. Some entities make a business decision that the cost of paying the ransom is cheaper than being out of business for some period of time while data is recovered. A good example is hospitals, which are likely to be sued if there are errors made because of the inability to get to data.

While the FBI counsels victims not to pay, agents are apt to whisper "but you gotta do what you gotta do."

Calls we've received from ransomware victims are panicky conversations – and most of the panic stems from not having a properly engineered backup. This is a classic case – don't be pennywise and pound foolish. Invest in a good backup system and, even if no one is completely impervious to ransomware, you'll sleep better knowing that you can quickly recover from a ransomware infection.

*The authors are the President and Vice President of Sensei Enterprises, Inc., a legal technology, information security and digital forensics firm based in Fairfax, VA. 703-359-0700 (phone) [www.senseient.com](http://www.senseient.com)*

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