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Trio win Consumer Attorney of the Year award for lead paint case

By Craig Anderson
Daily Journal Staff Writer

SAN FRANCISCO — The Consumer Attorneys of California, at its annual convention over the weekend, celebrated a successful year of getting bills signed into law and on Saturday night honored attorneys who scored big courtroom victories and settlements.

Outgoing president Mike Arias touted eight bills successfully backed by the plaintiffs' trial lawyers group, including one that limited the length of depositions and another that extended the statute of limitations from one year to three. He thanked the organization's staff and his wife for their support. "I promise I will not fade away," he told the packed ballroom at the Palace Hotel to a standing ovation.

New president Micha Star Liberty triumphantly raised the president's traditionally large gavel and paid tribute to past presidents, including five women who preceded her in leading the group. "Diversity is one thing," she said. "Inclusion in the power structure is another."

One of the organization's past presidents, Mary E. Alexander of Mary Alexander & Associates in San Francisco, was one of the winners of the night's most prestigious award, Consumer Attorney of the Year. She won along with Joseph W. Cotchett Jr. and Justin T. Berger, principals at



Courtesy of Consumer Attorneys of California

From left: Justin Berger of Cotchett, Pitre & McCarthy LLP; Mary Alexander of Mary Alexander & Associates; Consumer Attorneys of California President Micha Star Liberty of Liberty Law; Joseph W. Cotchett Jr. of Cotchett, Pitre & McCarthy LLP

Cotchett, Pitre & McCarthy LLP in Burlingame, for securing a \$305 million settlement to remove toxic paint for 10 California cities and counties in a lawsuit against lead paint manufacturers.

Cotchett credited then-Santa Clara County Counsel Ann M. Ravel for bringing the case in 2000. It took 14 years to get to trial, when Superior Court Judge James P. Kleinberg ruled for the public entity plaintiffs. The 6th District Court of Appeal upheld the verdict but reduced the award to roughly \$400 million, and the case settled in July after the U.S. Supreme Court refused to hear an appeal last year.

"It took 19 years, and I was there the whole time," Alexander told the audience, noting success in the case was about perseverance. *County of Santa Clara v. Atlantic Richfield Co. et al.*, 00-CV788657 (Santa Clara Co. Sup. Ct., filed March 23, 2000).

Cotchett, who credited the many lawyers who worked on the case, hailed plaintiffs' attorneys in the ballroom. "The honoree tonight is all of you who speak for those who have no voice," he said.

Sevy W. Fisher and Greyson M. Goody of The Simon Law Group in Hermosa Beach, along with appellate attorney Jeffrey I. Ehrlich of Clare-

mont, were honored with the "Street Fighter of the Year" award for advocating for a client injured in a vehicle accident who sought treatment outside his insurance coverage. The award can only be won by lawyers from small firms with 10 years of experience or less.

A jury found in plaintiff Dave Pebley's favor, and the 2nd District Court of Appeal ruled he had the right to seek the best care available. *Pebley v. Santa Clara Organics LLC et al.*, B277893 (2nd District Court of Appeal, opinion filed May 8, 2018).

craig_anderson@dailyjournal.com