

NON-SEQUITUR

The Publication of
Stanislaus County Bar Association
<http://www.stanbar.org>

August 2018
Volume No. 4

President's Message



By Michael R. Dennis



It's time for another President's Message. To quote Maui from the hit movie Moana, "You're welcome." A few weeks ago, I climbed down from my ivory tower, (because I just don't have enough hair to let down so people can climb up), to grace the public with my presence. Actually, the real reason I left my office (which is not in a tower nor is it ivory... more of a beige), was to attend San Diego Comic-Con. Over the course of 4 days I rubbed elbows with 80,000+ super heroes, villains, fantasy, and sci-fy characters. Naturally, I went as mild mannered reporter Clark Kent, because I dress kind of like that every day and it was an easy identity to assume. (I'm also pretty super). As most of you have probably experienced, whenever you tell a non-attorney about your day, their eyes kind of glaze over. We thus assume what we do is boring. I was dead wrong on this account and experienced the exact opposite at Comic-Con. The general public is genuinely interested in the law. It's not the law that's boring, it's how we are packaging it that causes the blank stares. People are fascinated by what we do when we apply it to things they are interested in.

Comic-Con had panel discussions, and several, standing room only, panels featured attorneys and judges. I saw a mock court-martial of Poe Dameron for his conduct in the last Star Wars movie; debated about who has the intellectual property rights in Westworld; and learned about the effect of the latest wage orders on the comic book industry. I even sat in on some writing classes, and, because all my legal writing has to be "non-argumentative," I rediscovered verbs. Even better, I received MCLE credit for some of the panels. Without the packaging of popular culture, however, the panels would have been empty.

So, what does this have to do with SCBA? Everything. This year, SCBA is all about repackaging, getting everyone more involved, and increasing access to both us and the court system. People want to know what is going on, so let's take the mystery out of it and make it relatable.

The place to begin is with attending SCBA events, which are filled with interesting people doing interesting things in interesting ways. (Like moi). For example, on August 8th the **Law Office of Rodarakis & Sousa, APC, is hosting a FREE wine mixer** for all SCBA members. There is no cost, no agenda, and no pressure. Come out, relax, and learn about the other people in your legal community. Law on its own is boring. Now, let's add wine to the discussion. Wine law? Now that's interesting because everyone dreams of owning a bar or a vineyard. See, it's all about presentation.

Then, with the new friends you made at the mixer, put together a foursome for the **SCBA Golf Tournament on September 15th**. With my lack of skill, those that are polite will deem my swing, "interesting."



See you there! I just have to duck into this phone booth to change before I go in.

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SCBA Calendar of Events

** You may also view all Bar Association events and register online at STANBAR.ORG **

AUGUST

WED/8th - 2nd Quarter BAR "MEMBER MIXER" – 5 to 7 PM, at the firm of *Rodarakis & Sousa, APC*. FREE to all Bar Members! Come eat snacks & drink while socializing & networking and catching up with fellow attorneys in our legal community. Attend and join SCBA that same evening---all bar members present will be entered into a drawing to win 2 tickets to the annual golf tournament!

Fri/24th – MCLE: HOW TO AVOID LANDMINES IN BUY-SELL AGREEMENTS: A BUSINESS VALUATION EXPERT'S PERSPECTIVE, by Al Statz, President of Exit Strategies Group, Inc, CBA, M&AMI, along with Louis Cionci. 12-1 PM, in the Jury Room, for 1 hour GENERAL credit.
<https://www.stanbar.org/mcle/friaug-24-avoid-landmines-in-buy-sell-agreements-by-al-statz-12-1-pm-jury-room/>

SEPTEMBER

Sat/15th – SCBA'S GOLF TOURNAMENT – Dryden Golf Course in Modesto, 8 AM Registration, 8:30 AM Putting Contest, and 9 AM Shotgun Start. Collecting Golf Sponsorships now and plenty of opportunities this year. See flyer inside & Tourney site: <https://scbagolf.com/>

OCTOBER

BENCH-BAR DINNER – 5:30 to 8:30 PM. *Further details TBA.*

Fri/12th – MCLE: DISCRIMINATION & HARASSMENT, by Greg Goodwin & Raquel Hatfield of Arata, Swingle, Van Egmond & Goodwin. Jury Room from 12-1 PM for 1 hour of general credit.
<https://www.stanbar.org/mcle/frioct-12-part-4-of-4-discrimination-harassment-by-greg-goodwin-raquel-hatfield-12-1-pm-jury-room/>

DECEMBER

ANNUAL JUDICIAL CALENDAR / HOLIDAY LUNCHEON – 5:30 to 8:30 PM. *Details TBA.*

“AROUND THE OFFICES”

Matthew O. Pacher has joined
RODARAKIS & SOUSA, APC
100 Sycamore Avenue, Suite 101, Modesto CA 95354
(209) 544-5232

If you are working for a different firm now or your office/firm has moved, share your new address and contact information with the legal community by notifying SCBA and it will be posted here.



JOB OPENINGS

IN-HOUSE PARALEGAL POSITION WITH BOYETT PETROLEUM. FAX RESUME TO: 209-577-6040, ATTN: KATIE HOLLOWELL.

PROBATE PARALEGAL WITH CURTIS LEGAL GROUP. FULL-TIME POSITION IN PROBATE/ESTATE PLANNING DEPT. MUST HAVE PARALEGAL CERTIFICATE OR MIN. 2 YRS EXPERIENCE. PREVIOUS ESTATE PLANNING, PROBATE AND/OR LITIGATION EXPERIENCE DESIRED. EXCELLENT ORGANIZATIONAL SKILLS REQUIRED. PROFICIENT IN WORDPERFECT X6 & WORD 2013, OUTLOOK 2013 (CALENDARING), COMPULAW VISION (CALENDAR DEADLINES), & ESSENTIAL FORMS (JUDICIAL COUNCIL FORMS). PREVIOUS EXPERIENCE WITH THESE PROGRAMS OR SIMILAR, IS A PLUS. QUALITIES WE LOOK FOR: INITIATIVE, SUPER ORGANIZED, SELF-CONFIDENT, CALM DEMEANOR, & GOOD PEOPLE SKILLS. PLEASE STATE IF YOU ARE BILINGUAL IN SPANISH/ENGLISH AS THIS IS ALSO A PLUS. EMAIL RESUME TO: TTHOMAS@CURTISLEGALGROUP.COM

Advertise here for any open positions your office may need to fill. Simply contact SCBA to submit job info, (209) 571-5729.

Quarterly Member Mixer



STANISLAUS COUNTY BAR ASSOCIATION

www.stanbar.org

Meet, mingle, enjoy drinks and appetizers
Compliments of the SCBA to all current members

*All members present will be entered to win two golf tournament tickets
(Membership enrollment available at the mixer)*

**August 8, 2018
5:00 pm - 7:00 pm**

Rodarakis & Sousa, APC
100 Sycamore Avenue, Suite 101
Modesto, CA 95354

SCBA'S ANNUAL GOLF TOURNAMENT

**SATURDAY, SEPTEMBER 15TH
DRYDEN PARK GOLF COURSE,
MODESTO**

**PLAYERS FEE INCLUDES:
18 Holes, Cart, Snacks, Swag Bag,
Unlimited Beverages, Lunch, and
Entry to win Raffle Prizes &
Silent Auction**

REGISTRATION FORM NEXT PAGE!



LOOKING FOR A NEW OFFICE?

I have just what you need!
1124 11th Street
Modesto, California 95354
Attn: Bruce Ramsey
(209) 529-7777 x 102
Ramseylaw@sbcglobal.net

STANISLAUS COUNTY LEGAL PROFESSIONALS ASSOCIATION...

...meets the 2nd Wednesday of each month at Noon. Meetings are open to anyone and our goal is to provide continuing education for those in the legal field as well as scholarship opportunities for those studying to become support staff in the legal field. For more information you can contact SCLPA's President, Linda Fischer, CCLS, at:

PRESIDENT@SCLPA.COM



STANISLAUS COUNTY BAR ASSOCIATION



SCBA

802 Fourteenth Street, Suite O
Modesto, CA 95354
(209) 571-5729



SCBA SCHOLARSHIP

PROCEEDS OF THE SCBA GOLF TOURNAMENT ALLOW THE SCBA TO BE ABLE TO FUND MULTIPLE SCHOLARSHIPS TO STUDENTS IN THE COUNTY WHO PLAN TO FOCUS THEIR EDUCATION AND OCCUPATION IN A FIELD OF OR RELATED TO LAW.



32nd ANNUAL GOLF TOURNAMENT

SEPTEMBER 15, 2018
DRYDEN PARK GOLF COURSE
Modesto, CA

Our website: www.stanbar.org
www.scbagolf.com

SPONSORSHIP LEVELS & BENEFITS

\$1000 = Happy Gilmore Sponsorship

- ◊ One (1) Foursome
- ◊ Tee-Sign on the Course
- ◊ Appear on Tournament Sponsor Banner during Tournament
- ◊ Recognition in SCBA newsletter - Non Sequitur
- ◊ Acknowledgement at www.Stanbar.org

\$500 = Caddy Shack Sponsorship

- ◊ Two (2) Single Player Golf Entry Fees
- ◊ Tee-Sign on the Course
- ◊ Appear on Tournament Sponsor Banner during Tournament
- ◊ Recognition in SCBA newsletter - Non Sequitur
- ◊ Acknowledgement at www.Stanbar.org

\$250 = Tin Cup Sponsorship

- ◊ Tee-Sign on the Course
- ◊ Appear on Tournament Sponsor Banner during Tournament
- ◊ Recognition in SCBA newsletter - Non Sequitur
- ◊ Acknowledgement at www.Stanbar.org

SPONSORSHIP SIGN-UP

- Happy Gilmore Sponsorship for \$1000.
- Caddy Shack Sponsorship for \$500.
- Tin Cup Sponsorship for \$250.



GOLF REGISTRATION

\$110 SINGLE PLAYER ENTRY
\$400 FOURSOME

1ST PLAYER _____
HANDICAP _____

2ND PLAYER _____
HANDICAP _____

3RD PLAYER _____
HANDICAP _____

4TH PLAYER _____
HANDICAP _____

SPONSORSHIP & REGISTRATION CONTACT INFO

NAME: _____

ADDRESS: _____

PHONE: _____

E-MAIL: _____



Please make checks payable to SCBA and mail, along with this completed form, to:
SCBA

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS RECRUITING ATTORNEY MEDIATORS STATEWIDE...

...to volunteer to mediate employment or housing discrimination complaints filed for investigation with DFEH. Volunteers must have completed at least 32 hours of verifiable formal mediation training or have a post-graduate degree in conflict resolution. A commitment to mediate at least four cases in a 12-month period is required. Must have own office space to conduct mediations. Bilingual or American Sign Language certification is desirable. A complete list of qualifications is attached.

To apply, please complete the attached application form and mail or email it by August 17, 2018 to:

Lisa Zeltner, Dispute Resolution Division Manager
Department of Fair Employment and Housing
2218 Kausen Blvd., Suite 100
Elk Grove, CA 95758
DRDOnlinerequests@dfeh.ca.gov

Applications will be screened and the most qualified candidates will be interviewed. Depending upon the number of applications received, interviews may be conducted in waves, occurring first in counties where DFEH currently has the most need for volunteers.

DFEH will provide orientation on its Dispute Resolution Division's procedures, including required forms and mandatory settlement agreement terms.

For more information, contact the DFEH's Dispute Resolution Division at DRDOnlinerequests@dfeh.ca.gov.

The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking in accordance with the Fair Employment and Housing Act, Unruh Civil Rights Act, Disabled Persons Act, and Ralph Civil Rights Act.



Annmarie Billotti, Esq.
Chief of Dispute Resolution
California Department of Fair Employment and Housing
2218 Kausen Drive | Suite 100 | Elk Grove | California | 95758

THE STANISLAUS COUNTY BAR ASSOCIATION PROUDLY PRESENTS

How to Avoid Landmines in Buy-Sell Agreements: A Business Valuation Expert's Perspective



GUEST SPEAKERS: Al Statz, ASA, CBA, and Louis Cionci, ABV, both with Exit Strategies Group, Inc.

TOPIC: Essential for attorneys that work with buy-sell agreements (BSA's), this workshop identifies common problems and unambiguous agreements that, when triggered, will function as intended and be fair to all concerned, affordable and trouble-free.



Friday, August 24, 2018 – 12-1 PM
Court House – Jury Assembly Room
800 11th St, Modesto

MCLE

The Stanislaus County Bar Association certifies that this activity has been approved for MCLE credit by the State Bar of California for:

1 Hour GENERAL Credit

The Stanislaus County Bar Association is a State of California MCLE approved provider.

COST:

Bar & Bench Members (with FREE lunch).....\$45 *
(*\$40 without lunch for Bar Members*)
* **2018 DUES PAID = Bar Member Rate**
Non-Members.....\$65
(*\$10 to add a lunch for Non Members*)

>>> REGISTER AND PAY ONLINE FOR THIS MCLE AT STANBAR.ORG --- FOR MORE INFO, PLEASE CALL THE SCBA AT 571-5729 <<<

Return this portion with payment by **August 17, 2018** to: SCBA • 802 14th St, Ste O, Modesto CA 95354

How to Avoid Landmines in Buy-Sell Agreements: A Business Valuation Expert's Perspective

Friday / August 24, 2018

Name: _____ Firm: _____ NO LUNCH

Lunch choices:

SANDWICH

- Turkey
- Roast Beef
- Veggie

CHIPS

- Potato Chips
- Doritos
- Baked Lays

DRINK

- Diet Coke
- Diet 7-Up
- 7-Up
- Bottle Water

AMOUNT ENCLOSED: \$ _____

No refunds after August 17, 2018



MCLE Workshop for Attorneys

How to Avoid Landmines in Buy-Sell Agreements: A Business Valuation Expert's Perspective

Presented by: Al Statz, ASA, CBA | President | Exit Strategies Group, Inc.

Workshop Description:

Essential for attorneys that work with buy-sell agreements (BSA's), this workshop identifies common problems with valuation provisions and recommends practical solutions that attorneys can use to prepare precise and unambiguous agreements that, when triggered, will function as intended and be fair to all concerned, affordable and trouble-free.

Business appraisers are often called upon to value shares in closely-held companies for internal buy-sell transactions. In doing this work, they interpret shareholder and LLC operating agreements and get to see where they break down. The valuation experts at Exit Strategies find that important valuation provisions are often missing or ambiguous, and don't function as the shareholders and/or drafter intended. They also find valuation processes that, as prescribed, are unnecessarily time-consuming and expensive. Issues unearthed after a trigger event (when shareholders' interests have diverged) lead to divisive arguments that tend to erode business value for all shareholders.

Participants Will Learn:

- Valuation concepts, standards, terminology, discounts
- Attorneys' use of various BSA provisions (from a study of 20 agreements selected at random)
- Pros and cons of the 3 primary approaches to pricing shares for buy-sell
- Common BSA problems, illustrated through 9 case studies
- Recommended solutions

Approved MCLE Credit: 1.0 hours

About the Presenter:

Al Statz is President of Exit Strategies Group, Inc., a mid-size business valuation and M&A brokerage firm, with offices in the San Francisco Bay Area, Sacramento area and Orange County. Founded by Al in 2002, Exit Strategies appraises \$1-50 million revenue closely-held businesses and fractional interests for buy-sell, management buyout, ESOP, estate and gift tax, dissolution proceedings, succession planning and other uses. Al holds an Accredited Senior Appraiser (ASA) credential from the American Society of Appraisers and is a Certified Business Appraiser (CBA) through the Institute of Business Appraisers. He is also a Merger & Acquisition Master Intermediary (M&AMI) through M&A Source. Al advises clients on business sales and recapitalizations and serves on the board of the California Association of Business Brokers.

Contact Al Statz to schedule a live workshop at your location or to receive further information:

alstatz@exitstrategiesgroup.com, 707-781-8580

THE STANISLAUS COUNTY BAR ASSOCIATION PROUDLY PRESENTS



Gregory J. Goodwin

Discrimination & Harassment



Raquel A. Hatfield

Guest Speakers:

Gregory J. Goodwin & Raquel A. Hatfield
of ARATA, SWINGLE, VAN EGMOND & GOODWIN

• Part 4 of 4 Part Series



Friday, October 12, 2018 – 12-1 p.m.
Court House – Jury Assembly Room
800 11th St, Modesto



MCLE

The Stanislaus County Bar Association certifies that this activity has been approved for MCLE credit by the State Bar of California for:

1 Hour GENERAL Credit

The Stanislaus County Bar Association is a State of California MCLE approved provider.

COST:

Bar & Bench Members (with FREE lunch).....\$45 *
(*\$40 without lunch for Bar Members*)
* **2018 DUES PAID = Bar Member Rate**
Non-Members.....\$65
(*\$10 to add a lunch for Non Members*)

>>> REGISTER AND PAY ONLINE FOR THIS MCLE AT STANBAR.ORG --- FOR MORE INFO, PLEASE CALL THE SCBA AT 571-5729 <<<

Return this portion with payment by **October 5, 2018** to: SCBA • 802 14th St, Ste O, Modesto CA 95354

Discrimination & Harassment

Friday / October 12, 2018

Name: _____ Firm: _____ NO LUNCH

Lunch choices:

SANDWICH

- Turkey
- Roast Beef
- Veggie

CHIPS

- Potato Chips
- Doritos
- Baked Lays

DRINK

- Diet Coke
- Diet 7-Up
- 7-Up
- Bottle Water

AMOUNT ENCLOSED: \$ _____

No refunds after October 12, 2018

" MEMBERSHIP APPLICATION "



2018

STANISLAUS COUNTY BAR ASSOCIATION
802 14th Street, Suite O, Modesto CA 95354
(209) 571-5729 • FAX (209) 529-6130
WWW.STANBAR.ORG

INFORMATION IS THE SAME: Check here to duplicate prior year's information.

FREE ATTORNEY DIRECTORY AD FOR PAID SCBA MEMBERS
Check box to remain or be added to our websites directory with no charges.
Please contact the Bar Association to update any changes necessary.

Name (Last, First) _____

Full firm Name _____

Physical Address _____

Mailing address if different from above _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____

E-Mail Address _____ Website _____

California State Bar No. _____ Year Admitted _____

Law School _____ Year Graduated _____

I am interested in serving on the following committees:

- Law Day Luncheon Committee
- Bar Membership Committee
- MCLE Program Committee
- Non Sequitur Committee
- Golf Tournament Committee
- Bench-Bar Dinner Committee

REGULAR Bar Member.....\$ 150.00
***FIRST TIME Attorney Member**....\$ 75.00
RETIRED Attorney.....\$ 75.00
****ASSOCIATE Member**.....\$ 35.00

AMOUNT ENCLOSED:
Dues.....\$ _____
*****Scholarship Donation**.....\$ _____
Total.....\$ _____

***First Time Attorney Member:** Attorney who has not been a bar member anytime during the last 5 years.
INCLUDES: Admission to Bar Members Only "Mixers"

****Associate Member:** Not admitted to practice law in California or another jurisdiction, such as: Law Clerks, Law Students, Paralegals, Legal Assistants, Legal Secretaries, Court Personnel, and Legal Administrators.

*****Scholarship Fund:** Support Bar Scholarships presented annually at Law Day Luncheons, to local Senior High School students who pursue careers in the legal field. Easily contribute today with your membership dues.

Paid SCBA Members have the option to advertise their firm/sell on our websites ATTORNEY DIRECTORY section at STANBAR.ORG.
Paid SCBA Members require the box above to be checked to renew annually. For more information contact us STANBAR.ORG or (209) 571-5729.

>>> REGISTER YOUR BAR MEMBERSHIP ONLINE AT THE BAR WEBSITE: <https://www.stanbar.org/membership-levels/> <<<

**McCORMICK
BARSTOW**
ATTORNEYS AT LAW

MODESTO

FRESNO

BAKERSFIELD

LAS VEGAS

CINCINNATI

DENVER

Our team is hiring. We want to hear from you!



McCormick Barstow is the Valley's leading full-service law firm. We give attorneys the opportunity to develop and hone their professional skills under the guidance of the highest-caliber attorneys, including two admitted to the prestigious American College of Trial Lawyers, eight admitted to the American Board of Trial Advocates, 30 NorCal Super Lawyers, 9 NorCal Rising Stars, and 31 AV Rated attorneys. We have the Central Valley's first and only member of the California State Bar's Trial Lawyer Hall of Fame. Down our long hallways you will find open doors, a sense of humor, and a diverse group of lawyers with educational backgrounds ranging from economics to engineering. We enrich our community through volunteerism and *pro bono* service, and encourage attorneys' altruistic involvement in organizations outside of the law. Consider practicing with us.

McCormick Barstow's Modesto Office has an immediate need for attorneys with 3-10 years of experience for our Business Litigation, Employment, Family Law, and Insurance Defense/Specialty (Governmental Entity) practice groups. We offer a collegial work environment where attorneys are given hands-on experience and meaningful responsibility, competitive salary, significant bonus opportunities, and generous benefits. We encourage motivated, ambitious individuals who are not afraid of the courtroom to submit a resume and cover letter to Ben Nicholson, Hiring Partner c/o McCormick Barstow LLP, 1125 I Street, Suite 1, Modesto, CA 95354 or via email to ben.nicholson@mccormickbarstow.com. All submissions are kept confidential.

Visit www.mccormickbarstow.com/careers



STANISLAUS COUNTY BAR ASSOCIATION
802 14TH STREET, SUITE 0, MODESTO CA 95354
(209) 571-5729

www.stanbar.org

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