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Civil Justice at Its Best

By John Nockleby

The Southern California legal landscape is littered with terrific litigators. I was reminded of this fact last week during the Consumer Attorney Association of Los Angeles' annual convention in Las Vegas. There, the best and brightest attorneys from California - the nation, really - were on hand to discuss a range of topics in three days' worth of educational sessions. That 1,400 attorneys showed up to refine their skills is a testament to the dedication and self-betterment that is a common denominator of those who call trial work their life's calling.

With guidance from leading members of the bars, Loyola Law School created its Civil Justice Program in 2005 partly as a way to facilitate a similar ongoing discourse among litigators - and to honor those whose work exemplifies the very best of the profession. Annually, the program holds its Tribute to the Champions of Justice Dinner to recognize role models from both the plaintiff and defense bars.

Past honorees include Raymond Boucher of Kiesel, Boucher & Larson; John Collins, founding partner Collins, Collins, Muir & Stewart; Thomas J. Nolan of Skadden Arps Slate Meagher & Flom; Mark Robinson Jr. of Robinson Calcagnie & Robinson Inc.; Bruce Broillet of Greene Broillet & Wheeler; Edith Matthai, Robie & Matthai; Thomas V. Girardi, Girardi/Keese, Los Angeles; and James J. Brosnahan, Jr., Morrison & Foerster, San Francisco.

This year, the dinner will honor Robert C. Baker of Baker, Keener & Nahra, and [Gretchen Nelson of Kreindler & Kreindler](#), at the Beverly Hills Hotel on Friday, Sept. 25. Baker and Nelson personify the attributes that drove many of us to become lawyers in the first place. At the consumer attorneys' convention, both their names came up in countless conversations with colleagues. In many cases, attendees lavishing the highest praise had been courtroom opponents. And that may be what makes the honorees most striking.

Baker has spent the better part of four decades building a reputation as a "trial lawyer's trial lawyer" who has achieved success the only way he knows how: honorably. He has litigated matters involving professional liability, toxic torts, insurance coverage, commercial litigation, real estate, construction defects and employment law. But no matter what the case, he has said that the way to win is "by convincing the jury that you are truthful; and the way to do that is by being truthful."

Considered one of the top defense attorneys in California, Baker has won about 90 percent of the cases he has tried before a jury. Well known for representing O.J. Simpson in his civil trial, some of Baker's biggest successes came in business litigation. He secured a \$32.4 million verdict — including \$8 million in damages — in *DeWald and Fitzpatrick v. Knyal*, which involved a complex dispute between business partners.

Baker has garnered the respect of attorneys on both sides of the aisle by advocating for what he believes in — even when it is not in his own best interests. Case in point: A past president of the Association of Southern California Defense Counsel, Baker testified before Congress in opposition of proposed medical malpractice damage caps to the detriment of his insurance defense practice. "My legal talent is for sale. What I do in court is for sale," Baker has said. "But my personal opinions are not for sale."

Baker earned his J.D. from Loyola Law School in 1971, completing the four-year Evening Division Program in three and a half years while helping run a family business. Two years after graduation, he made partner at Kirtland & Packard, specializing in malpractice defense. In 1986, he and two colleagues opened Baker, Silberberg & Keener, the predecessor to his current firm.

Nelson shares Baker's quest for justice. Focusing on complex class action cases involving securities, antitrust and consumer claims, she has litigated cases against some of the country's largest corporate and public entities: American Airlines, Princess Cruises, Broadcom and the state of California, to name a few. She was part of a team representing students and community organizations in a challenge to the manner in which the state of California apportioned more than \$2 billion in new school construction funds.

As part of the team appointed sole lead counsel for the plaintiff class in *In Re ZZZZ Best Securities Litigation*, she was instrumental in securing a \$40 million settlement for the plaintiff class in what one U.S. attorney dubbed the "most massive and elaborate securities fraud perpetrated on the West Coast in over a decade."

For Nelson, the client always comes first. She focuses on obtaining results that are ideal for her client, not her firm. "I don't like fighting every battle," she says. "It's about being practical, quick and efficient, and always doing what's best for my client."

Nelson's pursuit of fairness extends beyond the courtroom. As president of the Los Angeles County Bar Association, Nelson worked to increase diversity within the legal profession.

She was part of a pro bono program that mentored underprivileged middle and high-school students. She also spearheaded a committee dedicated to ensuring the Los Angeles Superior Court has adequate facilities.

After earning her J.D. from Georgetown University Law Center in 1983, Nelson practiced with Morgan, Wenzel & McNicholas. She joined Corinblit & Seltzer in 1988 and started her own practice in 1998. She was appointed managing partner of [Kreindler & Kreindler](#) in 2003 - a position she retains today.

Professor John Nockleby is the founder and director of the Civil Justice Program at Loyola Law School Los Angeles, where his teaching and scholarship focuses on torts, privacy and the First Amendment.

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