

Education: J.D. (1975), San Fernando Valley College of Law, Sepulveda [now Univ. of La Verne College of Law at San Fernando Valley, Encino], Calif.; B.A. (July 1968), San Fernando State College [now Calif. State Univ., Northridge]; A.A. (June 1967), Pierce College, Woodland Hills, Calif.

Born: Aug. 23, 1940; Bogota, Columbia, came with family to U.S. in 1942 and to Calif. in 1952, and received U.S. citizenship in 1963; Married.

Admission: Admitted to Calif. Bar June 25, 1976.

Office Address: Edmund D. Edelman Children's Court,
Dept. 416
201 Centre Plaza Drive, #3
Monterey Park, CA 91754-2158

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GARCIA, David Arthur

JUDGE, SUPERIOR COURT, City & County of San Francisco

Appointment/Election: Appointed [succeeding Judge Victor M. Campilongo, retired] by Governor Deukmejian March 1, 1990 (oath March 3, 1990) and elected in subsequent elections.

Other Judicial Office: Judge, Municipal Court, San Francisco Judicial District, City & County of San Francisco, Jan. 2, 1983 (date of appointment and oath) to March 3, 1990, appointed [succeeding Judge Louis Garcia, deceased] by Governor Brown Jr.

Past Employment: Executive and Legal Affairs Secretary and General Counsel, Calif. Fair Employment and Housing Commission, San Francisco, Calif., 1978-82. Private law practice, San Francisco, 1974-77 (sole practitioner, part-time). Managing Attorney (1973-74) and Staff Counsel (1971-73), San Francisco Neighborhood Legal Assistance Foundation, Mission Law Office.

Memberships/Awards: Member: Calif. Judges Assn., 1983—; and La Raza Lawyers Assn. Past Chairman and former member, Board of Directors, San Francisco Neighborhood Legal Assistance Foundation. Former member: San Francisco Municipal Court Judges Assn.; Planning Committee: CJA Annual Conference, 1990; CJER Civil Proceedings Benchbook Project; and CJA Seminar on Evidence, 1988; San Francisco Employment and Training Council; and Bar Assn. of San Francisco (served on Board of Directors).

Teaching/Lectures/Panelist: Adjunct Professor of Law ("Civil Procedure"), 1972-74 and 1983—; and Associate Professor, 1981-82 and 1974-78, Univ. of San Francisco School of Law, San Francisco. Faculty: Calif. Judicial College (CJER), Berkeley, 1989-91, 1987 ("Substantive Civil Law"), and 1986; and Calif. Continuing Judicial Studies Program ("CJSP") (Mid Career Judges College) (CJER), 1988, 1987, and 1986 ("Civil Proceedings"). Panelist: CJER Civil Law Institute, 1988; CJER Municipal and Justice Courts Institute, 1987 and 1985; and CJA Seminar on Evidence, 1988. Participant, The Rutter Group programs: "Family Law," 1991 Update (panelist); and "Landlord-Tenant Litigation," 1990 (moderator).

Publications: Author: "Title VII Does Not Preempt State Regulation of Private Club Employment Practices," 34 Hastings LJ 1107 (1983) [cited in *Bohemian Club v. FEHC* (1986), 187 Cal.App.3d 1, 18]; and "Third-Party Culpability Evidence: A Criticism of the California Mendez-Airline Exclusionary Rule - Towards a Constitutional Standard of Relevance and Admissibility," 17 USF L Rev (1983) [cited in *People v. Hall*, (1986) 41 Cal.3d 826, 831]. Co-author (with Terry B. Friedman and Mark Hagarty), *California Practice Guide*, Landlord-Tenant (1989, The Rutter Group).

Military Experience: Served in U.S. Army (3 months as part of ROTC obligation).

Education: LL.M. (1971), Yale Univ. Law School, New Haven, Connecticut; J.D. (1970), Univ. of San Francisco School of Law, San Francisco (scholarship); B.A. (1967, Political Science), Univ. of San Francisco, San Francisco.

Born: Sept. 20, 1946; El Paso, Texas; Married (attorney). Two children.

Admission: Admitted to Calif. Bar Jan. 12, 1971.

Political Affiliation/Religion: Democrat; Catholic

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San Francisco, CA 94107

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(415) 554-4114 (general number)

ATTORNEYS' COMMENTS

Temperament/Demeanor

By all accounts, Judge Garcia is respected by and respectful of the attorneys who appear in his courtroom. "He is very personable and respectful of attorneys but if you get on his wrong side, he'll call you on the carpet." "He is a very good judge." Judge Garcia has high standards. "He works hard and expects the same from attorneys." "He doesn't suffer fools gladly." "He doesn't like b.s."

Intelligence/Knowledge

This jurist is known for his intelligence and street smarts. "He is brilliant." "High marks for intelligence." "He is bright." "He is very smart." "He is pretty well versed in the law." "He knows the rules and sticks by them, but he is compassionate and has a strong sense of fairness." "He is practical."

On Motions

Judge Garcia is considered to be excellent for law and motion because he is always prepared and willing to grant summary judgments. "He is a great law and motion judge." "He is always prepared and has read the papers." "His rulings are very fair." "He bends over backwards to give everyone a chance, but he will toss the case out on a summary judgement or on a motion to strike if need be." "He is willing to make the hard call." One attorney noted that Judge Garcia was "unpredictable" and can "outsmart himself because he gets so interested in the case." "He has strong opinions and is not afraid to speak his mind."

Judge Garcia gives attorneys as much time as they want for oral argument and will change his tentative ruling. "He really wants to make the right decision, so he will often change his mind." "He gives you as much time as you want to argue."

On Trial

Judge Garcia was given high marks as a trial judge because of his fairness and knowledge of the law. "He is very fair." "He is a good trial judge for a complex case." He is known to be a stickler for local court rules and willing to enforce them. "Good papers are important." "He has good courtroom control." "Know the local court rules." One attorney commented that this jurist would be a good assignment for a new attorney. "He is a good teaching judge because he explains his rulings." "He teaches at USF law school." One attorney warned that when he appeared, the bailiff at the time was extremely rude and difficult. "I almost complained to the judge about the bailiff because he was such a jerk."

Continuances

He is known to be reasonable and fair in granting continuances but it never hurts to mind the local court rules. "He is reasonable on continuances."

Settlement

None of the attorneys polled had any specific recollection of Judge Garcia in settlement.

Proclivities

Judge Garcia is considered extremely fair and generally without proclivities.

Summary

Strictly follow the local court rules. Be prepared.

GARCIA, Edward John

SENIOR JUDGE, UNITED STATES DISTRICT COURT, Eastern District of California

Appointment/Election: Nominated by President Reagan Feb. 14, 1984, confirmed by U.S. Senate March 13, 1984,

commission issued March 14, 1984, and oath March 23, 1984.

Other Judicial Office: Judge, Municipal Court, Sacramento Municipal Court District, Sacramento County, March 10, 1972 (date of oath) to March 23, 1984 (date of resignation), appointed [succeeding Judge Margaret A. Flynn, retired] March 7, 1972 by Governor Reagan, elected in 1974, and reelected in 1980. Presiding Judge, 1982-83 and 1976-78.

Past Employment: Chief Deputy District Attorney (Oct. 1969 to March 1972) and Deputy District Attorney (July 1959 to Oct. 1969), Sacramento County. Worked while attending law school as personnel management analyst for U.S. Government.

Memberships/Awards: Member: Univ. of the Pacific Alumni Assn., 1960—. Former member: Calif. Judges Assn., 1972-84 (Vice President, 1980; Executive Board, 1977-80); U.S. Attorney General Edwin Meese III's Commission on Pornography, 1985-86; Governing Committee, CJER, 1981-84 (Vice Chairman, 1983-84); CJER Journal Planning Committee, 1979-82; Sacramento County Bar Assn., 1959-72; Mexican-American Educational Assn., 1962-63 (Board of Directors, 1963); Executive Board, Golden Empire Council, Boy Scouts of America, 1975; and Benevolent and Protective Order of Elks, Lodge No. 6, Sacramento, 1961-86.

Teaching/Lectures/Panelist: Faculty, Calif. Judicial College (CJER), Berkeley, 1983, 1981, and 1979. Served as Lecturer (Search Warrants), New Judges Orientation Seminars (CJER), Berkeley, 1976-79. Participant, CEB program, "How to Handle a Criminal Proceeding," 1972 (panelist).

Noteworthy Cases: Significant decisions include: *Smith v. Heckler*, (1984) 595 F. Supp. 1173 (class action involving social security disability benefits).

Military Experience: Served to Corporal, U.S. Army Air Corps (now Air Force), 1946-49.

Education: LL.B. (June 1958, with Distinction), McGeorge College [now Univ. of the Pacific, McGeorge School] of Law, Sacramento, Calif.; A.A. (1951, with Distinction), Sacramento City College, Sacramento; Graduate: Christian Brothers High School (1946) and St. Joseph's Parochial School (1942), both in Sacramento.

Born: Nov. 24, 1928; Sacramento, Calif.; Married. Seven children.

Interests: Enjoys playing softball (member: Golden Seniors Softball Team, Sacramento).

Admission: Admitted to Calif. Bar June 17, 1959.

Political Affiliation/Religion: Republican

Office Address: United States Courthouse
501 I Street
Sacramento, CA 95814

Office Phone: (916) 930-4225

GARCIA, Michael Theodore

JUDGE, SUPERIOR COURT, Sacramento County

Appointment/Election: Appointed to newly-created position by Governor Deukmejian on March 24, 1989 (oath same day), and elected in subsequent elections.

Other Judicial Office: Judge, Municipal Court Sacramento Municipal Court District, Sacramento County, Jan. 29, 1987 (date of oath) to March 24, 1989, appointed [succeeding Judge Ronald B. Robie, elevated] by Governor Deukmejian Jan. 15, 1987.

Past Employment: Deputy Attorney General, Calif. State Dept. of Justice, Sacramento, Calif., 1981-87 (first assigned as legislative advocate, and most recently assigned to Criminal Division). Deputy District Attorney, Ventura County, 1974-81 (served in Welfare Fraud, Misdemeanor Trial, and Felony Trial Units).

Memberships/Awards: Member: Calif. Judges Assn., 1987—; and La Raza Lawyers of Sacramento, 1981—. Former member, Sacramento County Bar Assn., 1986-87. Co-recipient, annual "Judicial Award" (1991) from Calif.

Probation, Parole, and Correctional Assn. (CPPCA) for his participation in Court's Probation Oversight Committee, which has been active in advocating for strengthened probation programs in Sacramento County.

Teaching/Lectures/Panelist: Instructor, Univ. of Calif., Davis, School of Law, 1983-87.

Education: J.D. (1974), Univ. of Calif. at Davis, School of Law, Davis, Calif.; B.A. (1971, Political Science and Sociology), Calif. State Univ., Fullerton.

Born: May 30, 1949; Orange, Calif. and grew up in Santa Ana, Calif.; Married (deputy attorney general, Calif. State Dept. of Justice). Three children and one foster daughter (attorney).

Admission: Admitted to Calif. Bar Dec. 20, 1974.

Political Affiliation/Religion: Republican

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GARDNER, Hugh Clinton III

JUDGE, SUPERIOR COURT, Los Angeles County

Appointment/Election: Appointed [succeeding Judge Clarence A. Stromwall, retired] by Governor Wilson Jan. 24, 1992 (oath Feb. 3, 1992) and elected in subsequent election.

Past Employment: Private law practice, Los Angeles, Calif., 1972-92 (partner, Sidley & Austin, 1988-92, handling product liability, pharmaceutical, and toxic tort litigation; associate and then partner, McCutchen, Black, Verleger & Shea, 1972-88, handling pharmaceutical products liability litigation).

Memberships/Awards: Member: Calif. Judges Assn., 1992; American Bar Assn.; and Los Angeles County Bar Assn.

Education: J.D. (1971), Stanford Univ. Law School, Palo Alto, Calif.; B.A. (1968), San Jose State College [now Univ.], San Jose, Calif.

Born: Feb. 1, 1943; Long Beach, Calif.; Married.

Admission: Admitted to Calif. Bar Jan. 17, 1972; and to U.S. Dist. Court, Central Dist. of Calif.; and to U.S. Court of Appeals, Ninth Circuit, in 1979; and to U.S. Supreme Court and U.S. Dist. Court, Northern Dist. of Calif., in 1983.

Office Address: 111 North Hill Street
Los Angeles, CA 90012

Office Phone: (213) 974-2204

GARGANO, William Roger

COMMISSIONER, SUPERIOR COURT, City & County of San Francisco

Appointment/Election: Appointed by judges of court March 15, 1979 (oath April 2, 1979).

Other Judicial Office: As Judge *pro tempore*, has served in juvenile court, family court, small claims appeals, law and motion, and discovery matters.

Past Employment: Private law practice, San Francisco, 1972-79 (sole practitioner).

Memberships/Awards: Member: Calif. Judges Assn., 1985—; Calif. Court Commissioners Assn., 1980—; Italian-American Bar Assn., San Francisco, 1979—; United Irish Cultural Center; Irish-American Bar Assn., San Francisco.

Publications: Served as Special Consultant to author Kenneth James Arnold in his work, *Commencing Civil Actions in California*, published by Matthew Bender & Co. (1975).

Military Experience: Captain, U.S. Army Reserve, Presidio of San Francisco, 1974-1983.

Education: J.D. (1971), Hastings College of the Law, San Francisco, Calif.; B.A. (1968, Political Science), Univ. of San Francisco, San Francisco (Pi Sigma Alpha, National Political Science Honor Society; and St. Ives Law Society).

Born: Nov. 21, 1946, San Francisco, Calif.; Single.

Interests: Enjoys music, history, reading, and walking.

Admission: Admitted to Calif. Bar June 26, 1972.