

**We honor 43 attorneys
for their extraordinary
achievements in 2008.**

BY THE EDITORS OF
CALIFORNIA LAWYER

The California Lawyer Attorneys of the Year Awards recognize lawyers throughout the state whose legal work made a profound impact in 2008. They include sole practitioners, city attorneys, and lawyers from large international firms. Their practice areas range from employment law and intellectual property to environmental law and appellate work. Among their successes: making school buses healthier for millions of California schoolchildren, protecting voters' rights during the recent election cycle, and winning a \$184.1 million jury award in a patent-infringement case. In total, we identify 22 accomplishments in 13 areas of legal practice that reflect the breadth of the California State Bar.

Although it has become our policy not to consider previous CLAY winners, we made an exception for the landmark conservation agreement in our environmental law category. The nine attorneys who worked on that deal included two earlier honorees, Harry C.

O'Brien and Joel R. Reynolds.

Congratulations to all the winners.

—Chuleenan Svetvilas

ALTERNATIVE DISPUTE RESOLUTION



MICHAEL E. BAUMANN AND REBECCA J. WAHLQUIST

Kirkland & Ellis, Los Angeles

When Baumann and Wahlquist won an appeal last August on behalf of DirecTV, they changed the landscape for ADR in California and created a new arbitration option. Their client was locked in a dispute with a group of dealers who claimed DirecTV had improperly withheld commissions. After an arbitration panel ruled as a matter of law that the case could proceed on a classwide basis, Baumann and Wahlquist sought judicial review. Although it has been solid precedent that legal error is not a ground for reversal of an arbitration decision (*Moncharsh v. Heily & Blase*, 3 Cal. 4th 1 (1992)), the pair argued that the governing arbitration clause both required the arbitrator to properly apply California law and also provided for judicial review. The California Supreme Court confirmed that parties could contract for judicial review in arbitration (*Cable Connection, Inc. v. DIRECTV, Inc.*, 44 Cal. 4th 1334 (2008)). As a result, parties in arbitration can benefit from the efficiency of ADR but reserve the opportunity for later judicial review in case the arbitrator makes an error of law. Jeremy B. Rosen of Horvitz & Levy in Encino, who filed an amicus brief in the *Cable Connection* case, has since won two other appeals based on the Supreme Court's ruling.

CONGRATULATIONS