

VERDICTS & SETTLEMENTS

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Neutral Followed in His Father's Legal Footsteps

By Amity Bacon
Daily Journal Staff Writer

SAN FRANCISCO — Like the well-worn dirt road that neutral Ronald Sabraw takes to get home to his retreat in the hills, his path into law only seems natural.

At the end of a day of mediation and arbitration in downtown San Francisco, he returns to the oak-shaded countryside along Mill Creek Road and into a quieter life. Five miles from home, he drives through the town of Fremont, where his father, retired state appellate court justice M.O. Sabraw, once made his livelihood and became a bit of a local celebrity in the community.

"He was held in great reverence," Sabraw said, reflecting on trips to the hardware shop or grocery store where everyone seemed to know his father's name.

And what a name it was: "M" standing for the French term for modest, "Modeste," and "O" standing for his father's name, "Orton."

If names truly bear insight into one's character, Sabraw takes after his father in the modesty department, feeling more comfortable speaking about anything but himself: his extensive family, home improvement projects or the judicial process that has fascinated him since his youth.

Born in Oakland and raised in the East Bay, Sabraw fell into his father's legal footsteps by serving as an attorney, then moving on to a governor-appointed judgeship.

Sabraw said that, when he was a young man, his father would "speak in glowing terms" of his experience on the bench. He was particularly proud of his father's work in finding Kenneth Parnell guilty in the kidnapping of a 7-year-old Merced boy in 1972. The child, Steven Stayner, was kept from his family for seven years; his story was later turned into a made-for-TV movie.

A litigator for 11 years, Sabraw was a partner at Sabraw, Fudenna, Schenone & Peck from 1981 to 1987, practicing in business, real estate and personal injury law. After two years as an Alameda County Municipal Court judge, he was appointed to Alameda County's Superior Court by Gov. George Deukmejian.

There, he became presiding judge in the complex litigation department and oversaw several high-profile cases including the Clergy III trials, a class

Ronald Sabraw

JAMS
San Francisco

Areas of specialty:

Complex Civil, Consumer,
Employment and Securities.

action to hold three local Roman Catholic dioceses accountable for hundreds of molestation charges against East Bay priests.

After 20 years with the Alameda County courts, he made the switch to arbitrator and mediator in San Francisco. At 57, Sabraw has served as a neutral for only one year, but attorneys who once stood before him as a judge have been lining up to work with him again.

Those familiar with Sabraw through the Alameda County Superior Court say his leadership in the complex litigation department proves his worth as a strong neutral. Henry Needham, who serves as a justice on the 1st District Court of Appeal, was sworn in to the Alameda County Superior Court by Sabraw. Needham said that, when it came to complex litigation, Sabraw "wanted our court to be a pacesetter."

"He established a standard to make sure our complex litigation court was one of the best," Needham said. "The lawyers love him; I had a lot of comments on how well-run our court was."

Attorneys who have worked with Sabraw as a judge point to an affable, patient demeanor that now, in arbitration, comforts their clients.

"He's very unassuming and a real gentleman but so even-keeled and poker-faced that you don't know what he's thinking," said Allan Steyer, a partner at Steyer Lowenthal Boodrookas Alvarez & Smith. Steyer represented a consumer who won a case against Visa International Inc. and MasterCard International Inc. for hiding foreign exchange fees. Sabraw ordered the companies to pay restitution awards of up to \$800 million.

He said that the role of a neutral can be equal parts therapist, wise legal sage, priest or rabbi, and advocate.

Of one case that took 12 hours to resolve, Sabraw said, "The parties were remarkable at the end of the day. The defense came up with proposals that were inspirational in their breadth."

From consumer class actions, to



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personal injury cases, to securities matters, Sabraw said, this business is not without its frustrations.

"Sometimes, you get an 'interplanetary dispute': One side is from Mars; the other from Venus," he said. "You think to yourself, What could I have done differently? But sometimes, it has nothing to do with you; some people just want their day in court."

He cites chopping wood, pounding nails and clearing brush at home as ways of letting off steam.

But it is his rapport and respect for litigants that seems to strike his colleagues the most. Terry Gross, partner at Gross, Belsky & Alonso in San Francisco, believes that it was Sabraw's "personal style" that brought about a fair settlement in the 2001 takeover case targeting KPFA, a public radio station in Berkeley.

Gross was appointed by the California attorney general to represent listeners who had been stripped of their roles to elect board members. Listeners, local station advisory boards and dissident Pacifica board members had joined and filed four lawsuits against the board before Sabraw ended the dispute.

The settlement required a structural shift in the way board members were chosen. *People of the State of California v. Pacifica Foundation*, 814461-0.

"It was a hard-fought trial, with emotions running high on both sides," Gross said. "We had a settlement conference, and he went above and beyond the call of duty to act as a mediator, becoming involved in the detailed issues of how to run these stations. He was never asked to do any of that, but it

made all the difference."

Sabraw said he finds the mediation and arbitration business gratifying and interpersonal and enjoys the creativity involved in resolving a case.

Working out of a cubicle in a high-rise office building in San Francisco's financial district, Sabraw speaks fondly of his more low-key status. He said he enjoys the open atmosphere, where he is able to exchange ideas with his colleagues.

"[In mediation], the opportunity for revealed humanity is very interesting to me," he said. "As a judge, you wouldn't be able to see the full spectrum of human foibles and frustrations."

Reflecting, Sabraw said he doesn't think he had enough life experience to become a judge at 37. He said that his familial ties helped him to get to the Superior Court.

"As I got near the end of my career, I had a moment to reflect, and I think I was too young to assume those responsibilities," he said. "Decision making was just about calling the shots, and as I got older, I found decision making more difficult."

Needham, as well as some of the attorneys who have worked with him, don't seem to take issue with the fact that he was once a young judge.

"It's not often I get a chance to say great things about someone I truly admire," Needham said.

He noted that Sabraw's commitment to listening and learning in decision making went above and beyond the call of duty.

"In regard to his experience, I think all you need is hard work and dedication to mature you," Needham said.