

# ‘It’s Tantamount to Legal Extortion’

## JAMIE STEIN

**Firm:** LightGabler, Camarillo

**J**amie Stein specializes in employment law. She has worked as an attorney for 18 years.

### Why employment law?

I began my practice in employment law on the plaintiff’s side. That experience provided me with a unique insight and understanding of the differing roles and challenges faced by my opposing counsel, which lends itself to obtaining the best results for my current clients as a defense attorney.

### Biggest challenge with employment cases:

Advising my clients that they may need to pay money to a plaintiff when my client did nothing wrong. The fact that plaintiffs’ counsel typically take cases on a contingency fee basis fosters an atmosphere where plaintiffs assert frivolous claims with little to no risk to the plaintiff. This fee arrangement, coupled with the fact that employment law claims are typically covered by one-way attorney fee statutes that only favor the plaintiff, creates a very



high-risk scenario for the employer to defend a case through trial. It’s tantamount to legal extortion in certain cases, when employers are forced to settle with plaintiffs simply to avoid the risk of incurring plaintiff’s attorney fees on top of their own fees even when they have valid defenses to the employee’s claims.

### Role within the firm:

Senior litigator.

### Personality traits of a power lawyer:

I enjoy investigating the minute facts of a case, which provides insight into the plaintiff’s motivations and can break wide open the available support for successful defenses. I also become very passionate about each of my cases, which gives me the drive to aggressively pursue and obtain a favorable resolution for my client.

### Rewards of the work:

I have the pleasure of working with a stellar team of attorneys, for clients who care about their employees and are consistently grateful for our services. Our firm’s advice and counsel section supports our clients when they have questions on policies and practices, as well as keeps our clients updated on the ever-changing landscape of California employment law. Our litigation team is there to defend our clients in the unfortunate situations when litigation cannot be avoided. The members of our firm, as well as the clients, make the practice very rewarding for me.

### Favorite out-of-office activities:

I love hiking. Much of a lawyer’s life is spent behind the desk. I take any chance I can get to stretch my legs outdoors and enjoy the beauty of nature. It puts things into perspective and I

often develop my best case strategies while on the trail.

### How law is changing:

One of the biggest changes I’ve experienced in the practice of law is the impact that technology has had. Technology has increased the ability to keep clients informed about new cases and legislation as well as the availability of marketing opportunities through the use of social media connections, but also allows me to be more connected to my cases and my clients when I’m out of the office.

### One legal rule/practice that needs changing:

The one-way attorneys’ fees statutes that favor plaintiffs. The statutes unfairly administer a harsh punishment to employers in a manner that may be completely disproportionate to any technical wrongdoing – while further serving to create a situation that provides plaintiffs with incredible, and often unreasonable, bargaining leverage.

### Advice to prospective lawyers:

Go for it! If you’re considering the practice of law, you’re halfway there, because that means something about the field is appealing to you and you have a desire to be of service to your clients.

– Andrew Foerch

# ‘This Job Can Be Stressful, But It Is Almost Never Boring’

## VINCENT GANNUSCIO

**Firm:** Roxborough Pomerance Nye & Adreani, Woodland Hills

**V**incent Gannuscio has spent 19 years in the legal profession. He specializes in workers’ compensation insurance disputes and business litigation about insurance coverage.

### Best part of the job:

I get to do something different almost every day, whether it involves legal research, meetings, depositions, court hearings, mediations or any number of the myriad things we do as lawyers. I previously had my own solo business law and litigation practice, and still represent small- to medium-size businesses, and I’ve always relished the opportunity to get out of the office, meet my business clients and learn about their businesses. Plus, at my firm, I get to handle very interesting matters for very interesting clients. This job can be stressful, but it is almost never boring.

### Client-counsel connection:

As someone who was a small businessman, I appreciate the opportunity to work with people who face the same issues I did – making enough to keep the lights on, pay rent and earn enough to eat. I’ve never equated “important work” with big business or high dollar cases. It is enough for me to do work that makes an actual, tangible difference to a business – and to the people behind them.



### How law is changing:

Computer and electronic-based work now predominates compared to when I started practicing law. Almost everything is done online, from legal research to document exchanges, to service and filing of court documents. This in many cases makes our business more efficient but presents new challenges. However, since I represent businesses, seeing how their businesses likewise change with the times puts the changes in our profession into perspective.

### Role within the firm:

I am an experienced trial lawyer – I was once, about a lifetime ago, a partner in an insurance defense litigation firm before opening my solo practice. And I

apparently have some skill as a writer – I studied journalism in college and was trained to write in an organized manner on an expedited basis, which has helped me immensely in my legal writing. Lately, I have been getting more into the client development side, and this again gives me the opportunity to get out of the office and meet the people.

### Personality traits of a power lawyer:

My best qualities I owe to my mom, who unfortunately left us far too early. She was a wonderful, stubborn woman whose stubbornness helped her overcome illness and life challenges over and over again. I’ll never experience half the challenges she did, but I learned from her to stay the course, overcome and eventually find success.

### Source of power for a “power attorney”:

Apart from what I learned from my mom, I have found that if I can stay humble, grounded, find a bit of balance between work and life, and keep calm, it is then that I do my best work.

### Memorable experience:

I once had a case involving the Three Stooges. I also represented a very well-known musical artist after she and her boyfriend were in a bar fight. I never got to meet her, but I did get to meet her attorney.

### Favorite out-of-office activities:

I love nature, museums, history and traveling, so road trips – whether day trip or otherwise – are a great pastime for me. It’s one of the reasons I love California so much.

### One legal rule/ practice that needs changing:

It just takes too long to get things done, especially when it comes to motion and trial practice. I’d like to say I had a solution to this problem.

### What clients should do:

Come to me sooner when they have problems. Having been a businessman, I understand the reluctance to consult with counsel when a problem first arises – we are, after all, not cheap. But I’ve had quite a few clients who have come to me a few weeks too late, after a problem has become intractable and sometimes, when it’s too late to help.

### Advice to prospective lawyers:

If you are considering becoming a lawyer, but ultimately end up on the fence about it, then don’t. But if you want to be a lawyer, don’t listen to the naysayers. When I was in college, I had a “pre-law” professional discourage me from going to law school because there

**‘If you want to be a lawyer, don’t listen to the naysayers.’**

were “too many lawyers” and it would be impossible to get a job. I was miserable for the rest of my college tenure, until I decided to ignore the advice and go to law school. Law is difficult, stressful, demanding, and oftentimes a frustrating job, but I’ve never regretted it for a minute.

– Mark R. Madler