



Update from Sacramento

J.G. Preston

CAOC MEMBER COMMUNICATIONS

Consumer Attorneys of the Year honored at CAOC Award dinner

CRAIG PETERS, BRIAN GEARINGER AND JOSEPH S. MAY RECOGNIZED FOR CIVIL RIGHTS VERDICT IN POLICE RACISM CASE

Consumer Attorneys of California's 2025 Consumer Attorneys of the Year, honored during CAOC's 64th Annual Installation and Awards Dinner November 15 in San Francisco, won justice for three Black women whose civil rights were violated by Alameda County sheriff's deputies. CAOC also announced its Street Fighter of the Year, who won a five-year legal battle against the federal government after two children were wrongfully detained while re-entering the country at the Mexican border.

Craig Peters of Altair Law, Brian Gearinger of Gearinger Law Group and Joseph S. May of the Law Office of Joseph S. May were named CAOC's Consumer Attorneys of the Year for their work on *Loggervale, et al. v. County of Alameda, et al.* Aasylei Loggervale, a Black woman, and her two teenage daughters fell asleep in their car in a Castro Valley strip mall parking space after an overnight drive from Las Vegas in 2019. Alameda County sheriff's deputies knocked on the window and informed them that they were investigating some break-ins. The limited information about the suspects is that they were young men, never more than two, and, on one occasion, a young Black male. When one of the deputies requested identification, Ms. Loggervale refused, saying she did not believe she was required to produce it. One of the daughters exited the vehicle to use the bathroom, but a deputy said they were being detained and told her to sit in the car. At the same time, Ms. Loggervale was told to exit the vehicle. When she demanded to know why, a deputy grabbed her arm, got her out of the car, handcuffed her, and placed her in the back of a patrol car. When the daughters refused to follow the deputies' commands, they were also handcuffed and placed in the back of different patrol vehicles.

The deputies searched the car and the women's purses without asking for or receiving permission to search. After about an hour, the Loggervales were allowed to leave without being cited or

charged. The attorneys sued under state and federal civil rights laws, and an Alameda County jury compensated them with the largest civil rights verdict in U.S. history for a case not involving incarceration or severe physical harm. The jury's valuation in this case says something important about how the community now views the harm done by systemic racism. This landmark case sends a powerful message against race-based policing.

Joseph M. McMullen of the Law Offices of Joseph M. McMullen was honored as CAOC's Street Fighter of the Year for *J.A.M., a minor child, et al. v. United States of America, et al.* In 2019, as then-President Trump fueled hysteria over caravans of migrants entering the United States, Customs and Border Protection (CBP) officers apprehended two U.S. citizen children lawfully crossing the border with valid U.S. passports in hand on their way to school. The officers claimed nine-year-old Julia didn't look like her passport photo and said she was an undocumented impostor. They threatened to prosecute her 14-year-old brother for smuggling. The children were taken to a secretive underground jail and told during repeated interrogations they could be released to their parents only if they confessed that Julia was not a U.S. citizen. Meanwhile, their mother spent hours pleading with CBP to see her children, showing their photos, birth certificates, Social Security cards and school attendance records. Eventually, the children gave in and signed false confessions. The boy was released after 14 hours, but Julia remained in custody for 34 hours.

Soon after McMullen filed suit, a U.S. Supreme Court decision ended plaintiffs' right to bring lawsuits for damages against CBP officers in a jury trial. Undeterred, McMullen proceeded on a Federal Tort Claims Act theory and revealed a massive coverup effort (all recordings of the children's interrogation and detention were deleted). When the case reached trial, five years after the incident, two assistant U.S. attorneys and

every CBP officer witness continued to blame the children and disavow any responsibility. A federal judge found the United States liable for the unconstitutional actions of its officers and awarded damages to the children and their mother.

Also honored at the awards dinner were:

Kim Valentine, the principal attorney at Valentine Law Group, winner of the Robert E. Cartwright, Sr., Award, given "in recognition of excellence in trial advocacy and dedication to teaching trial advocacy to fellow lawyers and to the public."

Frank Pitre, partner at Cotchett, Pitre & McCarthy, winner of the Marvin E. Lewis Award, given "in recognition of continued guidance, loyalty and dedication, all of which have been an inspiration to fellow attorneys."

Greg Rizio, founder of Rizio Lipinsky Heiting, winner of the Edward I. Pollock Award, given "in recognition of many years of dedication, outstanding efforts and effectiveness on behalf of the causes and ideals of consumer attorneys."

Ibiere N. Seck, founder and principal trial attorney at Seck Law, winner of the CAOC Women's Caucus Consumer Advocate Award.

Asm. John Harabedian (D-Pasadena), Asm. Catherine Stefani (D-San Francisco) and Asm. Nick Schultz (D-Burbank), honored as Outstanding First-Term Legislators.

Sen. Monique Limón (D-Santa Barbara), named Trailblazer of the Year. Her historic elevation to Senate President pro Tempore will make her the first Latina to hold the Senate's top leadership role.

Sen. John Laird (D-Santa Cruz), honored as Legislative Lion.

The awards dinner also included the installation of CAOC's 2026 President Douglas S. Saeltzer, shareholder at Walkup, Melodia, Kelly & Schoenberger.

J.G. Preston joined CAOC in 2009 as press secretary and now works in member communications.