

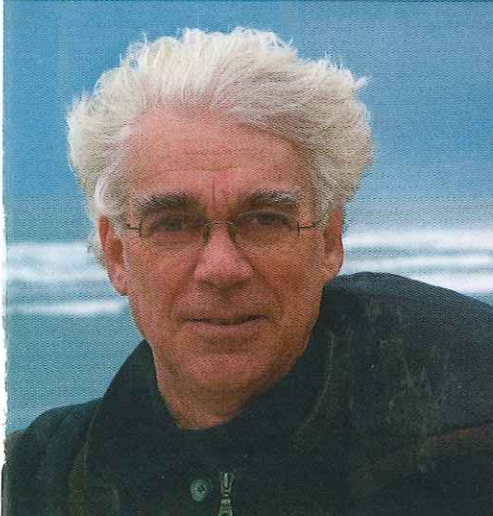
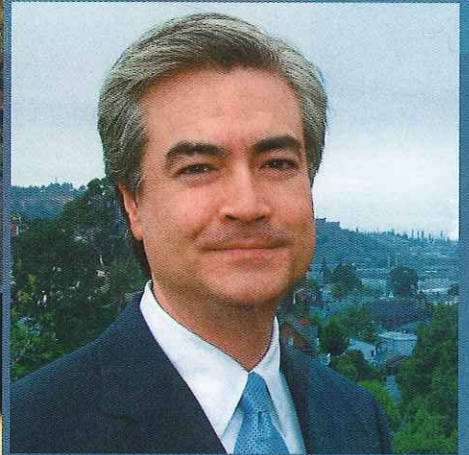
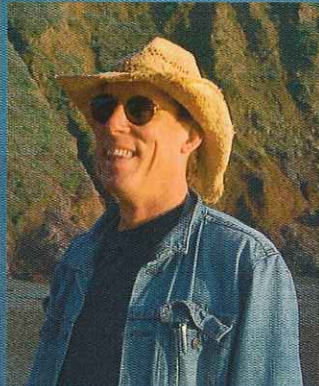
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THE CLAY AWARDS

billion in cash and received a 52 percent ownership stake in the new company, Activision Blizzard.

According to George Rose, chief legal officer of Activision Blizzard, "The unusual aspect was figuring out how to involve a large outside entity [Vivendi] in the affairs of an independent public company [Activision]." The new company now claims to have 15 percent of the lucrative video-game market worldwide.

ENVIRONMENTAL LAW

REPRESENTING TEJON RANCH



MATTHEW J. BOVE AND HARRY C. O'BRIEN
Coblentz, Patch, Duffy & Bass, San Francisco



JENNIFER L. HERNANDEZ
Holland & Knight, San Francisco

REPRESENTING THE ENVIRONMENT



GARY A. PATTON
Planning and Conservation League; Wittwer & Parkin, Santa Cruz

JOEL R. REYNOLDS
Natural Resources Defense Council, Los Angeles



JULIA A. TURRINI AND MARY J. SCOONOVER
Resources Law Group, Sacramento



RICHARD S. TAYLOR AND WILLIAM J. WHITE
Shute, Mihaly & Weinberger, San Francisco

If it takes a village to raise a child, perhaps it takes a roomful of lawyers to save an ecosystem. At least that was the indication last spring when the Tejon Ranch Company negotiated a landmark agreement with the Natural Resources Defense Council (NRDC), the Sierra Club, Audubon California, the Planning and Conservation League, and the Endangered Habitats League. Under the pact, the company will set aside 240,000 acres of its vast tract of Southern California land under donated conservation easements, open-space designations, and public acquisitions. In exchange, the environmental groups agreed not to oppose three proposed developments on the remainder of the property. (The projects involve only about 10 percent of the original holdings.)

Reynolds, a senior attorney for the NRDC, says the deal involved the largest private landholding in California. According to press reports, the land preserved in the deal is eight times the size

of San Francisco, and it includes desert, mountain, and valley habitats. Though some environmental groups remain concerned about the effect development will have on the California condor, Reynolds points out that Tejon Ranch still must comply with legally required environmental reviews should it proceed with plans to build on the land it retains. Conservation advocates say the terms of the agreement exceed what could have been gained through a series of lawsuits.



RICHARD T. DRURY
Lozeau Drury, Alameda



JAMES WHEATON
Environmental Law Foundation, Oakland

Drury and Wheaton led the plaintiffs team in a case in San Francisco Superior Court that invoked Proposition 65 to force two large school bus companies to reduce emissions from buses used to transport schoolchildren in California. Laura Baughman and Thomas Sims of Baron & Budd in Dallas, Texas, joined the two in leading the legal team. Under the larger of two settlements, reached last summer, Laidlaw Transit is required to spend an estimated \$28.3 million to retrofit and upgrade its fleet of diesel buses. The other deal was reached in

2007 with Durham School Services, which also agreed to phase in new buses or repair older vehicles. Plaintiffs estimate the agreements will result in thousands of buses that are far healthier for their young passengers to ride in. Together, the two bus companies operate two-thirds of the school buses in the state. Laidlaw was sued in 2006 under the Prop. 65 right-to-know law for allegedly failing to provide warnings about diesel exposure to bus riders, and Durham was added as a defendant the following year.



MARY D. NICHOLS
California Air Resources Board, Sacramento

As chairman of the powerful state air-pollution board, Nichols leads the agency in implementing the landmark Global Warming Solutions Act of 2006. Last December, under her leadership, the board adopted what appears to be the most sweeping set of requirements in the nation for reducing emissions of carbon dioxide, methane, and other greenhouse gases. The plan—which still must be finalized with formal regulations—is intended to cut CO₂ emissions back to 1990 levels by the year 2020, some 30 percent below what they would be if nothing were done. Just how far the coming rules will go remains to be seen, particularly in a struggling economy. But the Air Resources Board could potentially regulate all areas of energy usage, from changes in land use to the proper inflation of tires. At the heart of the plan adopted by the board are requirements that industries participate in a “cap-and-trade” program for carbon

Four of this year's CLAY recipients won class actions: three in employment law and one in elder law.

emissions, and the hoped-for implementation of new standards for cleaner cars and trucks in California.

GOVERNMENT



JEFFREY B. ISAACS
City Attorney's Office, Los Angeles



BRUCE K. RIORDAN
City Attorney's Office, Los Angeles

Public prosecutors throughout the state have used civil injunctions to limit gang activity. But as the practice has increased, so have civil-rights objections on behalf of people who say they're wrongly targeted.

To address such concerns, Chief Assistant City Attorney Isaacs created a petition procedure by which individuals subject to a gang injunction could be removed from the enforcement list without having to hire an attorney or file a civil action seeking declaratory relief. Riordan, the city attorney's director of antigang programs and operations, took on its implementation. In developing the protocols to administer the removal program, he worked closely

with many city and community organizations. According to Riordan, the petition process is the first of its kind in the country. Last year, as the petitions continued to work their way through the new system, an ex-gang member became the first person in the state to be cleared from an enforcement list. Meanwhile, other California cities, including San Francisco, are putting in place similar gang injunction-removal processes.

The petition process “tells the community that we've heard them” says Anthony Pacheco, president of the Los Angeles police commission and a partner at Proskauer Rose.

INTELLECTUAL PROPERTY



EDWARD G. POPLAWSKI
Sidley Austin, Los Angeles

A litigation team led by Poplawski won a \$184.1 million jury award last May against Hewlett-Packard for patent infringement. The verdict ended six and a half years of litigation.

Six Sidley Austin attorneys representing Cornell University sued HP in 2001, claiming the company was infringing on former Cornell professor Hwa C. Torng's patented technology for significantly increasing the efficiency and speed of computer processors. The university and its patent-holding entity, Cornell Research Foundation, sought \$535 million from HP for ten years of royalties from sales of HP computers that use the patent, including servers