



# NEWSLETTER

## Foothills Bar Association Board of Directors Opportunities in 2018

By Traci Hoppes, Esq., FBA President

The Foothills Bar Association will soon celebrate its 55<sup>th</sup> anniversary. To continue going strong, it is essential to have the contributions and creativity of the members of the Board of Directors. At the December General Meeting, we will vote to elect the Foothills Bar Association's Board of Directors who will serve for 2018. There are many excellent reasons to volunteer your time and energy as a member of the Board. These include:

1. Support the East County legal community;
2. Meet excellent attorneys in other fields and pick their brains for the answers to questions you do not know;
3. Foster and promote the good name of the Foothills Bar Association in East County and beyond;
4. Help plan and organize section MCLE programs on various topics;
5. Enjoy camaraderie, laughs and free snacks at the monthly Board meetings;
6. Help be responsible for the Foothills Bar Association continuing into perpetuity; and
7. Raise your profile in the local legal community (which usually translates into increased client referrals).

## Upcoming Events Calendar

**November 10 – Veterans Day (Observed)**  
State and Federal Courts Closed

**November 15**  
**Civil Litigation Section**  
**12:00 – 1:15 p.m.**

BJ's Restaurant, Grossmont Center, La Mesa  
Topic: Defending Your Reputation Against  
Defamation: What To Do When Someone  
Posts a False Online Review  
Speaker: Patrick O'Connor, Esq.

**November 16**  
**Criminal Law Section**  
**12:00 - 1:10 p.m.**

East County Court, Dept. 10,  
250 E. Main Street, El Cajon  
Topic: Veteran' Pretrial Diversion Court – Panel  
Discussion  
Speakers: Hon. Roger W. Krauel; Jennifer  
Louis, Clerk to Judge Krauel; Michele Linley,  
Deputy District Attorney; and Michael Stuar,  
Defense Attorney

**November 21**  
**Family Law Section**  
**12:00 - 1:15 p.m.**

East County Court, Dept. 6  
250 E. Main Street, El Cajon  
Topic: Evidence in Domestic Violence  
Restraining Orders and Practical Tips  
Speaker: Amy West Maldonado

**November 23 – Thanksgiving**  
State and Federal Courts Closed  
(State Courts also closed **November 24**)

## Continued from Page 1...

The FBA is now soliciting nominations for the 2018 Board of Directors (see Notice enclosed with the newsletter). There are open Board positions and nominees are encouraged to throw their names in the hat. The election will be held on **December 21, 2017**, prior to the holiday mixer at Hooleys. If you are interested in serving on the Board or would like to nominate someone to serve, please send nominations (self or others) via e-mail to “Nomination Committee” at [bar@foothillsbar.org](mailto:bar@foothillsbar.org) by **December 14**. Come join us on the Board of Directors of the Foothills Bar Association in 2018!

## FBA Civil Litigation Section MCLE Update

By Cheryl L. Stengel, Esq., Co-Chair

The Civil Litigation Section of the Foothills Bar Association will host the MCLE program "Defending Your Reputation Against Defamation: What To Do When Someone Posts a False Online Review", presented by Patrick O'Connor, Esq. on **Wednesday, November 15, 2017** from 12:00 to 1:15 p.m. at BJ's Restaurant in Grossmont Center in La Mesa.

The business community is a small tight knit group and a few negative comments can spread like wildfire among colleagues and potential clients. Unfortunately, protecting one's reputation in the Internet Age can be a difficult task. With just a few minutes on Yelp, Facebook, Twitter, LinkedIn, Avvo, etc., a disgruntled individual can seriously damage your reputation and good will. Almost anyone can fire off an unfavorable online review full of factually incorrect information. These negative comments now become part of your permanent online record. So, what can you do? Come join us and hear Attorney Patrick O'Connor discuss his experience representing a client who was the victim of a false online professional review.

Mr. O'Connor has over 40 years of litigation experience. His practice includes employment law, personal injury and general civil litigation. He has been AV rated since 1989 and was designated a Top Lawyer of San Diego by San Diego Magazine in 2015 – 2017. Mr. O'Connor is also a past president of the Foothills Bar Association.

This program has been approved for 1.0 hour of MCLE general credit by the State Bar of California. The seminar is free to members of the Foothills Bar Association and only \$10.00 for nonmembers. You may order lunch from BJ's menu but do not have to. Walk in registrants will be accommodated as space allows.

Please RSVP to Cheryl Stengel, Esq. at [clstengel@outlook.com](mailto:clstengel@outlook.com).

## Update from the Criminal Law Section

By Andrea Schneider, Esq., Co-Chair

The Criminal Law Section of the Foothills Bar has been going strong for over a year now. Judge Krauel and his wonderful clerk Jennifer Louis have been hosting our events in Department 10. We would love for you to join us. A great place to learn, network, connect... The next event is timely for Veteran's Day. See below.

October's event was the Dos and Don'ts of communicating with the District Attorney's Office. Michele Linley, Deputy District Attorney, Chief of East County Branch, and Deputy District Attorney, Assistant Chief, Joe McLaughlin, were our presenters.

A few takeaways:

- Go to the trial deputy to negotiate and then if you need to go up the chain of command do so. They are willing to listen.
- Be timely, not the day before a readiness hearing.
- Give them reasons for your alternative sentences, why it is better for society...
- They will meet with us face to face if necessary.

The next event will be: **Veteran's Pretrial Diversion Court panel discussion on Thursday, November 16, 2017 from Noon to 1:10 p.m., in the East County Courthouse, Department 10, at 250 E. Main Street, El Cajon.**

Applying for Veteran's Diversion Court on behalf of your client? What to expect from the defense, prosecution and court perspective. This training will help you be prepared and prepare your clients for what lies ahead.

An awesome panel of speakers:

- Judge Krauel - the Judge who hears these cases in El Cajon will share what he needs to see or hear;
- Jennifer Louis - Judge Krauel's clerk will speak about how to file a motion and what is needed before the hearing;
- Michele Linley - Deputy District Attorney, Chief of East County Branch, will give the Prosecution's perspective; and
- Michael Stuart - Defense Attorney who has handled many of these cases in all 4 courthouses will give pointers on representation.

The seminar is free. Bring your lunch.

The Foothills Bar Association certifies that this activity has been approved by the State Bar of California for 1.0 hour General MCLE credit. No RSVP is needed.

Please contact Andrea Schneider at [andreaattorney@gmail.com](mailto:andreaattorney@gmail.com) with any questions.

## City Of San Diego's Marijuana Regulations

By Keith A. Jones, Esq.

Nearly a year after voters approved marijuana use for recreational purposes, the City of San Diego introduced its new web page outlining guidelines for the marijuana industry in late October 2017. The City has adopted ordinances governing the cultivation, testing, sales and delivery of marijuana and marijuana products.

The City has established a permit process which requires Conditional Use Permits for Marijuana Outlets and Marijuana Production Facilities. Marijuana outlets include retail or medicinal businesses, or combination of them, where marijuana, marijuana products, and marijuana accessories are sold to the public.

Marijuana production facilities include individual or combined facilities that: a) raise, harvest and process marijuana; b) distribute and store marijuana and marijuana products on the wholesale level; and c) produce goods from marijuana and marijuana products. These facilities are prohibited from conducting retail sales or testing, and all marijuana and marijuana products must satisfy the requirements of the California Departments of Food & Agriculture, Consumer Affairs, and Public Health.

Experiences with the medical marijuana industry have resulted in the City imposing extra security requirements on marijuana production facilities. For example, lighting and security must include operable cameras, alarms and security guards. The facilities must be entirely enclosed with no outdoor storage or operations. Emergency contact information must be displayed from the public right-of-way and no signage other than the address is allowed. Employees will be subjected to fingerprinting and background screening.

The City divides Marijuana Testing Facilities into two categories. Some facilities will be limited to testing for scientific research (including cannabis testing) to be used for the development of new products and processes. The second category applies to facilities for the commercial testing of marijuana and marijuana products only. Commercial testing will only be permitted in zones where residential use is prohibited, such as industrial or commercial zones. Scientific research facilities will be restricted to several industrial and commercial zones.

The new ordinances include prohibitions to avoid ambiguity. For example, the sale and distribution of marijuana and marijuana by-products are not allowed at special events, outdoor growing of personal residential marijuana is not permitted, and, as with cigarettes, smoking is not permitted in public places or on business premises.

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The City of San Diego plans to issue permits which would allow marijuana outlets to sell both medicinal and recreational marijuana. The ordinances limit the number of outlets to thirty-six citywide with no more than four outlets per council district. Overriding this procedure is the caveat that retail marijuana sales are prohibited until the State of California begins issuing licenses for commercial marijuana activities as defined in the California Business and Professional Code.

The City is accepting conditional use permit applications for marijuana outlets. It is accepting registration for submittal appointments for the conditional use permits for marijuana production facilities with the actual applications being accepted by appointment only beginning November 16, 2017 which will be limited to forty permits with no limits on the number in each council district. For more information and the ordinances, visit the City of San Diego's web page at [www.sandiego.gov/marijuanainfo](http://www.sandiego.gov/marijuanainfo).

I suspect that other cities, including those in East County San Diego, will be closely monitoring the City of San Diego's developments and actions as they assess adopting procedures to permit medicinal and recreational marijuana uses and activities in their respective municipalities.

# SAVE THE DATE



On Thursday, December 21, 2017, the Foothills Bar Association will host its annual Toy Drive & Holiday Mixer at Hooley's Irish Pub in Grossmont Center, La Mesa, from 5:00 to 7:00. The FBA is pleased to collect donated toys for the Salvation Army, which will distribute them to local families in need. Bring your new, unwrapped gift and receive a drink ticket (limit one ticket per person). Delicious buffet-style food is included. More information will be coming soon.

FOOTHILLS BAR ASSOCIATION  
NOTICE OF GENERAL MEMBERSHIP MEETING AND  
BOARD OF DIRECTORS ELECTION FOR 2018

Dear Members,

On December 21, 2017, the Foothills Bar Association will hold its general membership meeting at 4:45 p.m. at Hooley's Irish Pub & Grill in Grossmont Center, La Mesa. At that meeting, members will have an opportunity to vote to elect the Board of Directors for the upcoming 2018 calendar year.

The Board has open positions. If you are interested in serving on the Board or would like to nominate someone to serve, please send nominations (self or others) via e-mail to "Nomination Committee" at [bar@foothillsbar.org](mailto:bar@foothillsbar.org) by **Thursday, December 14, 2017**. To be eligible, a nominee must have been a member of the Foothills Bar Association for at least one year and maintain his or her residence or principal office in San Diego County. We will send out the slate of nominated directors and current directors for your consideration prior to the general meeting.



**FOOTHILLS BAR ASSOCIATION  
OF SAN DIEGO COUNTY**  
Service, Professionalism, Collegiality

THE CRIMINAL LAW LITIGATION SECTION OF  
THE FOOTHILLS BAR ASSOCIATION PRESENTS:

### **Veteran's Diversion Court panel discussion...**

Applying for Veteran's Diversion Court on behalf of your client? What to expect from the defense, prosecution and court perspective. This training will help you be prepared and prepare your clients for what lies ahead.

An awesome panel of speakers:

Judge Krauel-The Judge who hears these cases in El Cajon will share what he needs to see or hear,

Jennifer Louis-Judge Krauel's clerk will speak about how to file a motion and what is needed before the hearing,

Michele Linley-Deputy District Attorney, Chief of East County Branch will give the Prosecution's perspective,

Michael Stuart-Defense Attorney who has handled many of these cases in all 4 courthouses will give pointers on representation

**Thursday, November 16th, 2017 – Noon to 1:10 p.m.**

**East County Courthouse, Department 10**

**250 E. Main Street, El Cajon**

The seminar is free. Bring your lunch.

The Foothills Bar Association certifies that this activity has been approved by the State Bar of California for 1.0 hour General MCLE credit

**No RSVP is needed.**

Please contact Andrea Schneider at [andreaattorney@gmail.com](mailto:andreaattorney@gmail.com) with any questions.

# Notices

**Looking for Speakers for Future FBA Civil Litigation Section Meetings:**

If you have a litigation topic you would like to present at an upcoming Civil Litigation Section MCLE meeting, please contact Section Co-Chairs Mark Raftery at [mark@thelawcorp.com](mailto:mark@thelawcorp.com) or Cheryl Stengel [clstengel@outlook.com](mailto:clstengel@outlook.com).

**Foothills Bar Association Notice of Board Meeting:**

The Foothills Bar Association Board of Directors generally meets on the third Tuesday of each month. The next meeting will be on November 21 at the Law & Mediation Firm of Klueck & Hoppes, APC. 7777 Alvarado Road, Suite 413, La Mesa, CA 91942, beginning at 4:45 p.m. If you want your voice to be heard in policy discussion and upcoming events planning or would simply like to learn more about the organization, your attendance is welcome.

The Family Court needs settlement conference judges. Please volunteer and share your expertise. Contact Kelly Fabros at 619-456-4065 or [Kelly.Fabros@SDCourt.CA.Gov](mailto:Kelly.Fabros@SDCourt.CA.Gov).

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		<a href="mailto:glen@FamilyLawSanDiego.com">glen@FamilyLawSanDiego.com</a>	

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<b>Mark R. Raftery</b>	<a href="mailto:mark@thelawcorp.com">mark@thelawcorp.com</a>	858-527-0111
<b>Andrea Schneider</b>	<a href="mailto:andreaattorney@gmail.com">andreaattorney@gmail.com</a>	619-518-0476
<b>Bradley Schuber</b>	<a href="mailto:bschuber@krigerlawfirm.com">bschuber@krigerlawfirm.com</a>	619-589-8800

### REPRESENTATIVES

**Garrison "Bud" Klueck, SDCBA, East County Representative, Board of Directors**  
[Garrison@FamilyLawSanDiego.com](mailto:Garrison@FamilyLawSanDiego.com)      619-588-2064

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<b>CIVIL LITIGATION:</b>	<b>Chairs: Cheryl Stengel &amp; Mark R. Raftery</b>
<b>CRIMINAL LAW:</b>	<b>Chairs: Andrea Schneider &amp; Daniel Cohen</b>
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**SUBMISSIONS**

Your submissions are welcome! Send articles, letters, flyers, and other non-advertising [submissions to Cheryl Stengel at clstengel@outlook.com.](mailto:clstengel@outlook.com)

**ADDRESS CHANGES**

Send change of address or telephone number to Bradley Schuber at [bschuber@krigerlawfirm.com](mailto:bschuber@krigerlawfirm.com)

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**Foothills Bar Association  
P.O. Box 1077  
El Cajon, CA 92022**

**Addressee Name  
4321 First Street  
Anytown, State 54321**