

# Daily Journal

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## 20 UNDER 40

**T**he state of the legal business is dismal. Revenues are down. Clients are complaining about the bills. Firms want their lawyers to be better rainmakers. There's no time for pro bono work — not to mention a personal life!

Set aside those concerns for a moment, and consider this year's list of the Daily Journal's 20 top lawyers under 40. Suddenly, the future doesn't look so bleak.

So take a few minutes away from the billables and read on about these 20 fascinating lawyers. You'll find that times may be tough but the legal industry is still pretty spectacular. In what other profession can you do such intellectually stimulating work while changing a little (or even a big) part of the world — and, perhaps, make a little money while doing it.

— The Editors



### BRADLEY S. PAULEY | 39

Appellate specialist

Horvitz & Levy

ENCINO

If there's a perception of appellate lawyers as nerdy types buried in books, Horvitz & Levy's Brad Pauley breaks the stereotype.

Pauley has an easy demeanor and stylish look behind angular Versace eyeglasses. But the appeals specialist describes some of his recent cases with a studious joy.

In late 2007, he took a case to the California Supreme Court to challenge a ruling that had placed a greater burden on insurance adjusters in bad faith claims. The high court ruled against Pauley's client — but it agreed with his point that the new standard was too strict and ordered the state to revert to its previous standard. Wilson

v. 21st Century Insurance Co., 42 Cal.4th 713 (Cal. 2007).

"It's what you might call an institutional win," Pauley said.

In 2008, he had a hand in an amicus brief, arguing that the U.S. Supreme Court needs to reexamine the Comprehensive Environmental Response, Compensation and Liability Act, which governs who's liable for chemical spills. In the case, Shell Oil got sucked into a lawsuit because another company's employees spilled a Shell product in the Central Valley. The high court will hear the case this year. *Shell Oil Company v. United States*, 07-1607.

Pauley was born in eastern Washington and moved to California with his mother. He went to high school in Simi Valley and continued living in the Ventura County suburb while attending UCLA. He paid his way through school by working at a Vons supermarket.

He's been with Encino-based appellate firm Horvitz & Levy for six years, having left his spot as a litigator at Paul Hastings Janofsky & Walker in 2003. He said concentrating on appeals allows for a more relaxed and focused process, compared to the breakneck tempo at his last office.

Being at Paul Hastings, Pauley said, "was a lot of hours — I'm not going to sugarcoat it."

"I enjoyed that about it, but I like being an appellate lawyer," Pauley said. "It's very fulfilling."

Pauley is in for more fulfillment this year. Right now, he's working for casino giant Harrah's on an appeal in a tribal gaming case. *Pauma Band of Luiseno Mission Indians v. Harrah's Operating Co.*, D050667 (Cal. App. 4th Dist., filed May 23, 2007). And in a securities profit-sharing case, he worked on post-trial motions to knock a \$42 million verdict down to \$4 million, with an appellate argument on the way. *Core Wealth Management v. Heller*, B199366 (Cal. App. 2nd Dist., filed July 20, 2007).

Attorneys who have worked with Pauley said he has the brain power necessary for appeals.

"Watching him use the appellate law is like watching the chefs at Benihana use their knives - he's very good," said Encino sole practitioner Bryan Brannan, who is teamed up with Pauley on the Core Wealth case.

"He is firm but very easygoing and knows his stuff, and more importantly, knows what he doesn't know and goes to research it," Brannan said.

— GREG KATZ