

# ATTACHMENT 4

to CEJA's Request for Intervenor Compensation, R.12-03-014

*Resumes of James Corbett, David Zimpr  
and Heather Lewis*

**James J. Corbelli**

California State Bar No. 111338

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**Specialized Skills and Experience:**

*Appeals, Writs and Motion Practice:* I have briefed and/or argued numerous appellate matters before the California Courts of Appeal (First, Second and Third Districts), the Nevada Supreme Court, the Ninth Circuit Court of Appeals, and the Supreme Court of the United States. I also assist other counsel with the structuring, research, and briefing of complex motions at the trial court level.

*Complex Business Litigation:* I have substantial trial and litigation management experience in commercial and business disputes, including antitrust claims, commercial contracts and lease disputes, directors and officers litigation, employment practices, land use issues, legal ethics and professional liability, real estate and land use, federal and state securities fraud, trustee claims, unfair advertising and business practices, and trade secrets claims. I have acted as trial counsel in state and federal trial courts in Alaska, Arizona, California, Colorado, Idaho, Nevada, New York, Oregon and Washington. In addition, I have acted as lead counsel in many private arbitrations and other ADR proceedings.

*Professional Liability/Legal Ethics:* I have represented clients, lawyers and law firms in cases involving legal malpractice, breach of fiduciary duty and claims of ethics violations for over 25 years. In addition to my civil litigation practice, I served as in-house ethics counsel to my former law firms, taught both in-house and outside continuing legal education courses, and have been retained by other law firms and lawyers as an ethics consultant. I was a contributing author to "Professional Liability Law, Leading Lawyers on Strategies for Minimizing Risk and Increasing Success in Professional Liability Suits," published by Aspatore Books in 2005.

*Other Experience:* I have provided advice and assistance to clients regarding antitrust issues, litigation risks, and other due diligence issues in connection with major real estate and business entity acquisitions and/or investments. I have substantial experience in structuring alternative dispute resolution mechanisms, including drafting pre-dispute ADR contract provisions and conceptualizing and implementing custom post-dispute ADR structures. I have lectured and conducted seminars on ADR issues, attorney ethics and on other litigation issues of current interest. I am an adjunct professor of law, teaching pretrial practice, at U.C. Hastings College of the Law in San Francisco.

## **Employment:**

Law Office of James J. Corbelli

February, 2007 - Present

My practice is primarily devoted to civil litigation. Recent cases have involved: defense of and pursuit of indemnity claims relating to litigation filed by a musician against his former band; litigation counsel to the debtor (a well-known restaurant company) in a Chapter 11 bankruptcy; business tort claims by a California company against a Chinese telephone manufacturer; representation of an English maritime products manufacturer in an antitrust class action; advice with respect to litigation matters arising during Chapter 7 bankruptcy proceedings; breach of contract and related claims by a music industry management company against a prominent songwriter and band; assessment of potential claims of ethics violations against a New York law firm. I also represent children and parents in dependency and guardianship proceedings.

Adjunct Professor

January, 2012 - Present

Hastings College of the Law  
San Francisco, California

I teach a seminar on pre-trial practice, which covers a variety of topics including preparing and attacking pleadings, discovery and deposition techniques, motion practice, risk analysis and settlement evaluation.

Partner

August, 2001 - February, 2007

Nixon Peabody LLP  
San Francisco, CA

I was a partner in the firm's Business Litigation Group, Professional and Fiduciary Litigation Team, Corporate Governance Team, and Appellate Practice Team. I advised and represented attorneys, directors and officers, trustees, and other professionals with respect to professional liability and fiduciary duty claims. I represented businesses and financial institutions with respect to a wide variety of litigation matters at both the trial and appellate levels, including antitrust and unfair business practices claims, trade secrets disputes, federal and state securities fraud litigation, wire and mail fraud, and commercial bribery claims. I also provided advice with respect to a wide variety of professional responsibility issues in my role as Loss Prevention Partner for Nixon Peabody's California offices and as a member of the firm's Professional Standards Committee.

Partner/Associate  
Lillick & Charles LLP  
San Francisco, CA

September, 1983 - August, 2001

My practice focused on representation of attorneys and law firms with respect to claims of legal malpractice, ethical breaches, malicious prosecution, and other civil matters such as securities fraud and RICO. I was a member of the firm's Risk Management Committee and Associate Education Committee, and taught in-house CLE courses on legal ethics, legal writing, law and motion practice, and other substantive legal issues for associates and summer associates.

**Education:**

University of California, Hastings College of Law  
San Francisco, CA  
J.D. magna cum laude June 1983  
Managing Editor, Hastings Law Review

University of California  
Berkeley, CA  
A.B. Ancient History 1979  
Graduated With Honors

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**David A. Zizmor**

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**EDUCATION**

**Golden Gate University School of Law**, San Francisco, CA – J.D., May 2007

Honors: Witkin Awards: Writing & Research I & II, Appellate Advocacy  
CALI Award: Sports Law  
Dean's List: Spring 2006 & 2007; Fall 2004, 2005 & 2006  
Appellate Advocacy Competition: Semifinalist – Spring 2006  
Merit Scholarship Recipient

**Cornell University**, Ithaca, NY – Bachelor of Arts, History, May 1997

**EXPERIENCE**

**Golden Gate Univ. Environmental Law & Justice Clinic**, San Francisco, CA – *Graduate Fellow*  
August 2013 – Present

- Draft motions, briefs, data requests, comments and other legal pleadings.
- Cross-examine witnesses during proceedings in front of the California Public Utilities Commission.
- Conduct legal research on various issues for the Long Term Procurement Plan (LTPP) proceeding at the CPUC including standards set in past decisions and rulemakings, and the legal framework governing FERC, NERC, and WECC rules.
- Conduct energy research for topics in the LTPP such as energy efficiency, demand response, smart inverters for photo-voltaics, and load shedding among others.
- Communicate with clients about case strategy and updates.
- Assist and coordinate work with law student clinicians.

**Lozeau Drury LLP**, Alameda, CA – *Associate/Contract Attorney* June 2009 – February 2011

- Drafted notice of intent letters, complaints, and discovery requests and participated in site inspections and settlement discussions in cases regarding Clean Water Act storm water violations.
- Argued in front of a County Board of Supervisors about a client's opposition to a project.
- Prepared an appellate brief, response brief, and fee brief in a case concerning issues of federal preemption of the Porter-Cologne Act by FERC regulations.
- Monitored compliance with a stipulated judgment by communicating with opposing counsel, acquiring and organizing data in Excel spreadsheets, and creating a compliance calendar.

**Law Office of Scott E. Carter**, Pinole, CA – *Associate/Contract Attorney* June 2008 – March 2009

- Prepared court documentation for unlawful detainer, forcible detainer, and abandonment actions.
- Wrote correspondence on behalf of landlord clients to tenants detailing their violations of the law or contractually agreed upon rules and regulations.
- Wrote a will and trust agreement, prepared the funding of the trust, and met with clients to explain the details of the aforementioned documents and obtain their signatures.

**Tully & Weiss Law Firm**, Martinez, CA – *Law Clerk* March 2008 – May 2008

- Wrote and researched motions, declarations, and correspondence for a criminal defense firm.
- Drafted a memorandum of points and authorities for an illegal search and seizure case.

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## David A. Zizmor

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**Golden Gate University**, San Francisco, CA – *Research Assistant for Prof. Clifford Rechtschaffen*  
August 2006 – April 2007

- Co-authored a book chapter in *The Great Dissents of the "Lone Dissenter"* about the inapplicability of the heckler's veto in First Amendment jurisprudence.
- Cite-checked and edited chapters of Prof. Rechtschaffen's environmental enforcement book.
- Analyzed the effectiveness of California's environmental justice standards.
- Researched the constitutionality of using police checkpoints to enforce hunting/game restrictions.

**Baker Sports Management**, San Francisco, CA – *Intern* December 2006 – April 2007

- Created a benefits primer for clients by studying the pro football collective bargaining agreement.
- Analyzed contracts for football players to determine appropriate negotiation stances for our clients.
- Created statistical and organizational charts to ascertain and predict the availability of jobs in the free agent market

**Golden Gate University Environmental Law & Justice Clinic**, San Francisco, CA – *Law Clerk*  
January 2006 – August 2006

- Co-authored a petition to the EPA calling for the removal of lead from aviation gasoline.
- Researched the legal requirements for a startup, shutdown and malfunction plan in a pulp mill case.
- Wrote a memo examining the authority of the EPA to regulate aviation fuel under §231 of the Clean Air Act.
- Participated in an early neutral evaluation to settle the pulp mill's permit issues.

**Stanford University School of Law**, Stanford, CA – *Research Assistant for Prof. William B. Gould IV*  
May 2005 – August 2006

- Compared the Federal Arbitration Act to Section 301 of the Labor Management Relations Act through case research on Lexis and Westlaw as well as through interviews with labor attorneys.
- Wrote and checked citations for Prof. Gould's law review article (55 Emory Law Journal 609).
- Compiled, substantiated, and organized baseball statistics, interviews with numerous baseball personalities, and historical anecdotes for use in the professor's book: *Bargaining with Baseball: Labor Relations in an Age of Prosperous Turmoil*.

**ESPN Radio, Fox Sports Radio, KCBS-AM**, San Francisco, CA – *Freelance Radio Broadcaster*  
October 1999 – Present

- Provide on-air updates of Bay Area professional and collegiate sporting events.
- Attend games and subsequently record interviews with the athletes during the post-game period for use in upcoming broadcasts.

**KLLC-FM Radio**, San Francisco, CA – *Continuity Director* October 1999 – July 2004

- Maintained and scheduled the thousands of radio commercials that aired on a daily basis.
- Communicated with clients to determine the appropriate manner in which to play their ads.
- Responsible for screening ads for FCC and company policy content violations.
- Served as liaison between the sales and production departments; occasionally produced commercials.

## HEATHER LEWIS

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(914) 582-3764 • heather.lewis@nyu.edu

### EDUCATION

**NEW YORK UNIVERSITY SCHOOL OF LAW**, New York, NY

J.D., May 2013

Honors: *Environmental Law Journal*, Editor-in-Chief  
Pro Bono Service Award  
Guarini Center on Environmental and Land Use Law Fellow  
Equal Justice Works Summer Corps Member

Activities: Environmental Law Society, Communications Chair  
Public Interest Mentor

**UNIVERSITY OF CHICAGO**, Chicago, IL

B.A. in Environmental Studies, with honors, June 2010

Senior Thesis: *One Man's Trash is Another Man's Energy: An Overview of Waste-to-Energy in the U.S. and an Evaluation of the Potential for a Facility in Chicago*

Honors: Departmental Honors

### EXPERIENCE

**COMMUNITIES FOR A BETTER ENVIRONMENT**, Oakland, CA

*Legal Fellow*, Fall 2013 to present

Provide legal support for communities that are advocating to prevent and reduce pollution and build healthy and sustainable communities. Draft motions and pleadings for civil and administrative environmental litigation, including California Public Utilities Commission proceedings. Draft comments and appeals to Environmental Impact Reports under the California Environmental Quality Act. Submit comments on proposed state regulations on hydraulic fracturing. Evaluate proposed cases for viability and conformity with community goals.

**NYU LITIGATION, ORGANIZING, AND SYSTEMIC CHANGE CLINIC**, New York, NY

*Student Advocate*, Fall 2012

Explored strategies for community-based organizing and for pursuing social justice through systemic change in weekly seminars. Participated in a civil litigation simulation that culminated in preparing and arguing a case in a simulated trial. Engaged in fieldwork on economic justice and immigrants' rights with the Center for Popular Democracy, a non-profit policy group that partners with leading community organizing groups nationwide.

**U.S. E.P.A., OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE**, Washington, DC

*Legal Clerk, Office of Criminal Enforcement, Forensics, and Training*, Summer 2012

Researched and drafted memoranda for EPA attorneys responsible for the criminal enforcement of federal environmental laws. Participated in a cross-agency workgroup on incorporating environmental justice into EPA rulemaking. Prepared a memorandum for prosecutors on how to further environmental justice goals through community service sentences for organizational defendants. Consolidated existing EPA resources on the agency's legal authority to consider environmental justice in rulemaking in order to make these more accessible to non-legal EPA rulemaking staff.

**NEW YORK LAWYERS FOR THE PUBLIC INTEREST**, New York, NY

*Legal Intern, Environmental Justice Program*, Spring 2012

Conducted research for NYLPI's solid waste campaign. Drafted multiple research memos addressing complex questions of state and municipal regulation of solid waste management facilities, local solid waste management planning, and local land use review processes.

**NYU ENVIRONMENTAL LAW CLINIC, New York, NY**

***Student Advocate***, Spring 2012

Researched and organized a comprehensive compilation and preemption analysis of municipal ordinances regulating hydraulic fracturing gas drilling in New York State. Worked closely with attorneys at the Natural Resources Defense Council on a research memo addressing potential takings claims of gas leaseholders. Prepared a memo on the governance of the New York City water system that was distributed to and used by a City Council Member.

**APPALACHIAN CITIZENS' LAW CENTER, Whitesburg, KY**

***Legal Intern***, Summer 2011

Worked closely with attorneys representing coalfield citizens in environmental and labor litigation. Researched and drafted discovery motions, corresponding memoranda, and sections of the trial brief for a Clean Water Act citizen suit in state court. Researched and drafted a discovery response for a citizen group challenge to a surface mining permit at the state administrative level. Researched and drafted the post-hearing brief for a retired miner applying for federal black lung benefits.

**TEATOWN LAKE RESERVATION NATURAL SCIENCE SUMMER DAY CAMP, Ossining, NY**

***Senior Counselor***, Summer 2010, Summer 2007

Planned and led day hikes throughout the Hudson Hills and Highlands for campers aged 12 to 15. Developed and taught lessons about environmental stewardship and natural sciences.

**ENVIRONMENTAL LAW & POLICY CENTER, Chicago, IL**

***Policy Intern***, Summer 2009

Worked with policy, communications, and development staff on a number of public interest environmental legal advocacy projects. Researched, prepared summary memos and updated reports on topics such as renewable energy programs, urban solar power development, wind power integration, consumer behavior surrounding energy efficiency and high-speed rail development.

**COOK INLET AQUACULTURE ASSOCIATION, Kenai, AK**

***Fisheries Management Intern***, Summer 2008

Enumerated and sampled adult sockeye salmon population as they returned to spawn. Worked and camped in remote Alaska for the duration of the internship.

**PUBLICATION**

Heather Lewis et al., *Frontier Battery Development for Hybrid Vehicles*, 6 (Supp. 1) CHEMISTRY CENT. J. S2 (2012).

**BAR ADMISSION**

Admitted to practice in California.