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## Cheri Pham

*Cheri Pham, whose family had to adjust to a new culture after fleeing Vietnam, has the delicacy to handle touchy issues in domestic abuse cases.*



**Cheri Pham**  
Superior Court Judge  
Orange County (Orange)

**Career highlights:** Appointed by Gov.

**By Catherine Ho**

ORANGE - Cheri Pham may be a newcomer to the bench, but lawyers say she's already a seasoned pro when it comes to dealing with sensitive domestic violence, child abuse, and sexual abuse cases.

Pham's background as a felony deputy district attorney in the family protection unit gives her unique insight into her current assignment, lawyers say. Since being assigned to the family law domestic violence calendar in November, Pham now hears only domestic violence matters, 80 percent of which are brought by self-

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**SPECIAL REPORT**

Real Estate

Our inaugural list of the top 25 land-use attorneys.



**Tuesday, May 3, 2011**

**U.S. Supreme Court**

**High Court To Review Credit Law Arbitrations**  
On the heels last week's pro-arbitration ruling, the U.S. Supreme Court agreed Monday to consider whether arbitration agreements can block claims brought under a consumer credit law from being heard in court.

**Entertainment & Sports**

**Ruling Could Upend Long-Held Trademark Law**  
A recent twist in a key trademark case has sports and entertainment heavyweights clamoring for a rehearing after the 9th U.S. Circuit Court of Appeals ruled the family of Betty Boop creator Max Fleischer could not sue A.V.E.L.A. Inc. and a group of licensing companies for using the character on unauthorized merchandise.

**Government**

**How Soon We Forget**  
One year after the Toyota calamity, little has been

Arnold Schwarzenegger to Orange County Superior Court, 2010; deputy district attorney, Orange County, 1997-2010; deputy alternate defender, Orange County 1995-97; deputy public defender, Orange County, 1990-94

**Law School:** UC Berkeley School of Law, 1990

**Age:** 46

represented litigants. On any given day, she'll hold up to 30 hearings for permanent restraining orders.

"She understands the inner workings and complexities of domestic violence cases, which is pretty invaluable in her current assignment," said Tracy Miller, a family law attorney who regularly appears in Pham's court.

Steve Dragna, who has appeared before the judge on several matters, said Pham is "very pleasant to deal with and has a good judicial temperament.

"She was fair, she listened to the evidence. That's all you can ask for in domestic violence," he said.

Because of the unusually high number of self-represented litigants in her court, Pham takes a more active role than many judges in explaining legal procedure.

"I need to get more involved. I do a lot of explaining about the process and the rules of evidence," she said. "I have to take an active role in protecting their rights, especially when one side is represented and one side is not."

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### 'She understands the inner workings and complexities of domestic violence cases, which is pretty invaluable in her current assignment.'

- Tracy Miller

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Pham, 46, was born in Dalat, Vietnam, and was 15 months old when she, her parents and two older brothers moved to Saigon. The family never traveled outside Saigon, for fear of active land mines, until the city fell to communist forces in 1975. They boarded a ship to Guam and were sponsored by a Presbyterian church in San Diego, where they settled and stayed for several years. There, Pham's mother found a job at a downtown garment factory and her father initially worked as a social worker. But the trauma and culture shock of a new country affected him deeply, Pham said, and he developed depression and the skin condition psoriasis that made working outside the home difficult. He went on to write dozens of history books about the Vietnam War in both English and Vietnamese.

The family later moved to Huntington Beach, where Pham attended middle school and high school, graduating from Edison High at the top of her class in 1983. She graduated with highest honors from UCLA, where she majored in economics, and went on to attend UC Berkeley School of Law.

Pham said her dad's sacrifices inspired her to become a lawyer. Pham's father, Pham Kim Vinh, was working as a journalist and putting himself through law school when Saigon fell and he was forced to drop out. It was the second time his career had been cut short: Two decades earlier, he dropped out of college to volunteer for the army so that his youngest brother, Pham's uncle, wouldn't have to enlist.

"He was my hero," Pham said of her father, who died in 2000. "He sacrificed a lot for his family. I wish he were still alive to see me sworn in as a judge. But he did see me practicing as an attorney; at least he got to see that. I think he would've been very proud to see where I am today."

done to fix the nation's vehicle recall program. By **Jonathan Michaels** of Michaels Law Group

#### Intellectual Property

EchoStar, Dish Will Pay \$500 Million To End Dispute With Tivo

A few days after a key appellate ruling, TiVo Inc. agreed Monday to a \$500 million settlement from Dish Network Corp. and EchoStar Corp. to resolve a long-running patent lawsuit.

#### Litigation

Professional Tools for Litigators: Direct and Cross-Examination

When it comes to direct and cross-examination, the better you prepare, the luckier you usually are. By **James P. Gray**, a retired judge of Orange County Superior Court

#### Criminal

Real Estate Mogul's Criminal Trial Begins

As the federal criminal trial of real estate magnate Ezri Namvar opens today, federal prosecutors have dismissed one count against the man some critics are calling the "Bernie Madoff of Beverly Hills."

#### Health Care & Hospital Law

Dramatic Increases in Federal Privacy and Security Enforcement

New federal privacy and security enforcement rules subject violators to significant civil monetary penalties. By **Callan Carter** of Fisher & Phillips LLP

#### Criminal

High Court Reinstates Death Sentence

The U.S. Supreme Court summarily reinstated a death sentence Monday against an Ohio inmate convicted of killing two people, including a police officers.

Restitution and Personal Injuries: Clients Might be Leaving Money on the Table

Lawyers should not overlook victim restitution, which can offer more money for your clients. By **Antonio R. Sarabia II**

#### U.S. Supreme Court

High Court Rules on States' Compact

Settling a legal skirmish over water rights, the U.S. Supreme Court ruled Monday that Wyoming's irrigation system doesn't violate an agreement with Montana over the use of rivers that the two states

Pham won an election for her seat last June, becoming the first Vietnamese-American judge in California to be elected directly to the bench.

Her career began at the Orange County public defender's office in 1990, the year she passed the State Bar Exam. When Orange County went bankrupt in 1995, she was one of 11 people who started the office of the Orange County Alternate Defender to handle cases that the public defender's office couldn't handle because of conflicts.

Two years later, after having her first daughter, Pham switched to the prosecution side and worked in the gang unit, consumer fraud and environmental protection unit, and family protection unit of the Orange County district attorney's office. Among her more memorable prosecutions were two immigration fraud cases where hundreds of victims were scammed out of money after being promised green cards and permanent residence cards. Over the course of her career, Pham has handled more than 100 jury trials, both misdemeanors and felonies.

Last June, she ran unopposed for the seat vacated by former Judge Peter Polos, who left the bench for private practice at plaintiffs' firm Panish Shea & Boyle. Pham said it was her husband, Andrew Hoang Do, who encouraged her to seek office. Do, who recently resigned from his post as a Garden Grove councilman, previously served on Orange County Supervisor Janet Nguyen's election campaign, both as her attorney in the trial over a vote recount in 2007 and later as her chief of staff. The couple has two daughters, Ilene, 14, and Rhiannon, 9.

In her free time, Pham reads true crime books and enjoys crime shows, including "Criminal Minds," "CSI" and "Law and Order: SVU."

In her office at the Lamoreaux Justice Center hang three placards: "There will be a \$5 charge for whining."

"Complaint department: That way 200 miles."

And, "If you can dream it, you can do it."

*Here are some of Judge Pham's recent cases and the attorneys involved:*

*Lloyd v. McCain*, 10V002265 - domestic violence

For the petitioner: Ronald D. Barbera, Orange

For the respondent: Steve Dragna, Anaheim

*Robertson v. Robertson*, 10V001026 - domestic violence

For the petitioner: Michael Harlin, Orange

For the respondent: Mark H. Shafer, Laguna Hills

*Chupek v. Harris*, 10V002714 - domestic violence

For the petitioner: Fred Thiagarajah, Newport Beach

share.

#### Government

##### High Court to Weigh Judicial Authority

In a case involving executive branch authority and Middle East politics, the U.S. Supreme Court agreed Monday to consider whether judges have the authority to control State Department policy on how to recognize Jerusalem.

#### Mergers & Acquisitions

##### Deal Makers

Jones Day is advising San Jose-based solar energy company SunPower Corp. in its \$1.4 billion acquisition by French oil company Total S.A. The oil company is offering \$23.25 per share, a 46 percent premium that values SunPower at \$2.3 billi

#### U.S. Court of Appeals for the 9th Circuit

##### Gun Law Challenge Gets New Life

A 9th Circuit panel gave new life Monday to a long-running lawsuit challenging an Alameda County gun ban.

#### Law Practice

##### Real Estate Boutique Absorbed

The Century City office of Minneapolis-based Robins, Kaplan, Miller & Ciresi LLP has absorbed local boutique real estate litigation firm Reeder Lu LLP.

#### Judge Unfairly Capped Lawyer Fees

A state appellate court overturned a \$540,000 attorney fees award Monday for several law firms, finding the trial judge in the case unfairly capped the attorneys at that amount after they won a real estate spat.

#### O'Melveny IP Partner Jumps Ship

Dechert LLP picked up intellectual property litigation partner Stephen J. Akerley for its Mountain View office from O'Melveny & Myers LLP in Menlo Park.

#### U.S. Court of Appeals for the 9th Circuit

##### Appeals Court Limits Class Action Transfers

A 9th U.S. Circuit Court of Appeals opinion Monday could put new limits on defendants who transfer class actions from state to federal court under the Class Action Fairness Act.

#### Entertainment & Sports

##### Harbor City Man Pleads Guilty to Illegal File

For the respondent: Gerald Maggio, The Maggio Law Firm, Inc., Irvine

*Delfin v. Gutierrez*, 10V002131 - domestic violence

For the petitioner: Steven Hittelman, Nelson Hittelman LLP, Newport Beach

For the respondent: Janina Shary, Santa Ana

*Singh v. Singh*, 11V000272 - domestic violence

For the petitioner: Sungina Vachhani, Vachhani & Associates, Artesia

For the respondent: Anne Marie Healy, Healy & Associates, Santa Ana

### Sharing

A 29-year-old Harbor City man pleaded guilty in Los Angeles federal court Monday to illegally copying and distributing copyrighted music for an internet-based group called Old School Classics.

### Judicial Profile

**Cheri Pham**  
Superior Court Judge  
Orange County (Orange)

### Corporate Counsel

**Kim Rivera**  
Vice president, general counsel and secretary for DaVita Inc.  
Denver, Colo.

### Judicial Profile

**Margaret A. Nagle**  
U.S. Magistrate Judge  
Central District (Los Angeles)

### Government

**Public Defenders Union Sues County**  
Public defenders in Sacramento are suing the county on a novel legal theory that it is illegally outsourcing their signing misdemeanor cases to panel attorneys.

## Recent Judicial Profiles



**Cheri Pham**  
Superior Court of California County of Orange - Annex



**Peter Wilson**  
Superior Court of California County of Orange - Annex



**Ralph W. Wyatt**  
Superior Court of California County of Kern - Juvenile Court



**Susan M. Gill**  
Superior Court of California County of Kern - Juvenile Court



**Steven M. Katz**  
Superior Court of California County of Kern - Juvenile Court



**David R Fields**  
Superior Court of California County of Los Angeles - Central Arraignment Court

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