



SPECIAL REPORTS

# THE TOP 25 LAWYERS OF THE VALLEY

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## Drew E. Pomerance

**Title:** Partner

**Law Firm:** Roxborough Pomerance & Nye

**Age:** 50

**Law School:** University of California  
Hastings College of the Law

**Admitted to Bar:** 1981

**Specialty:** Business and appellate

Drew Pomerance wears two hats, one as a trial lawyer arguing cases before a jury and the other handling appellate cases before a panel of judges.

Both have unique challenges that Pomerance believes are served well by his ability to think quickly on his feet and his long-time interest in public speaking.

"There is a rush when you are up there presenting a position and you can see the look in the judges' eyes that they get it and understand what you are saying," Pomerance said of arguing a case in an appellate setting.



A graduate of the UC-Hastings College of Law, Pomerance became a junior partner at a Beverly Hills boutique law firm before striking out on his own as a sole practitioner. In 1996, he partnered up with Nick Rox-

borough and the pair are now partners in Roxborough, Pomerance & Nye located in Woodland Hills.

"I liked being a sole practitioner but I kind of missed the collegiality of bouncing ideas off of other people and working together as a team," Pomerance said.

With the firm, Pomerance handled two significant cases giving businesses and consumers the right to pursue direct civil actions against their insurance carriers.

The firm was involved in State Compensation Insurance Fund v. Superior Court from the start eventually taking it to the state Supreme Court.

At issue was what recourse employers could take when over-charged for premiums. The insurance carriers argued the matter had to be taken to the state's Department of Insurance.

"The California Supreme Court saw it the other way, Pomerance said.

A similar legal issue presented itself in 2004 in Donabedian v. Mercury in which insurance carrier Mercury said it was immune of any civil liability if it violated Proposition 103.

The outcome of the case was that consumers could go directly to court to file a lawsuit for the violation and were not limited to go to the state's Department of Insurance.

The department had only limited remedies it could take against an insurance company that over-charged for premiums, Pomerance said.

"It couldn't make (insurance carriers) give back the money," Pomerance said. "Only a court can do that."

Pomerance acted as the lead attorney in an arbitration matter in which his client Children's Hospital of Los Angeles received a \$3.3 million judgment. Another recent case was winning a \$1.1 million jury verdict for Palm Medical Group which had sued because it had been kept out of a preferred provider network of the State Compensation Insurance Fund.

Palm Medical Group Administrator Dr. Frank Huljev said a key to the win in the case was Pomerance's ability to make complex business litigation understandable to a jury.

If complicated legal issues don't get simplified, then it is more likely that cases will be tried by judges rather than juries, Huljev said.

"You always like to have your peers, the public hear the case rather than the judges," Huljev said.

When knowing a case is going to trial, Pomerance said he still gets nervous and excited about going to court.

Each jury he goes before is different yet all tend to be smart and sophisticated.

Still, Pomerance finds that he can't take a lot of time to get juries to understand his position and the fundamental wrong his client suffered or else he risks having them tune out.

"I tell myself if I can't summarize the case in a paragraph then I'd better go back and re-do it," Pomerance said.

- Mark R. Madler