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Cool, Collected

Attorneys say LA Judge Michael M. Johnson is unflappable in the midst of high-stakes chaos.

By Brian Cardile
Daily Journal Staff Writer

LOS ANGELES — Battles over a half-ton emerald, truculent tweets of a besotted rock star, and treacherous art dealings between millionaires.

It's all sensational drama for nighttime procedurals but, to the uniquely equanimous Judge Michael M. Johnson, it's just a typical day.

Whether hearing felonies in Compton, death penalty cases downtown, or high-profile civil litigation in his latest post on the fifth floor of the Stanley Mosk Courthouse, Johnson has long presided over turbulent cases. But, for just as long, his reliable calm and exacting preparation have made Johnson's courtrooms some one of the most serene and efficient in Los Angeles County.

"He is a constantly calming and facilitating presence from the bench," said Solomon Gresen, an attorney with Rheuban & Gresen who recently argued an employment discrimination case before Johnson.

"He's consistent in everything," Gresen continued. "The way he treats people, the way he researches, the way he goes about ruling; it's a consistent and steady activity that allows lawyers to always know what they're getting."

Johnson is especially comfortable hearing civil cases like those he argued for 20 years as a litigator.

"I've always wanted to come back to a civil court," Johnson said. "It's such a great assignment because I'm able to do what I devoted so much time to as a lawyer."

Johnson earned his law degree at UC Hastings College of the Law in 1976 after graduating from UCLA with a bachelor's degree in political



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science. His manifest comfort atop the bench might not suggest it, but Johnson was not overwhelmingly enthusiastic about choosing law school.

"You talk to some people and they say, 'Law & Order convinced me to go,'" Johnson said. "It wasn't that way. I just thought it would be interesting, and I thought it was a very practical profession. It seemed like a profession that offered a lot of opportunities."

Johnson continues to employ such deliberate foresight today. He issues thorough written tentative rulings in advance of nearly every motion hearing, hoping to narrow debate and increase courtroom efficiency. Attorneys say it does both.

"It does himself, the court, and the world a favor," Gresen said of the rulings. "It focuses the issues and allows attorneys to craft a more concise and shorter argument, and I think it makes his calendar move a lot more swiftly."

Added John Lawrence of Dongell, Lawrence & Finney LLP: "It focuses you on what the court is focused on, rather than having to prepare shotgun-fashion. I prefer knowing what mountains I've got to climb when I get into the courtroom."

Johnson's precise domain has been the perfect setting for a series of sensational cases that may have disturbed other courtrooms. One contested the ownership of the Bahia Emerald, an 180,000 carat stone potentially worth \$400 million; another pitted millionaires Victor Sands and Jack Kavanaugh after the latter induced Sands to pay \$2 million for a forged Picasso.

This year, Johnson entered judgement on a libel case brought against mercurial rock star, and Kurt Cobain's widow, Courtney Love.

"It was a high-profile case," said Lawrence, Love's attorney who prevailed in the matter. "Some

Michael M. Johnson

Superior Court Judge
Los Angeles County
(Stanley Mosk Courthouse)

Career highlights:

Appointed by Gov. Pete Wilson to the Los Angeles County Superior Court, 1997; partner, Baker & Hostetler LLP, 1990-97; partner, McCutchen, Black, Verleger & Shea, 1976-90

Law school: UC Hastings College of the Law, 1976

Age: 63

judges get star-struck, but he didn't seem affected. In my view he handled it just like any other case."

Johnson credits his consistent, methodical approach with maintaining order during tumultuous cases.

"There's usually more attention with [high-profile] cases, so lawyers may feel a little stressed, or

I may,” Johnson said. “But I think if everyone is on board to mutually respect one another, and respect the process, it will work out.”

Johnson’s adherence to process and efficiency might sound intimidating, but attorneys familiar with his courtroom say the opposite.

“He’s one of the judges that seems pretty strict at first,” said attorney Robert Packer, who recently tried a medical malpractice case before Johnson. “But once he knows he’s dealing with experienced attorneys, things loosen up a bit because he knows you’re not wasting his time.”

Johnson has a “very comfortable courtroom,” Lawrence added. “He’s a no-nonsense guy, but in a good way.”

Moreover, notwithstanding his tendency toward expediency, the judge said he ensures litigants have an opportunity to be heard.

“In my [tentative rulings] I’ve looked carefully and I put down how I intend to rule,” Johnson said. “But if someone wants to say something at a hearing I will listen. If it changes my mind, then good for them; if it doesn’t, at least they’ve had the opportunity to present their side of the issue.”

Attorneys agree that Johnson gives matters their due time, even if it means slowing his calendar. John Peterson of Peterson Law Group PC argued a recent eminent domain case involving the Los Angeles Unified School District before Johnson. Johnson provided an informal stay to allow for a concurrent California Environmental Quality Act matter,

ongoing in another courtroom but likely to bear on Peterson’s case, to resolve.

“A lot of judges would want to assert themselves over a case to keep it moving,” said Peterson. “But that would not have been in the best interest of this case.”

The case settled this year, and Peterson said Johnson “definitely helped that process; he was masterful at managing our case in tandem with another one, and it was this skill that allowed us to reach a settlement.”

Johnson, who was raised in Long Beach, became an associate at Mc-Cutchen, Black, Verleger & Shea in 1976. In 1990 he became a partner with Baker & Hostetler LLP. He first pondered a judgeship while serving on the California Fair Employment and Housing Commission.

“I began thinking maybe being a judge would be a good thing,” said Johnson, who served with the commission from 1987-91 and 1995-97. “I wanted new challenges and to pursue new things. It seemed like a very rewarding thing to do, so I pursued it.”

Gov. Pete Wilson appointed Johnson to the Los Angeles County Superior Court in 1997. Johnson spent two years hearing felonies in Compton before moving to the Clara Shortridge Foltz Criminal Justice Center in 1999. There, he heard criminal cases — including complex felonies and capital cases — until 2010, when he moved to the Mosk Courthouse to hear general jurisdiction civil cases.

“All the jobs I’ve had have been fantastic,” Johnson said. “But it has been particularly rewarding to come back to do civil work. It’s where I started as a lawyer so I’ve really come back to my roots.”

And Johnson’s experience as a civil litigator is apparent to those who now fill that role before him.

“A lot of judges have kind of forgotten what it’s like to be in the trenches day to day,” said Geoffrey Moore of Doyle, Moore & Schafer LLP. “He hasn’t lost sight of that and is willing to work with trial attorneys. And that’s somewhat unique. He’s just a pleasure to work with.”

“The beautiful thing about Judge Johnson is that he is a very down to earth jurist with a welcoming and friendly style,” Gresen added. “He’s one of the best in the building.”

Johnson is married and has a daughter attending college locally. Off the bench he enjoys “anything outdoors,” but especially hiking and bicycling. He has been active with the Constitutional Rights Foundation since 1998, and the group named him Judge of the Year in 2006. Johnson also established a partnership program between Baker & Hostetler and Wilson High School that exposes students to the legal profession and provides scholarships; the American Bar Association recognized this program in 1992.

While his poise and precision would convince anyone otherwise, Johnson maintains, “I would never have expected myself to become a judge. But it’s all worked out great.”

Here are some of Judge Johnson’s recent cases and the lawyers involved:

- *Gordon & Holmes v. Love Cobain*, BC462438 — defamation

For the plaintiff: Mitchell Langberg and Barry Langberg, Brownstein, Hyatt, Farber & Schreck LLP, Los Angeles

For the defendant: John Lawrence and Matthew Bures, Dongell, Lawrence & Finney LLP, Los Angeles

- *Qu v. University of Southern California*, BC484543 — wrongful death

For the plaintiff: Alan Burton Newman, Alan Burton Newman PLC, Marina Del Rey

For the defendant: Debra Wong Yang and Ross L. Halper, Gibson, Dunn & Crutcher LLP, Los Angeles

- *Sands v. Kavanaugh*, BC450924 — fraud in sale of art

For the plaintiff: Matthew D. Taylor, Holmes, Taylor & Jones LLP, Los Angeles

For the defendant: Eric M. George and Ira G. Bibbero, Browne George Ross LLP, Los Angeles

- *Los Angeles Unified School District v. Sanchez et al.*, BC439095 — eminent domain

For the plaintiff: Arthur J. Hazarabedian, California Eminent Domain Law Group, Glendale

For the defendant: John Peterson, Peterson Law Group PC, Los Angeles

- *Lee v. Farmers Group*, BC462355 — employment discrimination

For the plaintiff: Solomon Gresen, Rheuban & Gresen, Encino

For the defendant: Kenneth Jones, Gonzalez, Saggio & Harlan LLP, Los Angeles