

Profile: Andrew Gillin *by Stephen Ellison*



If you find yourself in the company of Andrew R. Gillin, be prepared to talk straight – no head games, no posturing, no dancing around a subject – and don't be alarmed if it soon seems as if you're talking with an old friend.

The managing partner for Gillin, Jacobson, Ellis & Larsen (GJEL) has a knack for engaging people in meaningful conversation while also making them feel at ease – as they would when talking shop with a colleague or bantering about sports with a buddy. It's a gift few in the profession can claim and one of the many reasons that Gillin can boast a 40-year record of success.

"Some lawyers try to be intimidating, or they tend to be careless with the facts, or they misrepresent things," said David Samuelson, a defense attorney based in Oakland who has worked with and against Gillin. "Andy is not that person. He's about absolute honesty, and he's a man of his word. That's a rare commodity these days. If he tells you he's going to do something, he does it. He always follows through and keeps his word, and it makes for a very efficient process, regardless of which side you're on."

Cynthia McGuinn, of San Francisco-based Rouda, Feder, Tietjen & McGuinn, could not say enough about Gillin's personable demeanor and devotion to his clients and practice. "He's really a very genuine, thoughtful, intelligent attorney, who does whatever he thinks is necessary to realize a client's needs," McGuinn said. "He's always concerned that these good people have suffered a devastating event, and he wants to get them to someone who can help, whether it's with his firm or some other firm. I would even go so far as to say he gives his clients the same interest and support he would give his own family. That's just the kind of guy he is."

Gillin found himself on the side of plaintiffs early in his career, taking a job at a Berkeley firm owned by his former professor in the early 1970s. The work immediately captured his fancy. He was inspired most by the idea of helping people who were battling incredible odds.

"It was kind of a fluke," Gillin says of his transition from working in legal services for the poor to trying personal injury cases. "I had no idea then that plaintiff law would appeal to me. I found very quickly other fields that matched my skill set. And I loved the contingency-fee model, where someone with \$50 in the bank could take on General Motors.

"Also, with plaintiff law you're almost always representing an individual," he adds. "You're able to form a bond with a client – these are real people with real problems. For me, it's like helping a friend out."

From follower to leader

Gillin was raised in Southern California. As many college-bound students did during the late 1960s, he migrated north to attend U.C. Berkeley, where he became a protégé of sorts under two of his professors, Jacobus tenBroek and Al Bendich. Not only did he study under the two distinguished scholars, but he also studied them – their careers and lives – and eventually decided he wanted to be just like them. "They both influenced me a great deal," Gillin explains.

Although he had originally planned to stay in Berkeley for law school, another outside influence – namely his brother-in-law – persuaded Gillin to attend the University of Chicago Law School. Upon graduation, he returned to the Bay Area and went to work for the San Mateo County Legal Aid Society under someone that he considers a third mentor, Thelton Henderson, now a federal judge for the United States District Court, Northern District of California. "A very special man, who inspired hundreds of lawyers, not just me," Gillin says.

Just a couple of years later, Gillin received a call from Bendich, who asked him whether he'd be interested in personal injury work. "How could I say no to a man whom I idolized?" Gillin declares.

Once Gillin was entrenched in plaintiff's law, there was no turning back. In 1972, he helped found GJEL, which today has offices throughout Northern California and is considered one of the area's top civil litigation firms. As managing partner, Gillin spends part of his day as an administrator, but he still consults on most if not all the firm's cases. From the start, the firm has always been a collaborative one, he said.

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"I probably spend about a third of my day in management – I get a little compulsive sometimes, making sure the copier is working and so on," Gillin says. "The other two-thirds of the day, I have my fingers in all the cases – talking over strategies, tactics. I'm still deeply involved. It helps that we're all really good friends, and we've been together for a long time. We enjoy working together and understand each other very well.

"It's a role that I love," he adds. "It's wonderful at this stage of my career to be mentoring other young lawyers."

Cases in point

Although GJEL's philosophy is to limit its caseload, the firm has had numerous million-dollar verdicts and settlements over the years, and all of them are memorable, Gillin said. He mentioned two in particular that stand out not for the dollars won but for the changes they brought.

The first was a recent class-action case against Tenet Healthcare Corp. that involved doctors performing unnecessary surgeries at the company's Redding Medical Center in 2002. The lawsuit totaled 769 claims, 183 of which were brought by GJEL. Of the \$395 million settlement, which was reached just before the case went to trial, GJEL clients were awarded \$117 million. "It's not the amount of money that I'm proud of, it's that Tenet Healthcare made a huge change in its corporate governance," Gillin said. "The doctors who were involved are not there anymore, they have a new CEO. Tenet Healthcare is now safer for patients. That's very rewarding on a professional level – we actually made a change."

The other notable case came to Gillin in the early 1970s when he was still relatively green as a trial lawyer. It involved a self-employed mason who was paralyzed from the neck down when a tractor rolled over on him. "This was the first big case I did," Gillin recalls. "I actually tried to talk (my client) out of giving me the case – I tried to refer him to another lawyer because I thought I was too young and inexperienced to handle something this big."

But the client, Al Bigham, insisted Gillin represent him. So Gillin dove in, and after a three-year battle with the tractor manufacturer, Bigham was awarded \$2.55 million. Gillin had

his first big court victory as well as two things he considers invaluable. "That model tractor was taken off the market," he said with much pride. "Even better, I made a lifelong friend. From the day that case started until (Bigham's) death about 20 years later, we stayed good friends."

Looking forward

This year marks the 40th anniversary of Gillin's admission to the State Bar, and although his primary role has shifted, he's shown no signs of slowing down. Last September, Gillin and his partners received word that they'd been chosen by their peers for inclusion in the 2010 edition of Best Lawyers in America.

To this day, Gillin gets excited about going to work and says he has no intention of stepping away anytime soon. "I'm not looking at walking away until someone taps me on the shoulder and says, 'Andy, you don't have it anymore.' I love this stage of my career," he adds. "I love the idea of keeping it going – it really gets me fired up every day. It's kind of like when you were a kid waking up in the morning and going to your clubhouse. You just can't wait to get there."

But of course, Gillin, like any professional, enjoys whatever leisure time he is afforded. Away from the office, he spends time with family and friends and may try to engage the nearest set of ears in a serious conversation about classic rock music. "I've got all the classics on vinyl and iTunes," says Gillin, whose favorites include Janis Joplin and The Youngbloods. "I love talking to friends about obscure songs. You can usually see me out early in the morning, walking through the neighborhood with music streaming out of my headphones."

Gillin is equally passionate about civil justice – it's what makes him such a natural at passing on wisdom to colleagues and younger lawyers. He has produced countless articles and lectures on civil litigation for a number of professional organizations, including California Continuing Education of the Bar (CEB), the California State Bar Section Education Institute and the Consumer Attorneys of California.

"I think he's a creative guy with great people skills," said Ralph Lombardi of Oakland-based Lombardi, Loper & Conant, who consults Gillin on insurance coverage issues. "He's very good at what he does, and he's a nice guy."

McGuinn echoed the compliment. "When somebody says Andy Gillin is on the line, I smile and take the call," she said, "because I know there's a good reason he's calling."

Gillin's advice for prospective and aspiring lawyers usually comes in three parts: "One, find a mentor; they're out there. They can give you skills, and more important they can give you confidence. Two, find a field that you care about, that you believe in. And third, find people to work with that you truly consider friends." Straight talk to the very end.