



Gary Gwilliam (2003-2004)

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[Wayne Hogan: I'm glad to have the opportunity today to interview Past President Gary Gwilliam (2003-2004). Gary, please tell us about your law practice, the work that you do for clients and the public, and your work there in California.]

Gary Gwilliam: I have been a plaintiffs' civil litigation lawyer for many, many years, well over 50, here in Oakland, California. My practice is split between serious injury work and a lot of employment and civil rights work that I've morphed into in the last 25 years or so of my career.

I formed my firm in 1978, although I'd worked here before with another firm going back to the '60s. I've been trying cases and plaintiff's cases in the Bay Area for a long time. I've tried over 180 jury trials to verdict, which is unheard of nowadays. You know what it's like. We used to try a lot of cases in the '60s and the '70s.

I have a small firm. There are six of us here. We've stayed about the same size for a long time. We're selective about what we take. We get involved in a lot of major interesting high-profile cases. Most of our cases are referral cases.

[Wayne: Why is it that you joined Public Justice when you did? Was there a particular interest or issue or concern?]

Gary: I was honored to be a nominee for the Trial Lawyer of the Year in both '95 and '96 for a couple of cases that I worked on, and that brought my attention to what was then called Trial Lawyers for Public Justice. I didn't know a lot about the organization at that time, but shortly thereafter, my old friend, Sal Liccardo [TLPJ President 1989-1990] contacted me. Sal wanted, of course, to raise money for the organization, but he also encouraged me to get on the board and I accepted his invitation.

I joined the board, I think, in 1996. At that time, Michael Withey was president [1995-1996], who has become a very dear friend of mine. That started my term on the board. I would say that I've been pretty active in Public Justice for about the next 20 years, a little less so in the last 5 years. But I've been involved in a lot of interesting and important developments and issues and problems with the organization.

[Wayne: What would be your thoughts during the time that you were on the board? Were there particular issues that came before Public Justice?]

Gary: There was a book that came out called [*Fighting for Public Justice*](#). It was published in 2001 by a guy named Wes Smith. Wes had written some books with Ralph Nader. He also wrote a book for our consumer attorneys of California, our California trial lawyers. This was a book of all of the nominees for Trial Lawyer of the Year. I'm in here with a couple of them.

But this was very interesting to me. Unfortunately, I don't think they've edited it or updated it. But the cases that were coming in were just fascinating to me because I had always considered myself a trial lawyer. I'd always considered myself maybe, by then, an employment lawyer, maybe even a civil rights lawyer.

But then I began to think of myself as a public interest lawyer, which was a different sort of a way to think of myself doing different work. Because what was going on with TLPJ at the time was that I was into different issues than I would typically run into in my practice. I was involved in environmental issues with Jim Hecker. We were involved in the issues of access to justice and secrecy and some of this had affected my practice -- but it was really interesting. The board meetings were fascinating to me and it was just really expansive, eye-opening and it really added to the richness of my career.

[Wayne: There is always something good to learn when you're in the Public Justice board meetings because the work that they're doing is so broad and so impactful. Was there a particular case that stood out to you during your time on the board or during your presidency?]

Gary: I would not tag it to a particular case because there were so many interesting cases, but when I was involved in some major issues regarding the organization that started relatively soon.

One of the first issues we had when I'd been on the board a short time was this whole question of whether we should open a West Coast office and that became quite controversial and became a big issue. I think we eventually opened the West Coast office in about 1999. Arthur Bryant moved out here and he came to Oakland. That was nice because then I had a trial lawyer for Public Justice connection because when they opened the West Coast office, it was just across the street from my office. I had that connection.

That was one of the big issues that happened in about '99. I think that turned out to be the right thing. That's continued to be important that we had a connection with both the West Coast and the East Coast.

[Wayne: What more can you tell us about how it was growing during those years? You said that Sal Liccardo got in touch with you to help bring you in. I assume part of the work was to acquaint other lawyers with what Public Justice was at that time.]

Gary: I didn't feel I had an expertise in a lot of the cases we're dealing with the public interest area. But the area that I worked really hard on was membership. When I got into the organization, I was shocked that at that time, there were less than 3,000 members of Trial Lawyers for Public Justice. I looked at the national organization of ATLA, now AAJ, and they had 60,000 members. I'm asking myself, why the hell is it that we don't have more members? It was an ongoing issue that concerns me to this date. But I stayed in it.

So I began to become very active in the membership drives. I really got involved in all of what we call our Super Thursday telethons. We had those every year. We had a lot of fun. The development director at the time was a woman named Katherine Mitchell and all of us got involved. Those events became both important to the organization because one, we raised some money, and two, we always did get new members. We always struggled to keep the members in, but it was something. But as importantly to me, Wayne, was the development of relationships.

That's one of the things that is a theme of my involvement, of what Public Justice meant to me -- was the development of so many important relationships in my life that happened through my years of working with Public Justice.

[Wayne: You mentioned Mike Withey.]

Gary: Mike was the president [1995-1996]. We were working together and I didn't know an awful lot about him, except that he was from Seattle and he was working with a big firm up there - Paul Stritmatter's firm. [Stritmatter was TLPJ President 2002-2003.] It wasn't until a number of years later that I went back to my college reunion year at Pomona College down south. It's a small college. There were only about a thousand kids in the school at the time. I walked up and it was '08. I walked up and I saw Mike Withey there. I said, "Oh, my God! Mike, old friend."

We were reminiscing about the fact that he had gone to Pomona college. Now I was about 10 years ahead of him but it turns out -- even more important than that -- we were both a member of that wild, hard-drinking fraternity called Kappa Delta. He and I were fraternity brothers that we had no idea about that until then.

I was president in '03-'04. Things were going well in 2000 and I was beginning to move through the [committee] chairs. By then, I had made a decision that I was going to go through the chairs and become president. I think in about 2001, I was a vice-president but I was following in the footsteps. The next guy behind me was a really wonderful lawyer named Larry Trattler. And Larry Trattler was -- I think he was president-elect.

2001 was a very difficult year for all of us. With [the terrorist attack on] 9/11, I had some losses. I'd lost a partner, my former wife, and my sister had died. It had been a very difficult year for me.

At the end of the year, I had a little memorial service here. [Larry \[Trattler\]](#) had been very active in our telethons and was just a prince of a guy and everybody loved Larry Trattler and a lot of laughs and awards about him. He had just gotten married. They had been living together for a long time and his wife was pregnant, Marga, with their child. He was 55 years old in good health. On Christmas day he died of a sudden heart attack and it was horrible.

I want to be sure to remember Larry because those of us of that vintage will remember what a great guy he was and what an important contribution [he made]. So it was a really very sad situation to see him -- such a vibrant guy.

But it affected my trajectory in the organization because, all of a sudden, I got moved up one more step and became the president-elect to Paul Stritmatter and Paul was president. We moved on into 2002 and Paul became president and I was president-elect.

Then, we had another really serious tragedy happened to the organization that really shook us very badly. That was in August of '02. Arthur Bryant had this very serious automobile accident where some guy hit him headed on. He was very seriously injured. It happened up near Ashland in Southern Oregon.

So that changed a lot of things for us. Paul [Stritmatter] had to step up and take on a different role. We had always counted so much on Arthur as the executive director. He ran the board meetings. Arthur did everything. Paul struggled through that and had to work with that and to his credit, he did well.