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Father-Son Team Wins \$10 Million Verdict for Officers

By Alexa Hyland
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LOS ANGELES — Veteran plaintiffs' attorney-turned-mediator Sandy Gage has come out of retirement to win one final case.

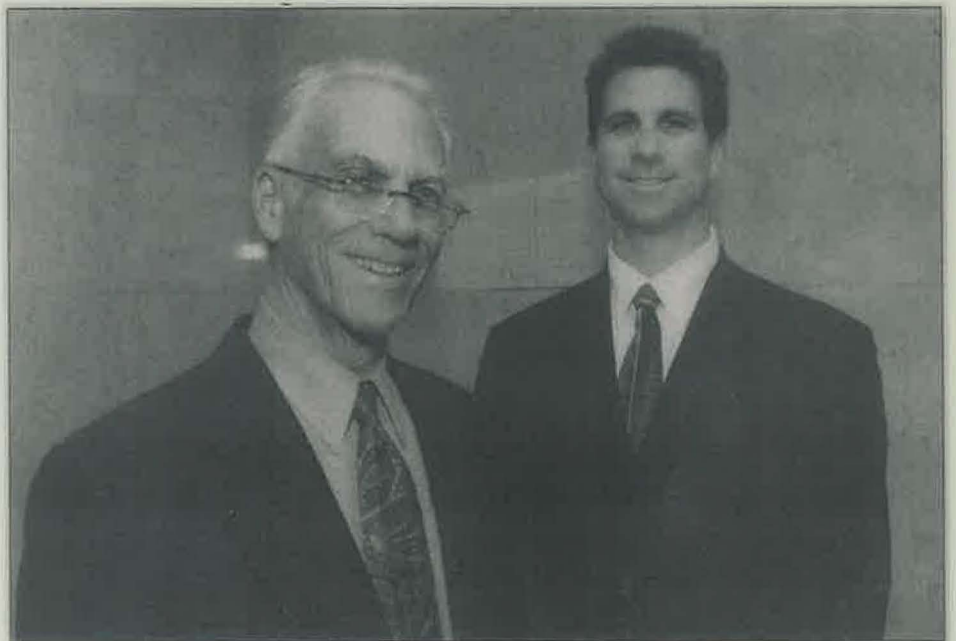
But this was no ordinary swan song. Gage's co-counsel was, for the first time, his son, Bradley C. Gage.

The pair emerged victorious Thursday with a \$10.3 million verdict for the plaintiffs, former South Gate police Officer Troy Hernandez and current Officers Ron Corbet, Dave Matsukiyo and Albert Carillo, who had filed a wrongful-termination suit against the Police Department.

The Los Angeles County Superior Court jury awarded varying amounts to each defendant: \$1.5 million to Corbet, \$1.8 million to Matsukiyo, \$3 million to Hernandez and \$4 million to Carillo.

The latest victory for the elder Gage, 72, came as the team successfully proved the department cultivated a racially discriminatory work environment, where the plaintiffs were

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Mediator Sandy Gage, left, came out of retirement to try a wrongful-termination suit with his son Bradley C. Gage, right for four officers against the South Gate Police Department.

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harassed and ostracized.

"It feels wonderful," Sandy Gage said outside court Thursday. "I felt like it was two equals presenting a case together, which was very satisfying."

Of the one and only case he's tried with his father, Bradley Gage, 47, added, "We will have years of fond memories."

Soon after Bradley Gage took the four officers' case, he realized he needed an experienced trial lawyer on the team.

Throughout their careers, both father and son have represented police officers in civil suits.

The younger Gage represented former South Gate Assistant Police Chief Mark Van Holt, who had accused the department of wrongful termination. Van Holt won a \$ 4.2 million verdict against the city in March 2006.

Sandy Gage helped his son research the Van Holt case, the complexity of this latest case, in which four officers claimed years of racial discrimination, sparked the elder Gage's interest.

"The case offered enough issues and challenges to peak my father's curiosity," Bradley Gage said.

The elder Gage made a career trying insurance bad-faith cases throughout California. Among his many victories, he is best-known for *Neal v. Farmers Insurance Exchange*, 148 Cal.Rptr. 479 (Cal. 1978), which established that punitive damages could be awarded for insurance bad faith. The verdict, \$1.54 million, was a record at the time.

So in early 2007, Sandy Gage abandoned his work as a mediator to devote the majority of his days to investigating the plaintiffs' allegations.

Once he entered the courtroom and stood before a jury, his passion for arguing cases returned.

"I began to feel the same feelings I felt when I was a successful trial lawyer," he said. "I want-

ed to get back into the battle."

While working the case, the elder Gage recognized a unique camaraderie between the two, not only as father and son but as co-counsel.

"When we disagreed on some issues, we tried to utilize each other's strengths and experiences before deciding on a strategy," he said.

Gage said he wanted his son to gain significant trial experience on his own before the two could try a case together. With 22 years in practice, his son had argued enough cases to be considered an equal, the elder Gage said.

"We could anticipate what the other was thinking," Sandy Gage said.

Facing a defense team led by John Golper of Ballard Rosenberg Golper & Savitt based in Universal City, the Gages navigated allegations that top management at the department had endangered the officers' lives while creating a hostile work environment through racial discrimination dating to the late 1990s. Hernandez and Carillo are Latino, Corbet is half-white and half-Dutch Indonesian, and Matsukiyo is Japanese.

"As the case developed, new facts came out that showed the situation in the department was more aggravated than we thought," Sandy Gage said.

In an effort to make the department better reflect the dominant Latino community, the city named Rick Lopez its first Latino police Chief in October 2001. But the department's largely white management opposed Lopez's appointment, fearing he would try to promote lower-ranked minorities.



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Plaintiffs' attorney

The plaintiffs claimed they soon began receiving the "South Gate Resister Letter" from fellow officers, threatening retaliation against those who associated with Lopez and jailed former city treasurer Albert Robles. The letter warns perceived traitors to "look over their shoulder."

Gage said the "Resister Letter" served as a blueprint for their case, which outlined numerous small incidents as contributing to a culture of harassment.

The most significant claim, by Carillo, detailed several incidents in which his radio calls were interfered with.

"Once [Carillo] arrested six armed suspects by himself with no backup," Sandy Gage said. "He went through with real risks to his safety."

In addition, racial nicknames for officers were used during briefings. The lone African-American officer was called "Shaft," the white officer "Casper," the Hispanic officers "Princessa," and the Japanese officer "Godzilla."

Because three of the four officers remain employed by the South Gate Police Department, Bradley Gage hopes the verdict serves as a wake-up call.

"[Ideally], a verdict in our favor will push reform upon the completely out-of-control leadership in the department," he said.

Nonetheless, Sandy Gage said trying his last case with his son was an exhilarating experience.

"I enjoyed finding that I still had some skills, but I will leave [Bradley] to carry on the family tradition," he said.