

Daily Journal

JANUARY 29, 2014

Top 20 Twenty Under 40 Forty

To compile this list, Daily Journal editors and reporters considered hundreds of lawyers from throughout California. We looked at every major practice type, including corporate transactions, criminal prosecution and intellectual property litigation.

The most important consideration was the

work. How have this lawyer's cases impacted the law, a particular sector of industry or society? That's the first question we ask ourselves in considering each person. We also look at the candidate's impact on the legal community. Is he or she taking a leadership role within the firm, agency or organization? Are they active

in bar groups and public service organizations?

As you read through this supplement, we think you'll agree that California's legal talent is some of the best you'll find anywhere in the world.

-The Editors



Manuel F. Cachán



Munger, Tolles & Olson LLP
Los Angeles

Practice Type: Corporate

Practice Specialty: Civil litigation

Age: 39

A bellwether jury trial, that spanned seven weeks over the summer, resulted in a complete defense verdict in a client Wells Fargo Bank N.A.

A dozen plaintiffs alleged that Wells Fargo misrepresented its investment strategy by falsely promising to place their money in low-risk investments. *Blue Cross Blue Shield of Minnesota et al v. Wells Fargo Bank N.A.*, 11-2529 (DWF/JJG), (D. Minn., filed Sept. 1, 2011).

The defense countered that poor market conditions during the financial meltdown of 2008 was the actual cause of the losses, and that the risks were repeatedly disclosed.

It looked to be an uphill battle, Cachán said, because, "The plaintiffs were very sympathetic."

In addition, he said, "The reality is that banks today are as popular as a heart attack. They are not particularly sympathetic. In voir dire, we heard about people having problems with banks."

Cachán second chaired the case as trial counsel, with partner and mentor Bart Williams serving as first chair.

"Our philosophy in the case was that we were going to put on the facts," he said. "We talked about how the program was run, the different safeguards that were put into place to ensure that the program lived up to the guidelines

given to customers, and asked the jurors to judge, not on emotions, but the facts that they have seen."

Among his tasks, Cachán conducted a three-day redirect examination of the key defense witness — the manager of the investment program.

"The story the plaintiffs were trying to tell is that these folks were really naive," he said. "They had no expectation of anything but absolute safety. But we showed that the contract said, up and down, that risk was involved."

In August, the jury unanimously found no liability.

"Jurors take their work very seriously and they do want to be fair," Cachán said. "They can recognize prejudices and want to put them aside. If the jurors have facts, they can fight for you. If they have outrage and a few catchphrases, that usually isn't enough."

Cachán also serves as a member of the Commission on Judicial Nominees Evaluation, the State Bar agency that evaluates candidates under consideration by the governor for a judicial appointment.

"I enjoy meeting lawyers from different parts of the state and in practice areas I normally don't practice in," he said. "There are fantastically skilled lawyers in every corner of this state, in every specialty, from whom I can learn a lot. JNE is one of the most rewarding things I've ever done professionally."

— Pat Broderick