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Go-Getters

Expertise of Walnut Creek-based Pearson & Schachter covers a wide range of law.

By Banks Albach
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WALNUT CREEK — Robin M. Pearson and Michael G. Schachter have come a long way since launching their litigation and transaction firm in early 2012 in a small sub-leased office.

The duo met during short tenures at the Ramsey Law Group PC in nearby Lafayette. Schachter said they were on the same page from day one when he interviewed her for the job at Ramsey.

“We just hit it off,” Schachter said. “We have the same mentality with clients and service.”

“And that’s really important,” Pearson added. “We’ve been at large firms and small firms. We’ve seen and know how clients have been handled. It was really important for us to take the clients we wanted and the cases we thought were interesting and charge the rates that we thought were fair.”

Today, they’ve graduated to their own property and have brought on two full-time of counsel, Hideaki Sano and T. Theodore Cruz, along with two paralegals and an administrative assistant.

Sano, who joined the firm in May 2014, had worked with Pearson at Miller Star Regalia in Walnut Creek before the real estate market tanked. He’s a litigator first, primarily in construction and real estate, but also has a corporate background in governance compliance and employment law.

He said the small firm environment offers an attorney a “true practice of the law.”

“When you retain me on a case, I will handle almost everything,” Sano said. “That allows me to provide better service to my clients because I have a grasp on everything. At some level, that wasn’t as true when I was at larger firms.”

Cruz signed up shortly after Sano and also homes in on the litigation front — commercial, real estate, foreclosure and insurance cases.

Pearson said the firm’s main staple is business, commercial, real estate, litigation and transactions. But they

also handle some bankruptcy cases, labor and employment disputes and the occasional civil rights defense matter. Their billing rate floats around \$350 per hour.

A 2014 case centers on construction at Kaiser Permanente Inc.’s two Pleasanton locations. The hospital and health care nonprofit — a longtime client of the firm — hired general contractor and defendant MW Logic Inc. to renovate parts of the properties.

The company allegedly failed to complete the project and defaulted on paying several subcontractors, some of whom named Kaiser as a defendant in their lawsuit against MW Logic. *A&B Painting Inc. v. MW Logic Inc. et al.*, RG-15795524 (S.F. Super Ct., filed Nov. 19, 2015).

The case is currently winding through mediation ordered by Alameda County Superior Court and serves as an example of the complicated layers of responsibility in construction law, said Howard G. Curtis, special counsel with McInerney & Dillon PC in Oakland.

He is representing A&B Painting Inc., a subcontractor on the project that is allegedly owed \$30,000 from the general contractor after completing the job.

“We had never encountered each other socially or professionally, and I’ve been in construction law since 1992,” Curtis said, referring to Pearson. “At every step of the way, Pearson has been exceptionally professional and would get back to me as soon as possible, which is not a universal in the legal profession.”

Tiffany R. Thomas, partner with Reed Smith LLP, recalled a three year old breach of employee contract case she arbitrated against Pearson, and echoed the compliment.

“She was open to anything,” Thomas said. “We talked settlement and about our clients’ interests very early on. Everything was by agreement. No hard and fast deadlines and no one being a jerk.”

The firm is currently defending San Jose State University in a civil suit brought by an African-American stu-



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Michael Schachter and Robin M. Pearson of Pearson & Schachter

dent who claims to have been bullied and beaten by four white students in 2013. *Williams v. Regents of the California State University, San Jose, et al.*, CV-284396 (S.C. Super Ct., filed Aug. 14, 2015).

Donald J. Williams Jr. alleges the school was negligent in providing a “safe, secure and protective” living space after four fellow dormitory mates engaged in racial slurs, and later attacked him with a bicycle lock with the intention of fastening it around his neck.

The events are alleged to have taken place in the fall semester of 2013. The four students were convicted of battery in a Santa Clara County criminal trial and put on probation. They were expelled from the university.

Williams is also suing his assailants in the civil case, alleging that the assault caused him severe physical and mental injuries. The defendants have retained separate counsel.

“This case is really starting to heat up and is taking up a fair chunk of our time,” Pearson said. “It means a great deal to our firm, especially because we were a relatively new firm when we were assigned the case.”

The two sides launched their first depositions on Oct. 14 and are sharing discovery in court-ordered mediation. Their next scheduled court date is in late March for a mediation review.

Schachter has his own corner in the firm’s ring. He brings the beneficial balance of deal making and transactional work to the firm with a workload that includes sophisticated commercial real estate and corporate transactions.

He’s also gained some notoriety in the firm’s expanding circle of clients as

being a “geek” of sorts when it comes to contracts.

“I love dealmaking, whether it’s buying or selling,” Schachter said. “Contracts? I can read a lease and I love it. I like drafting contracts, I like negotiating them and I like reading them.”

That passion for technical details put him on the map with a small software company that led to one of the biggest deals of his career so far.

Shortly after the two hung their shingle, TechValidate Software Inc. in Emeryville hired Schachter to form a Delaware-incorporated subsidiary. TechValidate co-founder Brad O’Neill said it was “very clear” from the start that Schachter had a different legal approach.

“He is business-savvy and always went back to business fundamentals during discussions,” O’Neill said. “He wasn’t trying to dazzle us. We tested him on some small projects and I was most impressed by how quickly he responded to requests and turned things around. This is a gentleman who answers texts at 2 a.m.”

O’Neill kept Schachter on for all of his contract work, which linked with giants such as Hewlett Packard Co. and IBM Corp., and relied on him to work as co-counsel with Fenwick & West LLP on TechValidate’s sale to SurveyMonkey Inc. last August. The price was undisclosed.

“SurveyMonkey continues to have a positive view of the firm and works with them,” O’Neill said. “It’s rare that you sit across from attorneys and become so impressed that you think, ‘I want to work with them going forward.’”