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GONE SURFIN': VENTURA COUNTY'S ECLECTIC COLLECTION OF LAWYERS WHO SURF (OR SURFERS WHO LAWYER)

By Gregory W. Herring

"Captain James Cook, later killed and perhaps eaten by Hawaiians, noted that Tahitians were not 'strangers to the soothing effects produced by particular sorts of motion' — meaning surfing--'which in some cases seem to allay any perturbation of mind with as much success as music'."¹ A good number of Ventura County's attorneys, too, are familiar with the sport/art. With miles of coastline available right outside our office doors, many of us regularly suit up and hit the waves as a means of dispelling the mental "perturbations" arising from the stress and worries of our practices.

Rick Loy, for instance, began surfing in 1958 on a 7'6" Hobie balsa board at Laguna and Doheny Beaches. During the monster swell in January 1998, he took the morning off from work to check out the "closeout" (unsurfable) waves at "Mandos," near Faria Beach. The Los Angeles Times interviewed him on the beach, after which he was quoted in print, stating that he tells his clients that something "big" has come up whenever significant swells hit the area. He makes the surfing experience a family adventure whenever possible, too.

Alan Templeman has also garnered press attention through his association with the South Jetty Swells. The team, including **Bob Owens**, **Dean Hazard**, 82-year-old **Bill Lucking** and, sometimes, **Mike O'Brien** and **Bob Davidson**, has been a winner at the World Bodysurfing Championships for several years.

Once a year, the team travels to Central America to blow off steam. There, Alan's legal skills once enabled him to successfully return home. After sinking a rental car in a river, he was able to convince the rental car company that the

¹ Daniel Duane, *Caught Inside, A Surfer's Year on the California Coast*, 1996, North Point Press.



vehicle might have been saved had not the company's salvage crew stopped for several hours beforehand at a local warehouse (how Alan knew that the residence was a warehouse is unknown). When confronted with the rental contract, stating that the vehicle should not be driven off road, Alan pointed out that the company's brochure, itself, advertised a similar vehicle "4-wheeling" across the sands.

Alan has learned that if he leaves the outside shower at South Jetty at 1:14, he can make it to court on time for afternoon hearings by dressing while driving to the Courthouse. Fortunately, he has never been stopped by the Police.

Ben Schuck began surfing more than 40 years ago when he was about 14 years old. He describes his first board as a "terrible thing, huge and heavy and nearly impossible to turn or ride on the nose." Ben has had more boards than he cares to remember.

His present board is his best ever. It is fast, light and forgiving, and is fun for a self-described "old man" to ride. Only three years old, it already has "dings on top of dings."

Ben says his favorite wave is the last good one that he rode, mainly because he can't remember any others. Now, Ben is joined much of the time by his daughter - even the lousy, small wave days are enjoyable when he is with her.

Thomas Kitchens learned to surf on a longboard when he was 15 in the summer of 1965. Like the other attorneys mentioned, Thomas tries to balance his commitment to surfing against his work. He figures that by working during the week, he can afford to enjoy the waves on weekends, holidays and vacations.

In 1990 Thomas traveled to Kuai to compete against law enforcement officers of Australia, Hawaii and California in a contest called the *South Pacific Challenge*. He arrived in town the day a large swell hit the Islands. As one of the few contestants who had never surfed in Hawaii, Thomas was concerned about the stories of the double overhead waves which were dominating the contest. Gathering all his courage, Thomas eventually paddled into the lineup with the other surfers, but backed-out of many waves at the last minute. He finally dropped into a blackwater pit, riding his first wave without wiping out. He then enjoyed riding one after another throughout the contest.

John Howard, who started surfing in 1959, experienced his worst wipeout back in the mid- 60's at Silverstrand on a friend's brand new Dewey Weber Performer which he had borrowed. After promising his friend that he would not



take the board on any lefts near the jetty, he could not help dropping in on a “perfect left near the jetty.” It wasn’t until the mid-70’s that John’s friend next spoke to him.

John balances work and surfing by thinking about surfing while he’s at work; the sick thing is that he admits to occasionally thinking about work while he’s surfing.

In 1966, John and Cary and Kenny Brokaw decided to walk 6 miles down the railroad tracks to Government Point from Ja Lama State Beach North of Santa Barbara. (On the right day Government Point is one of the best surf spots in all of California.) Because the entire 6 miles was on heavily guarded private property (Hollister Ranch), they chose to walk down in the cold and dark early morning hours. Each of them carried their heavy long boards, warm clothing, water and canned goods.

The group finally approached its destination, only to find that the ocean was as calm as a meadow on a windless night. Worse, the Ranch Patrol materialized, chasing the would-be surfers into the water with all of their possessions except the canned goods and drinking water. While John and his friends sat for hours in the cold water and hot sun, their nemeses enjoyed an impromptu picnic on the beach with their food.

Eventually the Ranch Patrol left, allowing the group to leave the water and begin walking back to Ja Lama. It was hot in the afternoon as they started walking back on the train tracks, tired, thirsty and unhappy.

During the hike back, John and his friends saw the Patrol watching them. Since the patrol did nothing more, they figured that the Patrol felt it was worse to simply let them “walk the walk” back to Jalama with their tails between their legs; the Patrol was right.

Over the many years, John had the opportunity to surf with legends like Mickey Dora, Rennie Yater, Phil Edwards (including on the last day Dana Point was ever rideable), Joyce Hoffman, Whitey Harrison, Bob McTavish, Margot Godfrey and many others. Having said that, John’s best day of surfing, by far, was just a couple of years ago in two foot waves at Waikiki Beach with his then-10 year-old son and 9 year-old daughter.

Ferguson Case Orr Paterson LLP is a hotbed of surfers. **Lou Carpiac** was previously known for carrying a boogieboard in the back of his Mercedes, ready for impromptu sessions on the way back from court appearances in Santa



Barbara. Longtime surfer, **Bill Smith**, regularly rips at Oxnard Shores. **David Shea** breaks out his longboard from time to time. **Jim McDermott** is known for claiming the need to attend unspecified “*ex parte* hearings” when the big Northwests start rolling into the Pierpont breaks.

The author is known for leaving the offices of FCOP in the early evenings from time-to-time for an hour or so of surfing in the Pierpont area. He regularly recommends “surf therapy” to his family law clients who surf as a means of reducing their stress, and from time-to-time accepts congratulations for actually talking his new wife into spending their honeymoon at a surf resort in Mexico. He also recently hooked his 8 year-old daughter on the sport/art; she caught her first wave on her new Morey “softboard” at Mandos in front of Rick and Victoria Loy a few weeks ago.

Eminent longboarder, **Bob Noe**, regularly haunts popular local breaks. He also recently introduced his young son to the joy of surfing.

Bob Bartosh began surfing at about seven years-old on longboards rented at Hollywood-by-the-Sea. Having returned to Ventura County from San Diego about twelve years ago, Bob has been able to increase the frequency of his surfing. Failing to make the transition from longboarding to shortboarding, he is proud to surf on a 9'6" Rich Harbour HP1. The McTavish Ray Gleeve model is also a favorite, and Bob also sports a 10' classic Yater for those small Summer breaks.

Bob has competed in the longboard contest at the California Beach Party since 1986. He finds it a great opportunity to reunite with old acquaintances.

The County Bar’s premier shredder is apparently Deputy District Attorney **Mitch Disney**. He started surfing at 12 years old, and has been surfing for 24 years. Dana Hills, in Dana Point, had an official surf team, and he was the team's captain. By his senior year, Mitch was enrolled in two accredited “beach activities” P.E. classes, one during first period, and one during sixth period. He only had three other classes during third, fourth and fifth periods, so he got to surf twice a day, every day, while carrying a “full load.”

Mitch competed throughout high school and college. He took third place in the schoolboy division of the Ocean Pacific Pro-Am contest in circa 1979 (before it became the OP Pro), held at T-Street in San Clemente. He also made it to the semi-finals of the NSSA National Championships during his last year of high school.



Mitch then enrolled at Pepperdine in Malibu (guess why), where he joined the surf team and consistently surfed third point, Zuma and Point Dume.

After Mitch graduated from law school, he joined Nordman, Cormany, Hair & Compton, which he says required significantly fewer billable hours than the Century City firm where he had previously clerked; plus the surf was much closer.

Mitch now lives in Port Hueneme, and surfs there (or the Base, if he can get in) during the summer. In the winter he surfs wherever it is breaking.

Other lawyer-surfers include **Eric Dobroth** of the District Attorney's Office, who surfs several times a week. **Kevin Rose** surfs frequently. Ken High reportedly still goes in once in a while. **Jim Thonis** at County Counsel, **Brian Rafelson** and **Miles Weiss** at the District Attorney's Office, plus **James Harmon** at the Public Defenders' Office all surf from time to time.

Clearly, an eclectic collection of attorneys in our local bar find that taking to the waves is a great way to find adventure, make and keep friendships, build family ties and avoid those pesky mental "perturbations."

(Citations, 1999)