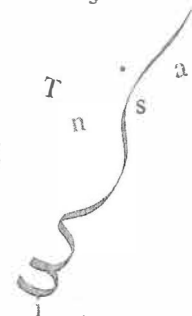


u l  
c s

f

a a o

J  
T n s a v r  
a n s r



i s t e d celebrating u r e a u  
a s f u e a p

# victories

o a r T w v  
i c !

april 27, 2000

**T H E  
IMPACT  
F U N D**



Program

**Opening Remarks**

Shauna Marshall, Professor, Hastings College of the Law  
Board of Advisors, The Impact Fund



*Honoring:*

**Louis Hiken and**

**The National Lawyer's Guild Committee for Democratic Communications**  
*whose defense of Radio Free Berkeley's Stephen Dunifer led to the revision of  
FCC regulations to legalize micro-transmitter radio stations*

Presenter: Abby Ginzberg,  
Ginzberg Video Productions,  
Board of Advisors, The Impact Fund

**Michael Freund and California Community Health Advocates**

*whose environmental justice actions eliminated thousands of pounds of toxic  
emissions from the air throughout California*

Presenter: Alan Ramo,  
Co-Director, Environmental Law & Justice Clinic,  
Golden Gate University School of Law  
Board of Advisors, The Impact Fund

**Mark Chavez and Jonathan Gertler**

*whose successes in consumer class actions and subsequent use of the cy pres  
doctrine are providing new funding for public interest litigation*

Presenter: Brad Seligman,  
Executive Director, The Impact Fund



Entertainment:  
**The Latin Tinge**

The Impact Fund gratefully acknowledges the underwriters of this reception to celebrate **building victories** . . .

**benefactors**—The Jacob D. Fuchsberg Law Firm & The Fuchsberg Family Foundation • Gilardi & Co., LLC, Class Action Notice & Administration Specialists • Kazan, McClain, Edises, Simon & Abrams Foundation • Rust Consulting, Inc. • Saperstein, Goldstein, Demchak & Baller—**patrons firms**—Lieff, Cabraser, Heimann & Bernstein, LLP • Van Loben Sels Foundation • Wilson Sonsini Goodrich & Rosati Foundation—**patrons individuals**—Stan Friedman • Mari Mayeda & A.J. Kutchins • Arlene Mayerson • Mark G. Parnes • Gregg & Laura Perloff—**sponsors firms**—Altshuler, Berzon, Nussbaum, Rubin & Demain • Chvany, Silbert & Knowlton • Cooley Godward LLP • Davis, Cowell & Bowe, LLP • Farella, Braun & Martel • Hinman & Carmichael • Howard, Rice, Nemerovski, Canady, Falk & Rabkin • McCutchen, Doyle, Brown & Enersen • McGuinn, Hillsman & Palefsky • Minami, Lew & Tamaki • Rudy, Exelrod, Zieff & True • Shernoff, Bidart, Darras & Dillon • Siegal & LeWitter • Van Bourg, Weinberg, Roger & Rosenfeld • Van Der Hout & Brigagliano —**sponsors individuals**—Dean A. Alper • David Anton • Paul Arons • Della Bahan • Jeff Bleich • Jude and Julia Damasco • Alan Davis • Vicki De Goff • M. Quinn Delaney & Wayne D. Jordan • Mary Dryovage • Lainey Feingold • Linda Foy • Jeremy L. Friedman • Jeffrey & Marcia Goldstein • Sharon Grace • Dick Grosboll • Lucas Guttentag & Debbie Smith • John Harrington • David B. Harrison • Jocelyn D. Larkin • Steve Mayer • Randy Milden • Daniel Mulligan • Larry Paradis • Beth H. Parker • Richard M. Pearl • David B. Rosenthal and Eva Yarmo • Robert Rubin • Mark Talamantes • Thomas A. Warren • Joseph Yablonski • Douglas R. Young—**sponsors nonprofit organizations**—Joan Abrahamson, President, The Jonas Salk Foundation • ACLU Immigrants' Rights Project • As You Sow Foundation • Bar Association of San Francisco • Bay Area Legal Aid • Communities for a Better Environment • Consumer Action • Disability Rights Education & Defense Fund • Dorothy M. Ehrlich, Executive Director, ACLU-NC • Ecological Rights Foundation • Equal Rights Advocates • Lawyers' Committee for Civil Rights of the San Francisco Bay Area • Legal Aid Society of San Francisco • Mexican American Legal Defense and Education Fund • National Center for Lesbian Rights • National Employment Lawyers Association • National Jury Project/West • National Lawyers Guild--San Francisco/Bay Area Chapter • Public Advocates • Trial Lawyers for Public Justice • Vanguard Public Foundation • Voluntary Legal Services Program/San Francisco Bar Association—**thank you!**

## *Michael Freund and California Community Health Advocates*

Michael Freund is a sole practitioner environmental attorney who has specialized in the enforcement of Proposition 65 (the Safe Drinking Water and Toxic Enforcement Act of 1986), the landmark California initiative that requires disclosure of toxic emissions. In 1996, he teamed up as legal counsel with California Community Health Advocates ("CCHA") a non-profit corporation, to plan a legal battle against companies exposing us to toxic chemicals. While the objectives were clear for CCHA director Lorell Long, the reality was that CCHA had no funds to take on these polluters.

Fortunately, Freund and CCHA were able to receive support from The Impact Fund, which granted \$10,000 in 1996 and 1997 as "seed" funding for the work of CCHA. This funding covered the costs of expert studies of air pollution around a number of facilities. Based on the research funded by these grants, Freund began filing cases on behalf of CCHA pursuant to Proposition 65, targeting corporations that continued to expose individuals to various toxic chemicals including lead, methylene chloride perchloroethylene and hexavalent chromium.

The first victory came on June 30, 1997 when the Fresno County Superior Court approved a settlement against Duncan Enterprises, a company that was emitting lead from its facility and exposing the surrounding residential area. The settlement required Duncan to eliminate the major lead producing operation at its plant along with a payment of \$20,500.00. With the support from The Impact Fund and this first settlement, Freund, representing CCHA was able to commence what has turned out to be a programmatic effort against companies emitting toxic chemicals into the air and exposing numerous people, many of whom are people of color, the elderly and school children.

In the last several years, CCHA has won by settlement or judgment sixteen cases around the state, leading to the elimination of thousands of pounds of toxic emissions and thousands of exposures to children, school staff, the elderly, and other residents and workers in the areas surrounding these facilities. In each instance, the companies were emitting their chemicals lawfully pursuant to air district permits provided to them by the air quality management districts in charge of protecting the public's health. Without these cases, these companies would still be going about business as usual and emitting these carcinogens and reproductive toxicants.

Based on financial recoveries made in the abovementioned cases, CCHA not only has been able to repay its grants to The Impact Fund, but it has also been able to make significant donations to The Impact Fund as well as many other organizations taking on important public interest work.

***The Impact Fund  
Board of Advisors***

**Melinda R. Bird**  
*Managing Attorney*  
Protection & Advocacy

**Luke W. Cole**  
*General Counsel*  
Center on Race, Poverty & the  
Environment, California Rural  
Legal Assistance Foundation

**Matthew A. Coles**  
*Director*  
Lesbian & Gay Rights Project &  
AIDS/HIV Project  
American Civil Liberties Union

**Cathy R. Dreyfuss**  
*Directing Attorney*  
Indigent Criminal Defense  
Appointments Program, Los  
Angeles County Bar Association

**Theresa Fay-Bustillos**  
*Vice President, Legal Programs*  
Mexican American Legal Defense  
& Education Fund

**Abby Ginzberg\***  
*Attorney at Law*  
Ginzberg Video Productions

**Amanda Hawes**  
*Chair*  
Santa Clara Center for  
Occupational Safety and Health

**Bruce G. Iwasaki**  
*Executive Director*  
Legal Aid Foundation of Los  
Angeles

**Shauna Marshall**  
*Professor*  
Hastings Civil Justice Clinic,  
Hastings College of the Law

**Mari Mayeda\***  
*Attorney at Law*

**Arlene Mayerson**  
*Directing Attorney*  
Disability Rights Education &  
Defense Fund

**Alan Ramo**  
*Co-Director*  
Environmental Law & Justice  
Clinic, Golden Gate University  
School of Law

**Bernida Regan**  
*Executive Director*  
East Bay Community Law Center

**Brad Seligman\***  
*Executive Director*  
The Impact Fund

**Valeriano Saucedo**  
*Attorney At Law*  
Miner, Barnhill & Galland

**Marc Van Der Hout**  
*Attorney at Law*  
Van Der Hout & Brigagliano

\*also on the Board of Directors

***The Impact Fund Staff***

**Brad Seligman**  
Executive Director

**Lucy Seligman**  
Associate Director

**Jocelyn D. Larkin**  
Litigation Counsel

**Mari Mayeda**  
Director  
Attorney's Fee Litigation Project

**Ana Nunes**  
Coordinator  
The Testing Project

**Kelly Vogt**  
Administrative Assistant/Paralegal

**Cindy Lan**  
Assistant

**Emilie Louie**  
Assistant

**Angela Rothschild**  
Assistant

**The Impact Fund**

1604 Solano Avenue  
Berkeley, CA 94707

510 528-7344

510 528-0083 Fax

[impactfund@impactfund.org](mailto:impactfund@impactfund.org)

[www.impactfund.org](http://www.impactfund.org)

**The Testing Project**

536 Mission Street

San Francisco, CA 94105-2968

415 957-1418

415 896-2450 Fax

[apn@impactfund.org](mailto:apn@impactfund.org)

[www.impactfund.org](http://www.impactfund.org)