



# Larry Drivon – “He never walked away from a fight.”

*Retired Central Valley attorney helped take down Enron, the Catholic church.*

BY STEPHEN ELLISON

Intangibles often serve as deal-clinchers for successful plaintiffs’ lawyers. With some, it might be an engaging personality. Others might have a natural arrogance that appeals to clients and jurors. In Larry Drivon’s case, an unwavering resilience led to a remarkable career that spanned nearly four decades.

During that time, the founder of Stockton-based Drivon Turner & Waters never gave in. He fought, he scrapped, he battled – and most of the time he won – all while taking on such formidable opponents as Ford Motor Co., Enron and the Catholic church.

“The first thing that impressed me about Larry was his determination, which is a good personal quality and also a nice legal quality,” said Rick Simons, a partner with Furtado Jaspovice & Simons of Hayward. “Because without that determination, nobody could continue to take medical malpractice cases as he did all those years. No one would go to the legislature and try to change the statutory requirements for (clergy) abuse as he did. He’s a very determined guy and that’s a big strength.”

State Treasurer Bill Lockyer, who encountered Drivon on a number of occasions as a member of the Senate Judiciary Committee, echoed the sentiments of Simons. “My interactions with him principally had to do with legislative policy debates,” Lockyer explained. “He was a determined and fierce advocate,



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and he never walked away from a fight.”

## Multiple venues

In the courtroom, Drivon made his first indelible mark when he teamed with Redwood City plaintiffs’ attorney, Joseph Carcione, Jr., to take on Ford. The suit against

the carmaker claimed gross negligence in a triple-fatal rollover accident involving a 1978 Ford Bronco (*Juan Ramon Romo v. Ford Motor Co.*) and returned an original verdict of \$295 million. It marked the first time a car company had been sued for a rollover incident, Drivon said. And it still stands today as the largest plaintiffs’ personal injury verdict upheld by an appellate court in the United States, according to Carcione.

For some of his most important legal battles, Drivon stepped away from the courtroom and from his primary role as a plaintiffs’ lawyer. He served as special counsel, pro bono, for a State Senate Select Committee that investigated the wholesale energy market and helped expose Enron’s price manipulation in California. For 30 months, Drivon devoted half his time to those duties, and when it was over, he received an official Senate resolution thanking him for his efforts.

As that investigation was coming to a close in 2002, Drivon took advantage of his access to legislators and began lobbying for a temporary lift on the statute

of limitations for clergy abuse victims. At the time, state law required that lawsuits against the church or other organizations that knowingly employed sexual abusers had to be filed by the time the plaintiff was 26. Drivon and Minneapolis attorney, Jeffrey Anderson, proposed waiving that limitation for one year. The legislation, which was sponsored by State Sens. Martha Escutia (D-Montebello) and John Burton (D-San Francisco) – both of whom were Catholic – was passed unanimously. The new law created a one-year window in 2003 for clergy abuse victims to come forward.

“He ignited everything,” said Carcione, a longtime friend and colleague. “He wrote the words, and it’s used as a model now across the country to allow people to sue who were molested as children.”

Drivon went on to represent more than 450 clergy abuse victims. He estimated the total cost to the church at \$1.3 billion. Some victims who had been previously rejected because of the statute of limitations were able to refile their claims. Even more impressive to Carcione, thousands of clergy abuse victims who chose not to come forward still got some measure of justice in finally seeing the Catholic church taken down.

“As a Catholic, my deepest satisfaction was that it took Drivon to beat the hell out of the church to straighten it out, to make them realize what they were doing was morally wrong,” Carcione said. “From a purely religious and moral standpoint, he’s done more for the



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church than any person, any human being I know. And he's not even Catholic. He did so much for my religion to clean it up, to force (church leaders) to take a good look in the mirror and change their ways."

### Following Dad... and a dream

Raised in California's Central Valley, Drivon was the son of the District Attorney for San Joaquin County. So began his early-life aspiration to follow in his father's footsteps. "Ever since I was a little kid, I wanted to be a lawyer," he said.

Drivon completed two years of college before joining the Army. Upon returning from the service, he took night law courses at Humphreys College, a private institution in Stockton whose law school bears his name. It wasn't long after graduation from Humphreys that Drivon found himself in court.

"I tried my first personal injury case six days after becoming a lawyer," he recalled. "I'm not sure why I chose plaintiff law; I guess because plaintiff law at the time didn't require a big-time law school."

A few years later, Drivon added business owner to his resume, purchasing a practice from a lawyer who was on his way to becoming a judge. Drivon said being a boss was the source of his proudest achievement: "Never missing a payroll."

Over the years, Drivon tried more than 100 civil cases and 50 criminal cases, including representing one Robert "Babo" Sosa, once the leader of the infamous "Nuestra Familia" street gang. He evolved into a personal injury and consumer rights' expert, even authoring a

book, *The Civil War on Consumer Rights* (Conari Press 1990). He is a past president of Consumer Attorneys of California and the San Joaquin County Trial Lawyers Association. Twice during his career, he was nominated for Public Justice's top national honor as Trial Lawyer of the Year.

Davey Turner said joining Drivon's firm in 1998 was a no-brainer. "At the time, he was one of the highest-profile lawyers in the area, probably in the state," Turner said. "He knew the law inside and out, and he always put the client first."

Simons, who was co-counsel on the clergy abuse cases, said Drivon had a way of making those clients feel important. "He never lost touch with average folks," Simons said. "Everybody saw themselves as average folks, and he really related well to those people."

### Another dream: Retirement

After having achieved so much, Drivon seemed to have little trouble packing up and walking away. In fact, he could barely contain his enthusiasm when asked why he chose to retire about a year ago. "There's more to life than practicing law," he said with a light chuckle. "I worked my tail off practicing for 38 years, and now I'm done."

While Drivon sounds perfectly content keeping his distance from the proverbial trenches, some feel he'll have trouble staying away. Carcione noted that Drivon has won national and international awards in such endeavors as show dogs, show horses and sport fishing. But once he peaks, he essentially loses interest.

"Drivon loves to tackle things and do them well," Carcione said. "Last year, he won a world title in deep sea fishing, took first prize, about \$160,000. But after he reaches the top in these things, he stops doing them. He'll get sick of retirement, I guarantee it."

To which Drivon countered with, "Joe Carcione's a good friend of mine, has been for a long time. But I think he's delusional."

Indeed, Turner thinks his former partner would need a little more motivation before considering diving back into law. "I don't know. He seems pretty happy in retirement," Turner said. "If he sees something happen that could potentially affect plaintiffs in California, he might try to get involved."

Regardless of whether that means he someday decides to return to his firm or tries his hand at a second career, it'll be difficult for Drivon to top what he accomplished as a plaintiffs' lawyer, a business owner and a tireless advocate for justice.

For those ambitious enough to emulate Drivon's determination and well-rounded success, he had this advice to offer: "Never consider doing something



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that you think might be wrong, and never hesitate to do something that you know is right. Represent your client, be honest and do your job."

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