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# Profile: Dan C. Schaar

## After a decade in the Caribbean, he advocates for PI victims by telling human stories

BY STEPHEN ELLISON

Turns out for some, life on the Caribbean isn't what it's all hyped up to be. Dan Schaar has been there, done that, and the former scuba-instructor-slash-boat-captain ultimately opted for a more challenging livelihood in what would become a new chapter in his life.

Schaar, a senior trial attorney with Schaar & Silva in Campbell, spent much of his young adult years "living the dream," first as a scuba instructor in the Monterey Bay area while he was still in college, then with an operation in the Cayman Islands, where he eventually earned his U.S. Coast Guard master captain's license. But after nearly four years on the waters of the Caribbean, Schaar realized he had conquered a career at sea and was ready to start learning again.

"When I got the job in the Caymans, I was convinced that the scuba industry and boat captain industry, that was going to be my thing, and I was just basically going to travel the world from port to port," he said. "I saw this as, OK, I can make money with this and actually have an enjoyable career. But the further I got into it, I thought this is not going to be a profession that we're going to be able to retire from ... and the last day I work is going to be the day before I die.

"I felt like the longer I did it, the less I was able to maintain a level of conversation that I had when I was a student," he continued. "I think when you're involved with a profession that requires constant thought and evolution, you're always sort of using your brain. And that's not to say that being a scuba diving instructor was easy or being a boat captain was easy. But once you learn the baseline skills, it becomes second nature."



Schaar

Schaar felt as if he'd done it all and seen it all in his so-called dream life, and conversations with some of his lawyer-clients began to intrigue him. During those brief dialogues when his customers

were willing to talk a little shop, it became clear to him theirs was a profession he could get into and quite possibly enjoy just as much as being on the open sea.

He decided to study for the LSAT while he was still in the Caymans and did so well, he docked his boat for good and was "off to the races."

"I told myself I need to get back to learning and education, get back to having to actually work at it," Schaar explained. "And the law definitely has done that. I've been doing this for 13 years, and every single day I'm still learning something.

"It was a great way to spend my 20s," he added about his deep-sea ventures. "But I just couldn't see that career ending the way I would like."

### Partnering with larger firm

Today, Schaar has achieved success through both his own practice and his partnership with Carpenter, Zuckerman & Rowley, and as he puts it, "We have a great marriage. We support each other, and that allows us to do what we need to do to get justice for our clients."

Schaar's practice, with partner and Managing Attorney Eva Silva, focuses mostly on catastrophic brain and spinal cord injuries and the incidents that cause those injuries, such as auto accidents, industrial accidents and defective products or property. They've achieved multiple seven-figure verdicts and settlements, including the largest verdict in the state of California for a bicyclist in 2017.

Schaar said one of the reasons for such success is he maintains a relatively small caseload, so every client is getting the attention they deserve. Part of that attention is Schaar really getting to know his clients, the human side and their story. On top of that, he said he never works a case by himself, and that team philosophy has served him and his firm well.

"I've been very, very fortunate to work with just some great individuals that have helped me sort of hone my skills," Schaar said. "I'm not the be all end all. More often than not, I sort of liken myself as the front man or the lead singer of a band. A lead singer is nothing without his or her bandmates and oftentimes isn't the most important member of the band. You know, if you're a Guns N' Roses fan, most people like Slash more than Axl, right?"

### Soccer star's path to plaintiffs' law

Originally from Rapid City, South Dakota, Schaar was a soccer star in high school and earned a scholarship to a Division I college before suffering a career-ending injury during his freshman year. He graduated from San Jose State University with a political science degree just as he was preparing for his first career on the open water.

After deciding to leave the Caymans, Schaar returned to the Bay Area to attend law school at Santa Clara University,



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where he served as president of the Student Bar Association and was selected to the school's coveted 10-member trial team. Those accolades helped him land an internship with the Santa Clara County Public Defender's Office, during which he gained invaluable experience but quickly realized it was a mere steppingstone.

### Criminal defense

"I loved the trial work; I loved representing people. But I didn't necessarily love who I was defending," he said. "I just had issues with the criminal process, and I know that sounds cruel because I think everybody's entitled to a defense. But for me ... I would look at certain crimes, and I'd be like, 'Oh yeah, I could defend this.' But then I would look at other crimes, and I'd be like, 'You need to go to jail.'

"And I wasn't so aggressive that I wanted to be a prosecutor; I didn't want to send everybody to jail," Schaar continued. "At that point, I realized I can't provide the right legal representation for these people. So, then I shifted my focus to the civil arena and just happened to fall into an internship with a very accomplished injury attorney in San Jose. I was fortunate enough to actually get hired on with him as an attorney when I passed the bar, and I loved the plaintiffs' practice."

Eventually, Schaar left that first firm and went to work for another attorney, with whom he unfortunately had a personality clash and wasn't getting the trial experience he wanted. It reached a point where he almost left the profession. Incidentally, the two get along very well these days, and Schaar believes it's because they no longer work together.

### Representing "the man"

He then shifted to the insurance defense side for a few years, working for Farmers Insurance to establish some stability and gain some experience, he said. But he realized quickly it wouldn't last because he didn't represent human beings.

"I had a human client, but my real client was the insurance company," Schaar

### REDIRECT

**Getaway Spot:** Paia, Hawaii

**Go-To Music or Artist:** For relaxation, Sigur Ros or Jonsi; for work, anything Dave Grohl has touched.

**Recommended Reading:** Malcolm Gladwell  
**Dream Job:** Traveling the world doing landscape/nature photography with my family right alongside me.

**Words to Live By:** Modified quote from Eleanor Roosevelt: "Learn from your mistakes, but also from the mistakes of others. You can't live long enough to make them all yourself."

said. "So, after that is when I finally was like, 'OK I'm done with this' and came back to the plaintiffs' law, and it's been seven years now. ... I was always drawn to representing humans and people; it just was a matter of criminal or civil, and eventually civil won out."

### \$7 million verdict despite CHP report

In terms of memorable cases, Schaar said because he gets to know all his clients so well, he has fond recollections of pretty much all of his cases. But the first brain injury case he and Silva tried about six months after they split off on their own seems to stick in his mind more than most. The case involved a bicyclist in Santa Cruz who was struck by a vehicle after he entered the lane of traffic to avoid an obstructive manhole on the shoulder of the road. Liability was contested after a CHP report blamed Schaar's client completely.

Schaar and Silva were taking on multiple defendants: the vehicle's driver, the county and a corporation. They lost the case against the county but still came away with a nearly \$7 million verdict, the largest in Santa Cruz County history at the time.

The icing on the cake was they made another great connection with the client.

"The client's family lived in Colorado, and I had traveled and spent time at their home at least a half a dozen times over the course of the year or two leading up to the case," Schaar said. "By the time

we finally got our verdict, it was actually five years, two months after the crash. So, it took us a long time to get there. But, you know, it was one of those cases where all it would have taken was a couple of jurors to vote the other way. Over the last day, it was a bit nerve-racking."

To this day, Schaar maintains a close friendship with the family, he said, and anytime he's in Colorado, if he's near their hometown, he'll make an effort to visit with them just to catch up.

That connection carries over with jurors when Schaar is in trial, he said. Ninety percent of his case is based upon things only he knows because of the time he's spent with his client. Oftentimes, jurors will have no grasp of what the injury was like for his client. But every single juror is a human being, and they all have a story. And when they hear the story of Schaar's clients and how someone's negligence altered that story, it's easier for jurors to empathize, he said.

"That's sort of my big-picture approach, to find the story," he said. "And if I can't get the story, I find someone who can get the story for me."

### Work for play

In his spare time, Schaar is an avid nature photographer and enjoys surfing, snowboarding, diving and riding bikes with his kids. Indeed, spending time with his family is at the top of his list, and in fact as an avid traveler, he is anticipating a family trip when all the pandemic restrictions finally are lifted.

"My daughter will turn four next week, and she is like one of the best little bicyclists you've ever seen," he said. "My son, he's not quite walking yet. Yes, traveling with them is something I can't wait to do once we finally get past all this COVID craziness. I'm really excited to go."

Schaar's advice to aspiring lawyers is to focus on their passion and realize the first job they get out of law school is not necessarily going to be the job they keep. For him, it was a matter of first discovering that passion then keeping it in the crosshairs. For those who already are



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passionate about a certain area of law, well, they're ahead of the game, he said.

"I created a lot of anxiety myself during law school in that my grades weren't that good," Schaar said. "Like I told you, there was a time in my career

where I almost quit being a lawyer because of the personality conflicts and the way I felt like I could not be a successful person. I didn't have that focus.

"Focus on what you think is going to make you happy, not necessarily what's

going to make you money," he continued. "If you focus on the right things, the money comes, the happiness comes, and that's really the true joy of what I do."

*Stephen Ellison is a freelance writer based in San Jose. Contact him at [ssjellison@aol.com](mailto:ssjellison@aol.com).*