



Profile: David L. Winnett

Former prosecutor and defense attorney finds career fulfillment in plaintiffs' firm with his name added to the door

By **STEPHEN ELLISON**

Some people are quick to get to that ideal place in their professional lives while others have to pay their dues for a few years or more. Maybe they change jobs or switch firms or even start fresh and bide their time before they reach that career utopia. David Winnett falls into one or more of the latter categories, but for him, the wait has been worthwhile.

Winnett, a partner with Liuzzi, Murphy, Solomon, Churton, Hale & Winnett, based in Novato, said all the years he spent as a prosecutor, as a defense lawyer and as a plaintiffs' personal-injury attorney for a prestigious San Francisco firm provided the foundation for him to land where he always envisioned himself professionally. It happened just a couple of years ago, and today Winnett says he's happier than he's ever been as a lawyer.

"There was an opportunity to become an owner of my own firm and have that happen where I live, after 17 years of commuting from Novato into the city," he explained. "Simultaneously, I got to realize my dream of being my own boss and doing it in my town. In 17 years, I missed out on so many family opportunities because of that commute, and now I'm finally living and working in my own place. I'm not alone, I have partners, who also live here in Novato. But I'm able to have a say in the kinds of cases we handle, the kind of work we do. I have more time available for my family and my health – all because I'm not spending two hours a day in the car."

Before he achieved his dream job, Winnett cut his teeth in plaintiffs' law at the Veen firm, where he spent five-plus years. And before that, he did a 14-year



Winnett

stint with defense firm Hinshaw & Culbertson. The Veen firm was a terrific opportunity, he admitted. He was able to help a lot of people and made great friends along the way. But when the opportunity came to be his own boss, it was hard to pass up.

Incidentally, Winnett's transition happened against the unfortunate backdrop of one of his good friends passing away far too young at age 39. It reinforced his belief that it was time for him to focus on his family, have more control over his career and take back his life.

"It all congealed for me," he said. "I've had a lot of success, I'm healthier – I lost 60 pounds. So much of what I wanted my career to look like I've achieved now. It's been a long road. I still have a lot of gas in the tank, and I have an exciting opportunity here to chart my own path."

While it may feel like a new start for Winnett, he certainly doesn't discount the role those previous jobs played in getting

him to his happy place. His first job as a prosecutor for the Illinois State Attorney's Office put him in the courtroom frequently and gave him the trial experience he sought. His penchant for trying cases carried over well when he accepted the job defending companies against the very type of clients he now represents.

That stint started in Illinois, and Winnett was able to persuade the firm to let him move to its office in San Francisco, a place for which he had a "life-long love affair" after many visits during his younger days.

"My parents were both teachers, and we had no money and long summers," he said. "We would take driving vacations out here, which were super meaningful for my family. And then we would just stay with family. I fell in love with Northern California in the early '70s. When I was a young kid, I decided that this is where my life for the most part would be lived.

"My parents retired out here, and my little sister had the same focus, so she lives out here in Santa Rosa now," he continued. "I persuaded my wife to do the same. So, we all made our way out here in the early 2000s. We're living magical lives in a magical place. Where I live, you can get to the Sierras in three hours, get to the ocean in 20 minutes, get to wine country in 20 minutes. It's just really amazing."

A new place to call home

In the Bay Area, Winnett continued his defense career for several more years, waiting for a great plaintiffs' opportunity that finally materialized in 2014 when he had a case against the Veen firm. He hit it off with them right away and knew it was the right move with the right people. He also knew at the time it wouldn't be the last move of his career.



The next chapter came five years later and gave Winnett a renewed sense of purpose.

"I want this to be everything it can be, and I really think the sky's the limit," he said. "I think we're uniquely poised because the firm's been around 18 years. I've only been part of it for two, but in a lot of ways, I still feel like a new lawyer because I'm seven years into being a plaintiffs' lawyer now, and I still have the excitement when I meet new clients and figure out ways to help them.

"It's tough for me to think about what the next stage looks like because of how long it's taken me to achieve what I've achieved," he added. "It's such an exciting, invigorating moment."

Winnett's upbringing in the Midwest figured partially in his path to the law, having parents who were educators and an uncle who was a lawyer. When he was still young but old enough to carry on intelligent conversations, he enjoyed debating issues with his uncle and hearing stories about the legal profession.

Winnett attended the University of Illinois, where he studied English and prelaw. After graduating, he stayed close to home for law school as well, earning his juris doctor at Southern Illinois University.

Taking those first jobs as a prosecutor and a defense attorney was about launching his law career and gaining trial experience, with a goal of reaching an apex he felt he was primed for on the plaintiffs' side of the bar.

"I had a background in acting, being on stage, being part of a singing group that translated well to trying cases," he explained. "I knew I wanted to do important work helping people, holding wrongdoers accountable. Combine that with analysis and strategy, and all those things made doing plaintiffs' trial work the perfect place for me."

Trial: 'Our best weapon'

Indeed, transitioning from the opposition side was not an issue for

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Getaway Spot: Every time I leave Hawaii, I count the days until I will return.

Go-To Music or Artist: All '80s, all the time.

Recommended Reading: "Season of the Witch," a must-read for anyone who loves San Francisco.

Dream Job: It would have been pretty cool to be a sportscaster.

Words to Live By: "Giddy up! We only get to live one life, so we should make the most of every moment."

Winnett, and having been there all those years gave him a somewhat unique perspective in his approach as a plaintiffs' attorney. In just about every case, he looks for one or more of the same things: a clear wrongdoing, a breach of morality, basic negligence, wrongful acts. Having established what a defendant did wrong, the next step is to show how that translates to impacting the plaintiff's life, he said, with particular focus on persuading the jury that the defendant must be held accountable for said transgressions.

Meanwhile, the defense rarely is averse to gamesmanship in their quest for success – which typically amounts to lessening the blow of a monetary settlement.

"The burden of proof is a mantle I'm proud to carry – that's how the system works," Winnett explained. "It's tough sometimes to drag them along – the defense benefits from prolonging litigation, drawing things out. Insurance companies are perfectly willing to sit on their money and make our clients sweat. Trial is usually our best weapon; once we have that trial date, they know this is going to happen. But that inertia is one of the toughest things that we have to address."

One of Winnett's recently resolved cases involved a young girl who was riding in the family car and suffered a severe injury in a crash. The vehicle being

driven by her father was rear-ended, and on impact, the father's seat back broke and the father's head shot back and struck the girl in her face. She suffered a fractured eye socket that rendered her blind in the one eye because the car maker refused to spend a little extra money to make the seat safer, Winnett said.

The case, for which Winnett was unable to provide details, resolved in a way that will allow the girl a "better quality of life" than she had, he said.

"That's what motivates people to do what we do," Winnett said. "People's lives being shattered. I got to know that family well, and that case was an important one for me."

Time for time out and community service

When he's not working – and because he's no longer battling traffic two hours every day – Winnett spends much of his spare time supporting his three daughters in their endeavors. He has coached a lot of softball, attended countless plays and recitals and became deeply involved in the host organizations for those activities. He's also active in the community, serving on the board of the Marin School of Arts since 2013, as vice president of the board for Legal Aid of Marin and as president of Novato Girls Softball.

"In those roles, I'm able to meet a lot of people and help people in ways that I don't get to in my day job," he said. "Our marginalized, very affluent community has a surprising number of unhoused people and immigrants who are not benefiting from the wealth that exists here. So, I'm able to level the playing field."

Winnett also serves on the board for Consumer Attorneys of California, which is important to him because it helps advance the interests of plaintiffs' lawyers throughout the state and their clients.

When asked how he would advise young lawyers today, Winnett kept it simple: Try cases.



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“It’s not as easy for lawyers today to try cases as it was when I was a young lawyer,” he said. “But, whether as a prosecutor or a public defender or volunteering through the Bar Association in San Francisco (BASF) in the unlawful detainer landscape, become comfortable with talking to jurors. As far as it relates

to BASF, it dovetails with my other recommendation, which is to be involved in the community, grassroots volunteerism.

“One way to help your community: Learn how to talk to people who aren’t lawyers,” he continued. “The more time spent talking to people who aren’t

lawyers, the better you understand people who are going to help your community, make your community stronger.”

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