

**Q&A with the Hon. Glenda A. Sanders**

By Monica Q. Vu



*[Editorial Note: Prior to her appointment to the Orange County Superior Court, Judge Sanders was a partner at Latham & Watkins where she tried a wide range of commercial matters, and before that was a Barrister in South Africa where she tried a wide variety of criminal and civil matters. Judge Sanders is on the ABTL's*

*Judicial Advisory Council.]*

**Q: At what point in your life did you know you wanted to become a lawyer, and why?**

A: While there is seldom a single moment or event leading to the choice of one career or path over another, at the age of 13 I remember being astonished at the fact that our gardener was arrested on criminal charges based on what was ultimately shown to be unreliable evidence. Although he was released within a week or so, it brought home to me at an early age the importance of a fair legal system with

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**RETAILERS BEWARE — Why Regulators and Class Counsel May Be Salivating**

By Michael Yaghi

So you are walking through your favorite book store perusing the best-seller table or cruising through the formal dress section of a department store to buy a new dress. You select the item you want and approach the cashier to make your purchase. The cashier asks you for your zip code after you hand over your credit card to complete the transaction. You think nothing of it, thank the cashier and leave with your new item. While you may not think it was a big deal that the cashier asked for your zip code, the California Supreme Court certainly does.



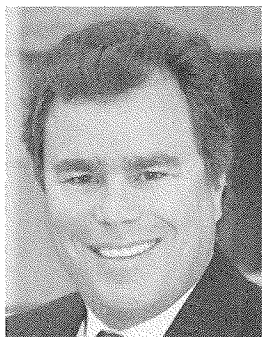
The California Supreme Court recently held that retailers cannot ask consumers for their zip codes when they purchase goods with their credit cards. To do so would violate California's Song-Beverly Credit Card Act. As the Supreme Court held in *Pineda v. Williams-Sonoma Stores, Inc.*, 51 Cal. 4th 524 (Cal. Sup. Ct. 2011), capturing a zip code during a consumer credit card transaction violates California Civil Code Section 1747.08. Plaintiff Pineda sued Williams-Sonoma because the retailer asked for her zip code during a credit card purchase transaction. At the end of the sale, Williams-Sonoma had Pineda's credit card number, name (from the credit card), and zip code captured and recorded in its records.

The California Supreme Court overturned the lower court's order sustaining Williams-Sonoma's demurrers because Section 1747.08(a) prohibits retailers from requesting or requiring the consumer to provide any personal identification information as a condition of accepting the credit card for payment if the retailer cap-

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## Letter From the President

By Darren O. Aitken



The strength of any voluntary organization is a function of the commitment of its membership. In that respect, our chapter of the ABTL is truly blessed.

As I write this, our membership numbers are nearing an all-time high, and we may have exceeded our previous membership record by the time this column goes to print. The fact that our chapter has been able to maintain and grow its membership in the challenging economic climate of the last few years is a testament to the value of the educational programs we present, as well as the camaraderie we foster between members of the bench and bar. Our ability to connect to so many members of the Orange County legal community is grounded on the commitment of our chapter's membership committee, currently led by Philip Kaplan, and our various "champions" within our member firms who both ensure that their own firm's membership is renewed and who also introduce our chapter to their many contacts within the legal community.

Our dinner programs are well-established "must-go" events where lawyers from throughout Orange County can catch up with old friends, make new acquaintances, and converse with members of the bench in a relaxed setting. The programs themselves focus on cutting edge topics and news-making events, and provide legal education beyond the mundane. Taking our last two programs as an example, we have explored the far-reaching (and the sometime humorous and sometimes terrifying) effects that social media and "always on" communications devices have had on the manner that juries are selected, how they serve and how juror decisions are reached. We also discussed the challenges that our nation has faced when attempting to apply our concepts of the rule of law to the ongoing conflicts in Iraq and Afghanistan. Our innovative programs themselves are the product of the hard work and commitment of our Dinner Program Committee, currently stewarded by Daniel Livingstone, who devote an extraordinary amount of ef-

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ASSOCIATION OF BUSINESS TRIAL LAWYERS

**abtl**  
ORANGE COUNTY

8502 E. Chapman Avenue, Suite 443  
Orange, CA 92869  
Phone: 714.516.8106 • Fax: 714.602.2505  
E-mail: [abtloc@abtl.org](mailto:abtloc@abtl.org)  
[www.abtl.org](http://www.abtl.org)

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