



The Wild ONE

Chris Dolan's cases are a real-life
Streets of San Francisco

by STAN SINBERG

photography by LARRY MARCUS

If Christopher B. Dolan wanted to chase ambulances, he wouldn't have to go far.

All day, screaming ambulances go careening past the Market Street-level offices of The Dolan Building, the former cannabis cooperative edifice that he bought four years ago in the heart of downtown San Francisco. Muni buses and street cars, which have run over people with alarming frequency, also rumble by, a constant reminder that Dolan's handled four of the top 10 settlements against the municipal agency this past decade. It's not a stretch to say that some cases literally arrive at his doorstep.

The lobby's brick walls match the brick outside on the sidewalk. A giant WPA-style mural of California farm workers features a serene woman bending low picking fruit, except that close to the ground, her hands are shackled. There's a plaque honoring him as the San Francisco Trial Lawyers' "Lawyer of the Year" for 2006, an award from the Transgender Law Center, a FedEx plate from a post-9/11 civil rights case, and surveillance cameras installed as a reaction to numerous death threats he's received.

If you're from an opposing side, you're directed to a forlorn seat by the large storefront window, where passers-by can stare at you. If you're a plaintiff, you're steered inside the lobby to a comfortable leather chair by a warm fireplace and Oriental rug. This is Dolan's law firm, and where you sit depends on where you stand.

There's more, of course: a mock courtroom in the basement complete with a "one-way observation theater" behind which his team, including the plaintiff, can watch the proceedings and the jury/focus group, recruited from Craigslist, deliberate the issues.

Then there's the adjacent gym and showers he installed for the 11 attorneys and 20 staff, and his own fifth-floor office overlooking the City Hall building, replete with shower, closet, kitchen and pull-out sofa for those long nights when Dolan, 46, doesn't make it home to his wife of five years, Julie, and their 2-year-old daughter, Audrey Maeve.

Finally, there's another building in Oakland and a new one in Sacramento to facilitate his role as president-elect of Consumer Attorneys of California.

Still, it's clear that the real action is out there. On the street.

The building is not the only thing that's theatrical. When he relates his tales, Dolan

gets very animated, wickedly mimicking the lawyers, judges and clients. At a hearing in which the AAA planned to argue for a reduction in an \$867,000 award to a Haitian woman, Dolan strode in wearing his full leather motorcycle outfit. The appellate lawyer asked him, "Are you the messenger from my office?" Dolan replied, "Yeah. I'm the messenger. The message is, 'Pay my client her money.'" He unzipped his motorcycle jacket and sat down.

Dolan grew up in New Canaan, Conn., the youngest of five children. His father, John, had a small one-man, one-room law firm. John suffered from various illnesses and drank too much, but it was partly from watching him in the courtroom that Dolan decided to become an attorney himself. "It was," Dolan says, "the one place where people respected my father."

Still, his father just scraped by, and after his divorce, John moved into his office.

Dolan, just entering adolescence, spent several nights a week there with him. "We'd pull the shades in the evening, so no one knew we lived there," he says, "and went out for breakfast early for the same reason. We'd return when people were coming to work, so we looked normal."

At 17, Dolan moved out, bought an old truck, and started a handyman business, cleaning up lawns, gutters, construction sites and treetops. By 19, he had two crews and put himself through community college before transferring to Boston University (BU).

Dolan applied to law school but was rejected, he found out, because BU had erroneously placed another student's grades on his transcript. In his first legal action, he threatened to sue the school. The settlement entailed admitting Dolan to a master's program in London, along with paying him \$5,000 and a stipend. He finished the two-year program in a year, graduating *summa cum laude*.

He applied to Georgetown the following year, but was relegated to the wait list. On the rejection letter, Dolan scrawled, "It ain't over till the fat lady sings!" The next morning he saw that his mother, who was visiting him in London, had added, "When the going gets tough, the tough get going," and "Go, man, go!" Dolan packed his bags and caught a plane to the States.

When Andy Cornblatt, the Georgetown admissions director, opened his door, he

was surprised to see Dolan standing there. Dolan told him, "Sir, I intend to go to school here. If you need me to answer your phone for a year, to show how serious I am, I'll do it; if you want me to paint the basement, hand me a brush." Cornblatt laughed, then realized Dolan was serious. He said he'd see what he could do.

Dolan returned to his mother's house in Connecticut to pack his bags and go back to London, when Cornblatt's secretary phoned, informing him that he could attend the school's four-year evening program. So enthusiastic was his reaction that the secretary phoned back three minutes later and said that he'd be admitted to the three-year day program after all.

"I think the admissions director was testing me," Dolan says. Three years later, he graduated magna cum laude and gave the graduation speech.

During law school, Dolan opted to teach a course called "Street Law" at the District of Columbia jail to adult co-eds. On his first day, he noticed a girl performing a sex act with a guy in the back. Said Dolan, "Whoa. Time out. Everybody put your hands up. You guys know how to do that ..." From then on, the class sat in a circle. While the class was ostensibly to teach the prisoners about the law, Dolan's emphasis was different. "My job was to show them that they're so valuable that there are rules in effect to protect them," Dolan says.

Dolan started his law firm in part because he still saw himself as the little scrappy Irish kid who was always getting picked on and who'd be roused late-night from cars by police shining a flashlight into his face, asking, "Dolan, is that you?"

It was no doubt a good choice. He says he was "dying and choking" in the insurance law firm he first worked in. Dolan took out his frustration one night by urinating in the boss' plant, and left "before I defecated in his office drawer."

His firm's first major case involved Robert Martin, a 26-year-old motorcyclist in Marin County who suffered injury and partial paralysis when he collided with an Acura emerging from an intersection that was obstructed by vegetation and had torn-down signage. Dolan sued the California Department of Transportation. Not helping Dolan's case were the biker's rear bumper stickers, "Fuck 55" (the speed limit), "Will beg for sex," and "Bye" over the right brake light. Arguing that the bumper stickers were more prejudicial than of probative value, Dolan requested that a then-new

technology be employed to edit the words out of the evidentiary photos. The judge agreed, marking the first time this was done in a California courtroom.

But potentially more damaging was the on-scene officer's report saying that Martin told him he clearly saw the other car, which contradicted what he'd told Dolan.

The day of the officer's testimony, Dolan told Martin, "Stay home." In his place, Dolan sat his law clerk, who Dolan instructed to glare at the officer "like he's making it with your girlfriend." When the defense attorney observed that the plaintiff wasn't in the courtroom, the officer countered, "Yes, he is. Right there," pointing to the law clerk. Things went downhill for the defense from there, and the jury awarded the biker nearly \$2.5 million in damages.

What made Dolan think such a risky move would work? "I figured he was a horse going back to the barn," he says, referring to the standard practice of a testifying officer referring to his notes. "And if I changed the barn ..."

That may have been his first case, but Dolan was on familiar ground, having been an avid motorcyclist for many years (his bike license plate in law school was "litig8"). Today, Dolan represents many bikers, and even has a Web site, bike-law.com, devoted to their issues and concerns.

He's emphatic that his experience as a biker—including accidents that left him with two broken arms and other injuries—makes him uniquely qualified to represent them.

"I understand the hazards they face, and that the dynamics of riding a bike are very different from driving a car. I also appreciate the juror bias against motorcyclists," he says.

For example, there was the potential juror who said, "I think bikers are great!" Dolan asked, "Why?" She replied, "Because I work in an organ transplant service and if it wasn't for them we wouldn't have the organs we need." Dolan laughs, "I thought, 'Whoa, it's a good thing I asked that second question!'"

Dolan feels a commonality with bikers, the difference being, "I've found a highly structured environment in which to be defiant within the system."

Shortly after 9/11, two agitated Lebanese men contacted Dolan. Kamil Issa and Edgar Rizkallah had been contract drivers for FedEx for years, but after the twin towers attack, a manager began relentlessly harassing them, calling them "sand niggers" and "camel jockeys," and mak-

ing anti-Muslim slurs. In fact, both men were Christians, and Rizkallah's father, the mayor of a small Lebanese town, had been assassinated by Muslims.

"They were like an old married couple," Dolan laughs. "I asked them, 'Why did you choose me?' They answered, 'You only guy who talk to us.'"

Says Dolan, "I figured the 'American way' was on TV, but I was the last chance to show them that 'truth' and 'justice' weren't bullshit."

Because they worked so many routes, the pair annually grossed over \$400,000 apiece. During jury selection, the defense attorney asked prospective jurors how many of them made that much money. Dolan asked, "How many of you think it's OK to call someone a 'sand nigger' if you pay him a lot of money?"

Dolan made the 2006 trial about civil rights, eschewing claims for wage loss, an unusual tactic in an employment harassment case.

The jury took 90 minutes to return a verdict of \$5 million for each plaintiff from FedEx—double what Dolan had suggested—and \$500,000 apiece from the manager. Punitive damages were later awarded for \$50 million, which the judge reduced to \$12.5 million. Still, it was the largest recorded U.S. verdict in a race discrimination case for individual defendants.

Dolan ranks the trial among his proudest experiences. "This case was on Al Jazeera, showing that America stands up for Arab people," he says. "It's not often you get to experience the triumph of right, get a personal triumph, and help others all at the same moment. I'm a blessed man."

Another controversial case arose when Charlene Hastings, formerly Franco Hastings, approached her doctor seeking breast implants. Her physician told her that Seton Medical Center banned surgery involving the transgender process. When Hastings called Seton for an explanation, she was told, "Because God made you a man." Hastings' case was turned down by the American Civil Liberties Union and even the Transgender Law Center before Dolan took it, the upshot of which was Seton changed its policy so that any surgery it performed on any person had to be available to transgender people as well.

"I got all sorts of crap after that," Dolan says, including threats, letters and e-mail calling him a "queer fag lover," and one offer to purify him through a Viking hair-burning ritual.

ALTHOUGH DOLAN SAYS "I wear a white hat and take a third," he often takes cases with no financial upside because they're "right." One such case involved homeless men whose shopping carts were repossessed by the Department of Public Health, which was, contrary to the law, confiscating their personal possessions as well, including medications, clothes and Bibles. A current case concerns a woman in hospice care whose death was deliberately hastened by a licensed vocational nurse who fed her massive doses of narcotics. The woman's daughter told Dolan no one else wanted the case. "They figure there's no economic loss because she's going to die anyway, and any emotional loss is just the period between now and when she would've died," he says. "But a woman was deliberately put to death."

Dolan is sometimes persuaded to take these cases by Josh Brandon. Seven years ago, Brandon, a former journalist, was living on the streets writing and selling *Street Sheet*, a newspaper published and sold by homeless people. On the recommendation of one of his associates, Dolan met Brandon. Brandon told him he wanted a job. Dolan gave him \$300 and said, "You can either take the money and think I'm the biggest sucker you ever met, or use it to get a room, buy clothes, clean yourself up, and come to work Monday." Brandon showed up, and has been with the firm ever since, doing research, writing and analysis. Brandon, 60, lobbied that Dolan take both the hospice and shopping cart cases, he says, "Because I lived with people who no one cared if they lived or died."

There's really no such thing as a "small" case, Dolan says. He recalls one case where a car that was rear-ended jumped the divide and a mother and baby were killed. "When you make a commitment to take a case, you'd better see it through. Because you've just said, 'Your wife meant the world to you, and you just put her in my hands.'" After the jury awarded Dolan's client, the husband, substantial damages that he would use to put his other child through school, Dolan said to him, "Somebody stood for her: You did. And I did." The man replied, "We can't bring her back. But it sure makes me feel like she counted."

Dolan sums it up simply. "I own a law firm," he says. "It's pretty cool. Someone's doing someone wrong, and I can stand in their way." ◀