

OPPOSING COUNSEL: BRIAN T. PEDIGO

by L. Alexandra Fong

“Fighting for the Average Joe”¹

Brian T. Pedigo was born in Nebraska, the son of a pastor father and stay-at-home mother. He also grew up in Michigan and Colorado. In 1999, he moved to California to attend Biola University in La Mirada. He chose California because he grew tired of the cold Colorado winters and thought California would be a good place to live.

In 2002, Brian graduated from Biola with a bachelor's degree in computer science. He worked for two years as a computer programmer at a large church in Orange County, and he also contracted with various businesses to create their websites.

While working as a computer programmer, Brian was introduced to his future wife, Laura, through a mutual friend. They were married in 2004 and resided in various cities before settling in Riverside County.

Frustrated after one business refused to pay him for his work and misappropriated his computer code, he turned to the law. Although he attempted to hire an attorney to take his case, all the attorneys he contacted refused to take his case on a contingency fee basis, instead requesting high hourly rates, despite what appeared to be a clear case of copyright infringement. He ultimately settled the case for what he was originally owed.

Based upon this experience, Brian decided to become an attorney so he could help typical working-class people (consumers) with their legal problems. He attended Whittier Law School in Costa Mesa, graduating in 2007. Although he did not pass the California Bar Examination on his first attempt, he persevered; he succeeded on his second attempt and became licensed to practice law in 2008. While awaiting the results of the February 2008 bar exam, he began working on his website, <http://www.pedigolaw.com>, his virtual office, and various advertisements. After being sworn in as an attorney, at a private ceremony, he immediately launched his business. Within one day after he posted his Craigslist advertisement, his first client contacted him and executed a retainer agreement. One satisfied client led to various referrals, and he continues to obtain clients through his website.

Brian immediately became active in the Riverside County Barristers after receiving a mailer advertising an interesting MCLE session. Barristers, a section within the Riverside



Brian T. Pedigo

County Bar Association, is designed primarily for young and newly admitted attorneys. It provides members with opportunities to interact with peers from other firms and practice areas. Its purpose is to promote camaraderie and civility among attorneys in the county. It provides an opportunity to listen to MCLE lectures offered by experienced practitioners and esteemed members of the judiciary, who provide valuable tips about practicing within the community.²

He was on the Barristers board as a member at large for 2009-2010 and, this year, is the treasurer. As treasurer, he is responsible for fundraising.³ The board meets to discuss its ongoing matters, including obtaining speakers for its monthly membership meetings, which occur on the second Wednesday of each month, September through June, at various restaurants in the downtown Riverside area.

Although Brian resides in Riverside County, his virtual office is located in Orange County. He originally intended to return to Orange County so that his wife, Laura, would have a shorter commute to her job as a clinical psychologist for Biola. Her patients are students and community clients, although she plans to expand her private practice. Brian utilized his computer programming skills to create her website, <http://www.orange-county-psychologist.com>.

A virtual office is one that the attorney pays to use only when he or she needs it. Other services may be available, including secretarial support and a receptionist to answer telephone calls.⁴



1 This phrase is a registered trademark of Brian T. Pedigo and used with his permission. Mr. Pedigo has also used this trademark on his truck as an advertisement for his firm (see picture) and as a personalized license plate, "4AVGJOE."

2 Although there is no age limit to be a member of Barristers, if an individual wishes to be on its board of directors, the maximum age is 37.

3 Other officers and members of the Barristers Board also assist in fundraising efforts.

4 Additional information about a virtual office can be obtained by reading Brian's article in this issue, "How to Open a Virtual Office."

Within his first year of practice, two milestone events occurred. Brian was diagnosed with cancer and had his first trial. He had surgery to remove the cancer just one week before the trial was scheduled to commence. While he recuperated, he was busily readying for the two-day bench trial, which had not been rescheduled. His client was accused of fraud, but Brian obtained a defense verdict.

During his two years of practice, Brian has had many interesting cases. One involved a doctor who was taking his Labrador for a walk in the neighborhood. While they were in a crosswalk, a vehicle came around the corner without stopping at the stop sign and ran over the Labrador. The dog was rushed to emergency surgery due to a collapsed lung, broken tail, and broken leg; the veterinarian bills totaled about \$6000. The driver's insurance company refused to pay these bills, instead offering a token amount of about \$100 – the dog's sale value. When the issue was not resolved, a lawsuit was filed, and Brian sought compensatory and punitive damages, based upon an obscure but still valid law that an individual who injures an animal willfully or by gross negligence, "in disregard of humanity," may be liable for punitive damages. (Civ. Code, § 3340). During his research, he also learned that the driver had a history of a blatant disregard for the law. Shortly after the lawsuit was filed, he was able to negotiate a settlement for the amount of the vet bills.

His first personal injury case was a "trip and fall" at a restaurant. His client tripped over a log being used as a wheel stop, which had been placed on the darkened pedestrian path leading out of the restaurant. She suffered various facial injuries and needed a root canal to repair injuries to her teeth. His client's medical damages exceeded \$5000. The restaurant's insurance company refused to settle the case, until the manager gave damaging videorecorded deposition testimony. The case settled shortly thereafter.

When Brian is not handling personal injury cases, he also handles bankruptcy matters, and for the past two years, he was identified as one of the top Orange County attorneys handling consumer bankruptcy/debt by *OC Metro* magazine. One successful bankruptcy matter resulted in the referral of a major personal injury case involving a man riding a bicycle who was run over by a big-rig truck. When Brian determines that the costs of the litigation would exceed a certain amount, he partners with a larger law firm.

In his free time, Brian enjoys spending time with Laura and their two dogs, Honey and Teddy. They camp at Camp Blue Jay, which is conveniently located off the Ortega Highway in Cleveland National Forest. He also enjoys wine-tasting at various Temecula-area wineries.⁵ He prefers a dark red Zinfandel, which pairs nicely with steak. He hopes to travel internationally, after he has paid off his student loans by winning his first million-dollar case. Eventually, he hopes to travel to Scandinavia to sample the fine wines there.⁶

L. Alexandra Fong, a member of the Bar Publications Committee, is a deputy county counsel for the County of Riverside.



5 Brian has parlayed his interest in wine into a legal specialty, as evidenced by his website: <http://www.wine-lawyer.com>.

6 See <http://www.jancisrobinson.com/articles/wineneews0116.html>.



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