

Gail J. Standish

U.S. Magistrate Judge Gail Standish, a former military flight test engineer, loves technology

By L.J. Williamson

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Gail J. Standish
U.S. Magistrate Judge
Central District (Los Angeles)

Career highlights Appointed to the United States District Court, Central District of California, 2015; partner, Winston & Strawn LLP, 2005–2015; of counsel, Gibson Dunn & Crutcher LLP 2001–2005; assistant United States attorney for the Central District of California 1997–2001; Irell & Manella LLP, 1994–1997.

Law School: UCLA Law School, 1993

LOS ANGELES - U.S. Magistrate Judge Gail Standish is happy to describe herself as a "geek."

Standish not only loves the original "Star Trek" series, which she said doesn't necessarily come in handy on the job - she also loves technology, which does.

As part of the court's Patent Law Pilot Program, Standish helps in settlement conferences in cases in which the parties want a judge with a science background.

Her engineering background often makes the parties more comfortable, and hits a sweet spot for Standish, who said she enjoys getting an opportunity to dig into both technology and the law.

"I like to read patents, I like to understand the technologies. I'm not sure I was the greatest of engineers that I could develop or invent them, but I can understand them, and I try to use that."

Prior to her legal career, Standish worked as a military flight test engineer stationed at Edwards Air Force Base, flight testing F-16s.

She didn't like the desert - too boring and hot - but after leaving the military, she attended graduate school to study aerospace engineering, and had an experiment that flew on the space shuttle. And Standish herself got to fly on the famous "vomit comet."

For a time, Standish thought about being an astronaut, until she realized that might mean spending lots of time in Houston and not flying. During her time at MIT, she took a couple of classes in technology law and policy, only because she was told they were fun and easy.

That began her fascination with the law, so "on a lark," she decided to enroll at UCLA Law School.

"I hope I was a much better lawyer than engineer," she laughs.

In 2012, Standish said her career as a lawyer peaked when she won a \$1 billion verdict by representing Monsanto in a case against DuPont over the RoundUp ready seed patent.

"At the time it was the fourth or fifth biggest plaintiff's verdict ever, and it's hard to beat that," Standish said. "It's almost, 'Been there, done that.' I did two more trials after that, and said, 'I can move on now.'"

In Standish's courtroom, "being quirky and funny is welcomed, but be courteous and very much on your game, because she's going to know your case better than you do," said John Schreiber, a partner at Winston & Strawn LLP. Schreiber first met Standish when she welcomed him to the firm in 2012 and acted as his mentor, showing him the ropes.

Schreiber was grateful for the welcome, but even more grateful to learn there was a fellow Trekkie at the firm, and the two have been friends ever since.

"Having practiced with her, she is wicked smart - always the smartest person in the room, but also thoughtful and warm."

One thing Standish won't abide, Schreiber cautioned, is a faker. "Be very prepared, and don't say or do anything disingenuous that looks like you're hiding the ball - that's where you'd get in trouble. She's going to be a smart, deliberative, thoughtful judge but you could get crossed wires with Gail if you're dishonest or discourteous."

Stephen Smerek, a partner at Winston & Strawn who also practiced alongside Standish at Gibson, Dunn & Crutcher LLP, said there was much consternation at Winston when word got out that Standish would be departing. "My wife said, 'What will you do now that Gail has left for the bench?'"

Smerek also cautioned attorneys against trying to pull the wool over Standish's eyes. "Be prepared, know your case, but more important, always, always, always be incredibly direct and forthright. She will see through the BS and you will quickly lose credibility if you are seen as less than forthright."

Standish is very patient, Smerek said, and incredibly fair minded. If an attorney was not prepared, she would simply tell them to go back and find answers to the questions they should have been able to answer in the first place, Smerek said.

If you're honest, she won't hold it against you, he added, saying Standish places a high value on integrity. "If you're unable to answer questions, you're much better off telling her you are unprepared to answer rather than making up an answer."

Smerek went on to describe Standish's eclectic background and set of experiences as "truly extraordinary."

"From her undergrad degree to her masters at MIT to working on experiments that flew on the Space Shuttle, riding on the vomit comet and learning sign language in high school - I can't think of a more humble person. She thinks that nothing about her is extraordinary, [that] she's just an average person."

In addition to those accolades, Standish is also a cancer survivor. In 2005, she went through surgeries, chemotherapy and radiation; "It's not the disease that gets you, it's the treatment," she said.

Having done litigation related to some of the same drugs she took to stay alive gave her a very personal perspective on the science behind them, she said.

As a magistrate judge Standish handles discovery for district judges and has a separate docket of magistrate judge cases, including Social Security Administration appeals in denial of benefits cases, non-capital habeas cases, pro se civil rights cases, and prisoner civil rights cases.

Standish enjoys the variety, and isn't really thinking much about a next move.

"I expect 10 years from now, I will still be a magistrate judge. I really like this job and I could very well see doing this until I retire. I haven't got a next thing. I want to get really good at doing this thing."

Here is a list of Judge Standish's recent cases and the attorneys involved:

* Robinson v. Colvin, 15-CV08143 - Order awarding fees

For the plaintiff: Bill LaTour, Colton

For the defense: Sundeep R. Patel, Office of General Counsel, Social Security Administration, San Francisco

* Tremont v. Colvin, 14-CV9906 - Memorandum opinion and order

For the plaintiff: Lisa C. Gilinger, Santa Barbara

For the defense: Jeffrey T. Chen, Office of General Counsel, Social Security Administration, San Francisco

* Jackson v. Colvin, 14-CV9935 - Memorandum opinion and order

For the plaintiff: Lisa C. Gilinger, Santa Barbara

For the defense: Jacob M. Mikow, Office of General Counsel, Social Security Administration, San Francisco

* McCullough v. Colvin, 15-CV5505 - Memorandum opinion and order

For the plaintiff: Vijay Jagdish Patel, Law Offices of Lawrence D Rohlfing, Santa Fe Springs

For the defense: Patrick W. Snyder, Office of General Counsel, Social Security Administration, San Francisco

* Cortes v. Colvin, 15-CV2277 - Memorandum opinion and order

For the plaintiff: Roger David Drake and Erika Bailey Drake, Drake and Drake, Calabasas

For the defense: Marla K. Letellier, Social Security Administration, Office of General Counsel, Social Security Administration, San Francisco

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