North County small business owners Dayleen Coleman, Mike Stevenson and Jessica Waite (from left), are struggling small business owners who remain hopeful in the midst of the coronavirus pandemic. Story on PAGE 4
COVER STORY:
Small Business Owners Stay Hopeful
North County small business owners Dayleen Coleman, Mike Stevenson and Jessica Waite are among the many small business owners hurt badly by the coronavirus pandemic, but remain hopeful even when the economy reels.

San Diego’s Top Attorneys 2020
William Eigner (pictured), a top merger and acquisition attorney with Procopio, joins our list of some of San Diego County’s top lawyers. The Stanford grad is called “The go to guy for M&A and emerging companies.”

Housing of Tomorrow
Development company Hines has partnered with the Levi-Cushman family to transform Mission Valley’s Riverwalk Golf Course into a 200-acre, transit-oriented village — the first in San Diego. The aim is to transform the area into a live-work-play, transit-first community that aims to alter the way residents connect and interact with the world around them.

Keeping 6,000 Fish and Invertebrates Healthy
Birch Aquarium at Scripps Institution of Oceanography is closed to the public, but its 6,000 fish, invertebrates, and one reptile still require daily care. Like many businesses and organizations in the community, unexpected challenges have arisen with this global pandemic, but the aquarium’s animal care team has risen to the occasion while still making their safety a priority.
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Gomez Trial Attorneys is proud to congratulate Senior Partner Allison Worden and Founder John Gomez for being among San Diego’s very best lawyers.

We also congratulate all of our colleagues who were named to the list. We are humbled to be included among them.

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In late January, Jessica Waite opened a restaurant called The Plot. It was her third eatery in her beloved South Oceanside, but the one that was clearly nearest and dearest to her heart.

The Plot, as Waite likes to say, is essentially the brick-and-mortar manifestation of her personal ethos. She’s a longtime vegan activist, and the restaurant was designed to be entirely plant-based and as close to zero waste as humanly possible. Waite herself raised the more than $1 million necessary to transform a 4,400-square-foot building on Coast Highway that used to be a sushi house.

When The Plot welcomed the public for the first time, Waite was apprehensive but hopeful.

“Then we had what I consider to be the most incredible opening I could have imagined,” said Waite, a 2012 alumna of Cal State San Marcos. “Our team was great, and the revenue numbers were better than I projected. We had all of February, a month’s worth of data, to see that this model works.”

By mid-March, only six weeks after the big night, Waite’s world had been turned upside-down – not by a fickle dining industry but by a global pandemic that has devastated nearly every sector of the economy.

Of course, she’s far from alone. Food and drink companies across San Diego County, and the nation, have been hit especially hard by the coronavirus, and among those trying to weather the storm are multiple small businesses owned and operated by CSUSM alumni.

Here are the stories of Waite and two others facing the financial fight of their lives.

The Restaurateur
Waite doesn’t beat around the bush when encapsulating her feelings after her number of open restaurants suddenly went from three to zero less than two months ago.

“It was beyond devastating,” she said. “It was the hardest thing I’ve ever had to do as a businesswoman. Just because I’m finally finding a little bit of emotional resilience doesn’t mean that I wasn’t literally in tears for days trying to work my way through this and figure out how to deal with it in the most intentional and best way...
possible.”

Almost overnight, the number of employees at The Plot and the other two eateries – the Wrench & Rodent Seabastropub and The Whet Noodle – shrank from nearly 40 to only a handful, and that includes her two partners in The Plot venture (husband Davin Waite, a sushi chef, and Christopher Logan).

After the closings, Waite took a couple of days to salvage as much produce as she could from all three restaurants and, on March 19, launched The Plot Express, the name for her new takeout-based business model. It was originally open for online orders daily from noon to 8 p.m. so Waite could get a sense for customer demand, but she since has scaled back the days and hours to Wednesday through Sunday from 2-8.

The Wrench & Rodent, which specializes in sushi, reopened about a week later and now serves takeout Thursday through Sunday from 4-8. The Whet Noodle, a ramen shop in the same space as Wrench, remains closed.

Waite said both open restaurants are now up to about four or five employees daily, which often includes herself and her fellow owners.

“The Plot Express is holding strong – not crazy busy but staying consistent. Wrench has been quite busy, and we are so grateful for the outpouring of local support,” she said, adding that her team is using the days off to give Wrench, now 7 years old, a much-needed facelift.

Waite has yet to receive any federal money through the multiple relief packages passed by Congress, though she hopes to be part of the next round of funding. She thinks her restaurants could survive at this pace for an extended period if necessary. Of course, she didn’t go into this business, and create a labor of love like The Plot, merely to survive on pickup orders with a skeleton crew.

“We’re not digging a hole by staying open. We’ll be able to at least pay our bills and keep a few staff members on,” Waite said. “But what we lost when we closed our doors to dine-in service is bigger than just our teams. There’s something about hospitality that I loved more than I realized.”

“The Plot is not just a business that we take a paycheck from. Everybody who works for it believes strongly in what we’re doing.”

While she waits for the economy, and life in America, to return to some semblance of normal, Waite tries to focus on the positive. Like the renewed enthusiasm she has noticed during the pandemic for local organic farms, including one in Oceanside owned by pop music star Jason Mraz, a community partner of The Plot. Like the local business owner who bought $2,000 worth of Wrench gift cards before the restaurant even reopened out of a desire to help keep it afloat.

Like the City of Oceanside funding a meal program to serve vulnerable populations; the city purchases meals from local restaurants like The Plot, which in turn gives them to organizations in need.

“This is an opportunity to see how strong and resilient your community, friends and coworkers are,” Waite said. “People come into the restaurants and say, ‘We’re here because we want to support you. Thank you for being here, and we want to keep you here.’ I hear that every day, maybe 50 times a day, and it’s so awesome.”

The Chocolatier

Dayleen Coleman admits that she has had a lot of sleepless nights since COVID-19 began wreaking havoc on the economy in mid-March.

It’s no wonder. Coleman, a 2005 CSUSM alumna, is the proprietor of D’Liteful Chocolat, a chocolate shop and patisserie in Lake San Marcos. Filling orders for events makes up 70% of her revenue, and events are out of the question for the time being. And with the retail shop closed to walk-in customers, she estimates that
overall revenue is at 15% of normal.

“Basically what we have coming in is just going to pay rent,” Coleman said. “It doesn’t cover payroll, workers comp, all the other things. So that’s what’s keeping me up at night.”

Coleman could have become despondent. Instead, she got resourceful.

On April 1, she launched the D’Liteful Chocolate Club, a monthly service that offers curated boxes of chocolates and other signature treats at a discounted price for pickup, delivery to addresses within a 10-mile radius, or shipping to San Diego and Riverside counties. Coleman modeled it after wine clubs from talking to business connections who work in the industry.

“We’re really hopeful,” she said. “If it does well, then it will be our lifeline and we’ll be OK. They say that tough times bring great ideas. This crisis is making us all get creative and think about other ways that we can make our businesses work, which in the end will only give us another source of revenue.”

Coleman, though, has been frustrated by the lack of federal assistance. She said she hasn’t received any money from the $2 trillion CARES Act and that she’s still waiting for a loan from her bank as part of the Paycheck Protection Program (PPP). She hasn’t been forced to lay off any of her seven employees (two left on their own), but their hours have been curtailed considerably.

“I’m used to having a certain level of control, and I feel like all the control has been taken away,” Coleman said. “We’re basically counting on our government to kind of rescue us, and they’re all over the place.

“I’m not scared of going under. I’m just scared of what it’s going to look like in the end. I know I’ll have the bones of a business, but I don’t know how much I’m going to have to rebuild.”

The Brewer

The spring is when the sun starts emerging, the tourists start traveling, and in San Diego – the so-called “capital of craft” – the beer starts flowing. In anticipation of increased demand, Culver Beer Co. in Carlsbad brewed about 300 kegs, a huge number for the still-young company, to distribute to local bars and restaurants.

Then the coronavirus came, and the market for all that beer dried up immediately.

“We did a massive push, and now we’re just kind of sitting on that inventory,” said Mike Stevenson, who founded Culver with fellow CSUSM alumnus Ben Fairweather in 2016.

Well, not all of it. Desperation breeds innovation, and Culver has begun experimenting with canning its beer for the first time – no easy pivot to make in the middle of a pandemic. Stevenson said the brewery is now selling mixed four-packs of some of its IPAs in its tasting room, and is exploring options for canning larger volumes of beer, including purchasing a small canning machine.

Still, like most of the more than 100 craft breweries in San Diego, Culver is feeling the pain. After furloughing all of its hourly workers, the company has pared its staff from 11 employees to three. The tasting room remains open for customers to purchase beer to go, and Culver has the added benefit – which many competitors don’t share – of in-house food service (a deli) that accounts for a crucial revenue stream during this crisis.

At their heart, however, craft breweries are not built for takeout. The experience is a big part of the draw. In his conversations with other members of the brewing fraternity, Stevenson can sense the collective anxiety.

“Nobody is going to blatantly admit that they’re failing, but there’s definitely been some concern,” he said. “Everyone has a break-even point that they have to hit every month, and the tasting room is a big portion of that.

“The quarantine definitely took something very sacred away from a lot of people. They like coming to the brewery or pub of their neighborhood to grab a pint or two and just hang out. And that has disappeared. We’ve lost the whole dynamic of our bar. The tasting room is a really lonely place to be right now.”

Culver is in the same boat as thousands of small businesses around the country in that it’s still waiting for its PPP loan to be approved, though Stevenson is optimistic that the company will be included in the next relief package. In the meantime, he keeps filling to-go orders, crunching less-than-rosy numbers, and trying to plan for a future that no one can predict.

“The customer base is everything, and they’ve been really good to us,” Stevenson said. “People are coming back two to three times a week. We feel blessed. We’re very much looking forward to having people eating and drinking in the bar again. However, that seems far away.”

Brian Hiro is a communications specialist at Cal State San Marcos.
WILLIAM EIGNER

William Eigner is a top mergers and acquisition attorney in San Diego who has often been called “the go to guy for M & A and emerging companies.” He is an authority on forming, utilizing, showcasing and providing compensation for boards of advisers. He is listed among the best lawyers in America for mergers and acquisitions. He is on the board of advisers for ClearWaterAir International, Encore Semi Inc., eSUB Inc., and Greenbutts LLC. Eigner is a trustee emeritus of the San Diego Police Foundation, La Jolla Country School and the La Jolla Town Council. He is a partner at Procopio and a graduate of Stanford University.

ALLISON WORDEN

Allison Worden is a senior partner at Gomez Trial Attorneys where she focuses her practice on helping victims of catastrophic personal injuries. She now leads the firm’s Sexual Abuse and Sexual Assault Practice Group where she vigorously litigates on behalf of victims, and is committed to holding those responsible accountable. She has tried over 80 cases to jury verdicts and another two bench trials in her 12 years as a Deputy District Attorney in San Diego before joining Gomez Trial Attorneys. As a prosecutor, she investigated and prosecuted all levels of crimes, including sexual assault, elder abuse, gangs, fraud, robbery, homicides and capital cases. She is a member of the board for the San Diego Inn of Court and is an adjunct professor at USD’s Political Science Department where she teaches criminal law. She holds both B.A. and Juris Doctorate degrees from the University of San Diego.
JOHN GOMEZ
As the founder of Gomez Trial Attorneys, John Gomez is one of the nation’s leading trial lawyers. Among his significant trial results are a $106 million wrongful death jury verdict arising out of San Diego’s infamous “American Beauty Murder,” a $16.5 million verdict against El Pollo Loco for a slip and fall, a $10.8 million jury verdict against Pizza Hut for the conduct of one of its delivery drivers, an $8.5 million verdict against DePuy and Johnson and Johnson for a defective hip implant, and a $6.5 million verdict against Omni Hotels for a coffee burn. Today, he is heavily involved in representing businesses against their insurers to recover losses suffered during the government closures related to Covid-19. Gomez also represented the surviving members of CHP Officer Mark Saylor in their wrongful death cases against Toyota, and he represented parents of San Diego legend Junior Seau in their wrongful death case against the NFL. He is a graduate of the University of San Diego and the Yale University School of Law.

RONSON SHAMOUN
is the founder of RJS Law, San Diego’s leading tax law firm. He was selected and named a 2019 Super Lawyer by his peers in the San Diego legal community. He teaches a Tax Practices and Penalties class at the University of San Diego School of Law, the course which is required for a Master of Laws in Taxation degree. He also teaches at USD’s School of Business. He gives back to many different foundations and charities and recently started a homeless crusade where he gathers bags of goods and donates them to people in need. He has received the Martindale Hubbell AV Preeminent Highest Excellent in Legal Ability and Ethical Practice award. Shamoun holds undergraduate and law school degrees from USD.

MARC ADELMAN
While he’s helped many San Diego consumers and businesses as a sole practitioner during his more than 40 years as a prominent business, insurance and personal injury litigator, Marc Adelman’s contributions to the community are unparalleled. At the time of his election, he was only the second sole practitioner in California to serve as president of the State Bar of California and the last of only four San Diego lawyers elected to serve as both president of the State Bar, and the 120-year-old San Diego County Bar Association. For more than 25 years, he has served as a lecturer, presenter or adjunct professor at the University of San Diego School of Law, California Western School of Law and Thomas Jefferson School of Law. He has served as a panel member of the American Arbitration Association, the Kaiser Permanente Neutral Arbitration Program and as a mediator for the San Diego Superior Court’s Probate Department. He is a graduate of Thomas Jefferson School of Law and Western Illinois University.
CHANDARA DIEP

is a partner at RJS Law, San Diego’s leading tax law firm. She began her career at RJS Law as a paralegal and over the year was promoted to senior attorney, all the while defending and impacting the lives of hundreds of clients for the better against the IRS, FTB, SBOE and EDD. She is an adjunct professor at both UCSD and USD. She volunteers her time for Habitat for Humanity, Cambodian Buddhist Society, and participates in National Alliance on Mental Health Illness events.

GAYLE M. BLATT

is a partner at CaseyGerry and heads the firm’s complex litigation practice group. She concentrates her practice on consumer class actions including data breach and auto defect cases, and serious personal injury cases. She joined CaseyGerry more than 30 years ago and has become well-known for representing injured clients in a wide range of high profile, multi-million-dollar cases. She has held leadership positions in several data breach Class Actions such as the Sony Gaming Networks and YAHOO! Data Breach class action litigations, where she was the only California attorney to serve on the committee. She is also part of the team litigating the data breach incident involving Citrix Systems. She is president of the San Diego County Bar Foundation and is a member of the Board of Trustees of California Western School of Law.
CRYSTAL CULHANE
holds a B.S. degree from the University of St. Thomas, a Juris Doctor from California Western School of Law and a Ph.D. from Johns Hopkins University. She applies her doctorate in chemistry and her law degree to an intellectual property law practice at Fish & Richardson, representing clients in the chemistry, pharmaceutical, biotechnology, nanotechnology, oil and gas, food and beverage, and medical devices industries. Her work entails client counseling related to patent prosecution, due diligence and patentability and freedom-to-operate matters. An avid runner with 32 marathons under her belt, she volunteers weekly with City Heights Runners, a program for high school track and cross country athletes in City Heights who are primarily refugees and English learners.

JOSEPH (JOEY) SANCHEZ
Joseph Sanchez is a partner at Best Best & Krieger LLP’s Labor and Employment and Education law practice. He represents public agencies on a broad range of labor and employment issues. He has been instrumental in helping the San Ysidro School District turn a corner. The district, located along the U.S./Mexico border and serving 4,200 predominately low-income students, faced numerous challenges and legal issues before its new superintendent came on board. Serving as general counsel to the district, Sanchez has resolved a number of legal issues facing the district. He also helped the Cajon Valley School District capitalize on its innovation, World of Work, a comprehensive K-12 curriculum solution that exposes students to self and career exploration. He also worked with the San Miguel fire district to restore local control of its fire services. He is a graduate of the University of San Diego School of Law.

MICHAEL A. AMON
who is a principal at Fish & Richardson, has helped technology companies and other businesses, including many that are based in San Diego, with their intellectual property disputes for 15 years. An IP trial attorney who has handled high-stakes patent infringement litigation as well as complex business litigation, he serves as vice managing principal for F & R’s Southern California office. He handles matters that protect clients’ IP so they can continue their critical work in the areas of medical devices, genetic testing, pharmaceuticals, surgical methods and other technology, including everything from voting machines to sports equipment to consumer electronics. He holds a bachelor’s degree in biology from Trinity University, a master’s in business administration and a law degree (cum laude) from the University of San Diego.
MICHAEL L. KIRBY
For more than 30 years, Michael Kirby has been involved in civil litigation, trying more than 50 jury trials throughout his career and obtaining total recoveries valued in excess of $275 million as lead counsel. His expertise is extensive and covers a variety of practice areas that involve business partnerships, real estate and investor disputes. A founding partner of Kirby & Kirby LLP (and formerly a founding partner of Kirby Noonan & Sweat) he is recognized as one of the most well respected trial attorneys in San Diego. He is a member of the American Board of Trial Advocates, a master in the American Inns of Court. California Super Lawyers Magazine has named him one of the top attorneys in California five years in a row. He is a founder of the Association of Business Trial Attorneys of San Diego. He holds both undergraduate and law degrees from the University of Iowa.

CONGRATULATIONS TO OUR WINNERS AND THANKS TO ALL WHO VOTED
San Diego’s current housing stock is dominated by single-family homes and connected by cars.

With state and local climate goals calling on communities to radically reduce their emissions, conversation and planning in San Diego has turned to the intersection of transportation, housing and employment centers.

With many promising development projects in the pipeline, San Diego’s next wave of housing will be more convenient and connected.

One of the most transformative of these projects, Riverwalk, by real estate developer Hines, represents this shift in regional planning and development.

Hines, the firm behind the environmentally friendly La Jolla Commons office campus in University Town Center and managing the development of Downtown’s Petco Park—has partnered with the Levi-Cushman family to transform Mission Valley’s Riverwalk Golf Course into a 200-acre, transit-oriented village—the first in San Diego.

Riverwalk reimagines the existing golf course and clubhouse into a live-work-play, transit-first community that aims to alter the way residents connect and interact with the world around them.

“Throughout all phases of the project, our firm has worked closely with the local community to connect the best practices in land planning, transportation and design to deliver local residents a viable option to live a connected life with far less reliance on a car,” said Hines Director Eric Hepfer.

Plans for Riverwalk complement Mission Valley’s current offerings by fusing and carefully locating elements of housing, transportation, retail, office and open space to create an interconnected community.

The thousands of new housing units planned at Riverwalk will be geared to different income levels and will include approximately 400 affordable units. At a time when San Diego’s housing supply remains critically low, providing housing near transit gives San Diego an option for making up some of the housing deficit in a way that mitigates impact on surrounding roads.

It also marries the availability of affordable housing with
affordable transportation, rendering the housing much more practical for those who can’t afford to operate and maintain a car…or who simply choose not to.

Hines will also bring online some 150,000 square feet of neighborhood-serving retail and over 1 million square feet of office space to make the concept of living, working and playing in one place a reality for thousands of San Diegans.

The urban village will be anchored by a new Metropolitan Transit System (MTS) green-line trolley station that will connect local residents to jobs, education and entertainment. The new stop will be activated by surrounding office space, retail and café offerings.

The trolley stop will be located a few stops from the Old Town Transit Center and MTS’s $2 billion, Mid-Coast trolley extension, which is currently under construction, connecting to the jobs-rich UTC area and the U.S.-Mexico border. Trolley connections from the green line to Downtown San Diego, another major employment center, are already in place.

Riverwalk is also proximate to eight MTS bus lines, freeways and adjacent major thoroughfares.

Hines will open up more than 100 acres of open space at Riverwalk to the community, including an 80-acre park, and rehabilitate a large, critical portion of the San Diego River, which runs directly through the project. This will be the largest recreational area accessible by trolley in San Diego.

As part of the restoration work, Hines will also extend a critical segment of the San Diego River Trail, furthering the vision of a 17-mile, contiguous bike and walking path from the beach to the mountains.

The Riverwalk plan reimagines development in San Diego—development that could provide opportunities for a wide range of San Diegans in a way that respects and celebrates the natural environment. Construction is slated to begin next year.
Birch Aquarium at Scripps Institution of Oceanography is closed to the public, but its 6,000 fish, invertebrates, and one reptile still require daily care. Like many businesses and organizations in the community, unexpected challenges have arisen with this global pandemic, but the aquarium’s animal care team has risen to the occasion while still making their safety a priority.

Daily tasks, like feeding the sardines, monitoring newborn seahorses, and training the endangered Loggerhead Sea Turtle must all still go on. Missing guests mean things are a little quieter through the galleries, and some animals are taking notice. Shy coral reef fish are spending less time hiding and more time out and about in their exhibit.

Conversely, the intelligent and social Giant Pacific Octopus has spent more time in her den. The team is spending extra time socializing with her and providing enrichment activities like puzzle toys to make up for the lack of guest engagement.

“We are so appreciative of our talented Birch Aquarium Husbandry Team, tasked with promoting the health and well-being of our animals during the coronavirus health emergency” said Harry Helling, Birch Aquarium’s executive director.

The aquarium’s critical animal care staff have transitioned to two teams, working in staggered shifts with no overlap. The divided team is taking the opportunity to make exhibit improvements and do some deep cleaning. They are also making time for self-care with yoga in front of the Giant Kelp Forest, and using a ping pong table in the aquarium’s central Galleria to have a little fun during a stressful time. The newest part of their job is to help with social media by taking photos and videos to share with the aquarium’s adoring fans from around the world.

Engagement and viewership numbers are up as those sheltering in place enjoy behind-the-scenes look at the new daily routine and animal encounters.

New challenges have also arisen, such as forecasting and storing additional restaurant-quality seafood from vendors who may or may not still be open, and finding creative solutions on where to store extra frozen seafood. There is little risk of running out of food, but changing shipping speeds may mean it is delayed. Scripps Oceanography and UC San Diego have stepped up to help and are offering freezer space from closed concessions and research laboratories as extra locations to store frozen food for the...
In spite of our world issues, animals at zoos and aquariums require care, feeding, the best health practices, and our devoted attention to promote our conservation programs,” said Jenn Nero Moffatt, the aquarium’s senior director of animal care, science, and conservation. “Our team spends very long and tiring days caring for our animals, even while practicing social distancing. They are there when it is tough, when it is hard to leave home, when we are concerned.”

Conservation programs are not taking a backseat in this unusual time. Birch Aquarium recently hatched two rare Weedy Seadragons, becoming one of the few institutions in the world to breed this unusual seahorse cousin. The 3-inch-long babies are just a few months old and require multiple feedings per day. The Seadragon Breeding Program, Seahorse Propagation Program, and Coral Conservation initiatives all require daily attention and care in addition to routine feeding and cleaning tasks.

“Animal husbandry professionals are some of the most dedicated and passionate people I know; always helping each other and the animals in their care,” said Moffatt.

Husbandry staff are not the only ones putting in long hours. From home, Birch Aquarium’s Education Team is working hard to create online learning programs, activities, and fun ways to engage learners of all ages. The aquarium will soon launch a new Online Learning resource for teachers and parents.

Birch Aquarium will continue to engage with the community, both local and international, via social media and the live Kelp Cam, which streams the Giant Kelp Forest exhibit 24 hours a day. New content is rapidly being created and audiences have engaged with calming Moon Jelly Moments of Zen, Facebook Live events featuring the Kelp Cam and educators discussing local creatures, coloring pages, and more. The aquarium asks the community to follow along on Facebook, Instagram, YouTube, and Twitter.

As the human world grapples with the ever-changing Covid-19 pandemic, thanks to the dedication of their animal care team, the aquarium’s aquatic collection will continue their daily lives as if nothing has changed, except for the quiet galleries devoid of guests.
AND IT’S JUST THE BEGINNING OF YOUR ASCENT.

Congratulations from Alaska Airlines to San Diego’s Best Attorneys. Your ambition and success are what keeps taking you—and San Diego—to new heights.