# SDATE TRO your business your life NO. 5 VOL. XXXVIII

# Changing The Game:

Peter Seidler's Dual Mission

PAGE 12

## LOCATION LOCATION LOCATION

Wildfire risks and the insurance industry's impact on California and San Diego's housing markets PAGE 6

### **INSIDE:** SAN DIEGO'S **BEST LAW FIRMS** PAGE 17

SERVING SAN DIEGO, LOS ANGELES AND IRVINE

619-777-7700



www.RJSlawfirm.com

#### 2023 | ISSUE 5 Volume XXXVIII

Our mission is to always provide quality journalism for our readers by being fair, accurate and ethical and a credible resource for our advertisers.



#### COVER STORY: Changing the Game:

A profile of San Diego Padres owner Peter Seidler and why he sees risk in doing nothing to help those less fortunate. Story on page 12



HONORING SABRI SHAMOUN

A look back at a very successful man who did so much for others. Story on page 3



#### LOCATION! LOCATION! & LOCATION!

Wildfire risks and the insurance industry's impact on California and San Diego's housing markets. Story on page 6



#### SAN DIEGO'S BEST LAW FIRMS

A review of the best law firms to grace San Diego. Reviews on page 17



#### PARADISE IN THE PACIFIC: FRENCH POLYNESIA

Marlise Kast-Myersr checks out what makes Tahiti exotic, tropical and romantic. Story on page 20

### SDAFTRO your business your life

Chairman | CEO Robert Page BobPage@sandiegometro.com

Publisher Rebeca Page RebecaPage@sandiegometro.com

> Managing Editor Manny Cruz Manny@sandiegometro.com

Associate Editor Douglas R. Page dpage@sandiegometro.com

Graphic Designer Christopher Baker cbaker@sandiegometro.com

Photography/Illustration Benjamin Myers Jim Childers

Contributing Writers Marsha Sutton Alexi Koseff David Rottenberg Myrna Marston Marlise Kast-Myers Andrew Simmerman

Advertising SALES & MARKETING DIRECTOR Rebeca Page

Get in the loop with SD Metro's Daily Business Report. Sign up for daily emails on the latest business at sandiegometro.com

P.O. BOX 3679 RANCHO SANTA FE, CA 92067 858.461.4484

SD METRO magazine is published by REP Publishing, Inc. The entire contents of SD METRO is copyrighted, 2022, by REP Publishing, Inc. Reproduction in whole or in part is prohibited without prior written consent. All rights reserved. All editorial and advertising inquires can be made by calling or writing to the above. Editorial and ad deadline is the 24th of the month preceding the month of publication. Mail subscriptions of SD METRO are available for \$50 a year for addresses within the United States. A PDF version of this issue is available at sandiegometro.com Additional information, including past articles, online-only content and the Daily Business Report can be found at sandiegometro.com. For reprints or plaques of articles published in SD METRO , please call Rebeca Page at 858-461-4484

All real estate advertising in this newspaper is subject to the Fair Housing Act which makes it illegal to advertise "any Preference limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention, to make any preference, limitation or discrimination. "Familial status includes children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18. This magazine will not knowingly accept any advertising for real estate which in in violation of this law. Our readers are hereby informed that all dwellings advertised in this magazine are available on an equal opportunity basis. To complain of discrimination call HUD Toll-Free telephone number for the hearing impaired is 1-800-692-9275.

Read us online: sandiegometro.com



## Honoring the Life of Sabri Shamoun: Fearless, Faithful, Forward-thinking, and a Father Figure to All

"Listen to my idea. If you don't like it, throw it in the ocean." To everyone who had the honor of knowing Sabri P. Shamoun, these words he uttered countless times were as comforting and familiar as they were inspiring and galvanizing. Mr. Shamoun was an advisor and friend to all who knew him. There was no problem too burdensome, no idea too creative, and no question too challenging for the visionary Chaldean American.

Now, the San Diego community mourns his passing. At his funeral service on August 17, 2023, friends, family, business associates, and community members honored his memory with stories of Shamoun's generosity and vision. A father figure through and through, he was known affectionately as "Baba Sabri" to so many. "Baba," an Arabic honorific that means father, aptly describes Shamoun, who was revered at his funeral service for his regular trips to Starbucks to buy a cup of coffee and share his wisdom with whoever was in need. Many times, he would have groups of visitors pull up chairs around his table and ask questions ranging from paying off credit card debt to buying a car to investing in real estate.

His warmth, wit, and sense of humor made him loveable, but his intelligence, grit, and strong sense of self made him the successful man he was. He has left an indelible mark on the San Diego community.

#### A Look Back at His Early Life

Shamoun's long, illustrious life started in Telkaif, a Christian town in the northern province of Mosul in Iraq. In 1955, he moved to Baghdad to complete the last half of his high school education. While he stayed in Baghdad for five years, his thirst for more opportunities eventually motivated him to leave Iraq and begin anew in a different country. In 1961, Shamoun immigrated to the United States and settled in Detroit along with thousands of other Chaldean Catholics who were coming to the United States to live the American Dream.

With only \$35 in his pocket, Shamoun obtained a student visa from the U.S.



Sabri Shamoun.

Consulate and began taking automotive repair classes. However, the need to support himself and his family in the old country forced him to postpone his education and find work at a supermarket in Detroit. After just one month on the job, Shamoun's work ethic and integrity earned him a generous offer from his boss: in exchange for keeping watch over the store at night, he was given the apartment above the store to live in for free.

Ever the enterprising young man, Shamoun accepted his boss's offer and saved his money wisely. He continued moving up through the ranks at various supermarkets earning enough to send money back to his family in Telkaif and to purchase new clothes and a car for himself.

He started living his "American Dream" when his first business opportunity came to him. He took a loan from his boss and bought his own small store in Detroit called the Hot Spot Market. He negotiated with merchandise suppliers, reorganized the space, and opened the doors to his customers. In just the first year, he realized an almost 40 percent increase in business and brought in \$50,000 in revenue.

#### His Legendary Generosity and Sharp Business Sense

Shamoun was known for his generosity even as a young man, and his newfound business success meant that he could provide for his family in a more concrete way – by bringing them to Detroit from Iraq. He started with his mother and father, then he included his six siblings, and finally he began helping his cousins. He purchased a twostory, five-bedroom house in Detroit, and each member of his family would live in the house for the length of time it took them to get established. Before long, Shamoun had singlehandedly funded and facilitated the immigration of 70 family members until the Immigration and Naturalization Service sent him a letter thanking him for his generosity and telling him that his days of being a oneman immigration agency had come to an end.

Shamoun's growing business ventures and growing family eventually led him to San Diego, where he joined one of the largest Chaldean American communities in the United States. He picked up right where he left off, purchasing a market in Ocean Beach and building his real estate portfolio from there. Today, his real estate holdings in the San Diego County include several residential properties for rent as well as many commercial properties that he leased to small and mid-sized businesses.

Many of those tenants remember Shamoun as a sharp businessman with a big heart. In fact, one such tenant was grateful to Shamoun for giving him a chance when no one else would. The young man, only 19 years old at the time, was just starting his automotive career at one of Shamoun's commercial properties in San Diego and had no credit for which to apply for an apartment. Unbeknownst to Shamoun, the young man had been sleeping in the building until he could afford his own housing. Shamoun found him sleeping there early one morning, and he knew that he could be of service. Much like Shamoun's very first boss had done for him, Shamoun made the young man a deal: he offered to help the young man by cosigning on an apartment for him and helping with rent. This allowed the young man to save money and grow his business without facing immense debt or homelessness, and eventually this young man was able to bring his family to the United States and buy his first house.

Shamoun's compassion and quick thinking also earned him the lifelong trust and gratitude of his tenants during the recession in the early 90's. While out visiting his properties one day, he noticed a huge rise in the number of "For Lease" signs across San Diego County. He had also seen that many companies were going out of business, and his own tenants were struggling to pay their rent. He knew that something needed to be done in order to make it through the recession without losing his tenants and without his tenants losing their livelihoods. Shamoun scheduled meetings with every single tenant at each of his properties; one by one, he asked each tenant how their business was doing and how the impending recession was going to affect their ability to make an income. He made rent adjustments for each and every tenant based on their projected income and ability to pay, and he kept his word that he would be as accommodating as possible for the duration of the recession. He survived the recession without a single vacancy. Nearly 30 years later, Shamoun made similar adjustments and accommodations for his tenants during the Covid-19 pandemic, and this resulted in minimal vacancies.

Through the years, his vision and his empathy were only made stronger by the education Shamoun accrued in his field. He attended every real estate seminar, financial seminar, and management seminar he could find. He read the local newspaper every day, scouring the business and local news sections for innovative ideas, best practices, and current trends. Even though Shamoun's formal education had been set aside early on in his adult life, he never stopped learning, and he never stopped encouraging others to learn.

#### Faith as a Forge

As a proud Chaldean Catholic, Shamoun's faith was a source of strength, learning, and growth throughout his life. He was heavily involved in his beloved church, the St. Peter Chaldean Catholic Cathedral, which he helped establish through the Mar Toma council of the Knights of Columbus that he and a few other Chaldean Americans founded in 1992. He was involved in the Knights of Columbus for over 45 years, and today the Mar Toma council is incredibly active. Shamoun himself achieved status as a "Fourth Degree" knight, which bestowed upon him the special honor of holding the title "Sir Knight" and organizing programs that promote Catholic citizenship.

Catholic citizenship was of utmost importance to Shamoun, and he took very seriously educating youth in the ways of charity and faith. In 2010, Shamoun was instrumental in the construction of the St. Peter Education Center, which now educates hundreds of students in the ways of their faith. In his role on the St. Peter's Parish Council, Shamoun advocated for the construction of the educational center, inclusive of ten classrooms, despite issues with funding. In fact, during Shamoun's funeral service in August, Bishop Emeritus Sarhad Yawsip Jammo regaled attendees with the story of how Shamoun overcame the funding issue. Shamoun asked how much the project would cost to build ten classrooms. When he was told they would need \$500,000 to begin the project, he started crunching numbers and thinking outside the box. He figured that each classroom would cost \$50,000, so he proposed that the Parish Council begin soliciting for naming rights of each classroom. Shamoun donated the first \$50,000, and he was responsible for soliciting donations for the next nine classrooms. Within the year, each classroom was fully funded and bore the name of a generous community member.

Shamoun's reputation as a human calculator and a creative real-estate thinker was well-known, but he was especially revered for his unique skills on the Parish Council. One family friend shared at Shamoun's funeral service that he joined the St. Peter's Parish Council as one of the youngest members. He always sat next to Shamoun at their council meetings, and he always came away having learned something from his seatmate. He remembers that Shamoun always said, "Never speak first. Gather your thoughts as you listen to what everyone else has to say. Then tell them your thoughts."

Shamoun practiced what he preached; he was well-known for remaining quiet as the council contemplated each new project or question. The councilmembers would



Sabri with his daughter Renae and his granddaughters Larissa and Leandra celebrating Leandra's graduation from National University.

regularly engage in hearty discussion at each meeting before turning to Shamoun and announcing, "Now let's hear from Sabri. Sabri, what are your thoughts?" Famously, he always surprised them with the most innovative solutions stated in the simplest, most persuasive terms.

One such curveball that he threw out during a Parish Council meeting had to do with the decision to install a new set of stairs inside the St. Peter's church in order to allow easier access to the upper level. This project was costly, and it was expected to take up too much valuable space inside the church. Shamoun creatively suggested constructing a doorway on the upper level and building stairs to the lower level from the exterior of the church. The Parish Council authorized Shamoun to begin the project right away. True to his benevolent nature, Shamoun funded the project himself and did not take a penny from the church.

#### His Strength was His Love for His Family

At the end of his remarkable life, Shamoun's legacy was his keen business sense, his high-achieving personality, his charitable nature, and his unbreakable faith. But his strength was his love for his family.

Shamoun and his beloved wife, Mary, have three children, ten grandchildren, and two great-grandchildren. They were his pride and joy. He was most proud of the fact that his success allowed him to financially support his children and grandchildren in their educational and professional pursuits.

He financed his daughter, Renae Arabo, and son Ronson through their undergraduate degrees at the University of San Diego. Ronson earned his Juris Doctor and Master of Laws in Taxation from the University of San Diego School of Law, and Shamoun supported him in opening RJS LAW where Ronson is the principal attorney and CEO. Renae also serves at RJS LAW as the Chief of Marketing. Shamoun's other son, Robert, is the owner of the Quick Stop Market in Ocean Beach, and Shamoun has supported him since the store's opening.

With Shamoun serving as a steadfast supporter of education and his children serving as role models, Shamoun's grandchildren are also high achieving young men and women. Larissa Patros, Renae's eldest daughter, received her Bachelor's in Accounting and Finance from the University of San Diego and her Master's in Accountancy with a specialization in taxation from San Diego State University. Devon Arabo followed in his uncle Ronson's footsteps and received his Bachelor's in Accountancy from the University of San Diego and his Juris Doctor and Master of Laws in Taxation from the University of San Diego School of Law. Most recently, Leandra Arabo graduated from National University with her Bachelor of Science in Nursing. Robert's eldest son, Dominick Shamoun, earned his Bachelor's in Business Administration from the University of San Diego. Robert's other sons, Dylan and Drake Shamoun, opted to follow in their grandfather's footsteps and pursue commercial real estate investments, which Shamoun gladly financed to help them get their start.

Varying in age from two to thirty-one, each grandchild and great-grandchild knows how much Shamoun loved and supported them. Ronson's children, Mariella, Audriana, Emilia, and Ronson Jr., and Shamoun's great-grandchildren, Victory and Creed, know that when their time comes to pursue higher education all of their degrees will be fully funded thanks to their Baba Sabri's vision. He opened mutual funds for every grandchild and great-grandchild and contributed to each account monthly.

At Shamoun's funeral service, Devon remembered, "He would always say, 'Don't be afraid. Baba is behind you like a steel wall." Shamoun's love and pride for his family was clear in every decision he made and in each piece of advice he shared. As Larissa stated during his funeral service, Shamoun was fond of reminding his children and grandchildren to stick together and support each other: "One stick can break easily, but twenty sticks? You can't break that."

A father figure to all, a man of faith, and a loving family man, Shamoun will always be remembered for his enterprising spirit, his keen business sense, and his determination to learn and to serve. But most importantly, Shamoun's legacy will live on in his beloved family. As his son Ronson shares, whenever words of gratitude were offered to Shamoun, he would always say, "Don't thank me. It's my duty. It's my duty as a father."



# LOCATION LOCATION LOCATION

Wildfire risks and the insurance industry's impact on California and San Diego's housing

markets By Douglas Page

California wildfire with glowing orange smoke in the Sierra Nevada mountains.

As insurance executives might see it, the 21st century gold rush is outside of California. To others in the Golden State, it could appear they're settling a score.

With five insurance heavyweights -State Farm, Allstate, Farmers, Chubb, and American International Group (AIG) occupying a nearly combined 27% share of the California property and casualty insurance market, announcing they're reducing their footprint in the Golden State by either no longer writing new homeowners' policies, canceling customers with homes in areas they view as prone to wildfires or other risks or limiting the number of customers they add each month, San Diego County homeowners, plus many in California, are seeing as much as a 100% increase, sometimes more, in their annual property insurance costs.

Homeowner's insurance is so challenging the sale of a mansion for about \$20 million in ritzy Rancho Santa Fe hasn't closed yet because not a single carrier, so far, will write a policy to cover the home.

The problems aren't limited to San Diego County. Many California homeowners, especially those in areas considered at heightened risk for wildfires – where they're living in what's considered a high-number "Brush" zone – are experiencing the same financial burden because they need to buy two policies: One from the state government's FAIR Plan, so they're covered for wildfire damage, plus a second policy, from another carrier, that will cover other possible risks.

A recent report from Irvine, Calif.-based CoreLogic, which tracks the real estate industry, says nearly 1.3 million California homes are at risk of a wildfire, representing about \$761 billion in reconstruction costs. Of those, about 154,000 San Diego County homes are exposed to the possibility of a wildfire, representing about \$95 billion in reconstruction costs.

While the reduction in consumer homeowners' insurance providers in

California might appear considerable, the Insurance Information Institute, which speaks for the U.S. insurance industry, says more than 100 companies continue to write homeowners' insurance policies in the state. But the Institute doesn't know how many consumer insurance companies are no longer writing homeowner's policies in the state.

As a former Obama Administration official observes, the insurance industry is on a new trajectory, viewing homes with a very different eye and, perhaps, with some fear.

"The risks have only increased dramatically as we've seen an everincreasing number of hurricanes, flood damage and fires, which insurance companies rightfully associate with global warming," David Stevens, a former U.S. assistant housing secretary and federal housing commissioner during the Obama Administration, told SD METRO. "I don't see any way around this trend. You can't

#### INSURANCE

force an insurance company to insure.

"They're not required, under federal law, to have some sort of Community Reinvestment Act obligation like banks have," he added, referencing the law requiring banks to meet the credit needs of communities where they do business including people in low- to moderate- income neighborhoods.

#### Why the change?

Reinsurance costs, says Ken Johnson, a real estate economics professor at Boca Raton-based Florida Atlantic University. The reinsurance industry helps consumer insurance providers, like the ones mentioned in this article, mitigate their risks and possible losses, keeping them financially viable.

He cited an article from Reinsurance News in April, when it reported that Aon, a consulting and reinsurance brokerage in London, said, "global reinsurer capital has declined 15% or \$100 billion, to \$575 billion at the end of December 2022, driven by substantial unrealized losses on investment portfolios."

"The reinsurers got hit hard, and it's having something to do with the decision of Farmers and other insurance companies as to whether they're staying in California," Johnson said. "I can imagine when Farmers goes back to the reinsurers and says, 'We're no longer writing (some kinds of policies) in California anymore,' that their cost of reinsurance will drop dramatically."

Two insurance companies, responding to SD METRO's requests for what led to this change, State Farm and Allstate, confirmed the Reinsurance News report. They were also the only insurance carriers of the big five that clarified their positions in California.

State Farm, which was the top provider of property insurance in California last year, with a leading 8.7% market share, said in a statement it stopped writing new homeowners' policies in May, basing its decision on "historic increases in construction costs outpacing inflation, rapidly growing catastrophe exposure, and a challenging reinsurance market."

Allstate, with about a 5.1% share of the property insurance market in the state, said,



David Stevens, Former U.S. Assistant Secretary of Housing

"We paused new homeowners and condominium insurance policies in California last year so we can continue to protect current customers.

"The cost to insure new home customers in California is far higher than the price they would pay for policies due to wildfires, higher costs for repairing homes, and higher reinsurance premiums," Allstate's statement continued.

### "You can't force an insurance company to insure."

DAVID STEVENS, FORMER U.S. ASSISTANT HOUSING SECRETARY AND FEDERAL HOUSING COMMISSIONER

Farmers Insurance, the only one of the five heavyweights headquartered in California, and the state's second largest provider of property insurance with about a 7.8% market share, said in a statement, "With record-breaking inflation, severe weather events, and reconstruction costs continuing to climb, we are focused on serving our customers while effectively managing our business. Effective July 3, Farmers will limit new homeowners' insurance policies in California to a level consistent with the volume we projected to write each month before recent market changes." Farmers wouldn't say what that volume was but according to Globest.com, which covers the commercial real estate market, it's 7,000 new policies a month.

Chubb, which had a 3.5% share of the Golden State's property insurance market, said in a statement, "We continue to write new and renewal coverage in California that meets our underwriting criteria."

Chubb wouldn't respond to inquiries about what met their criteria.

According to S&P Global Market Intelligence, in October 2022, when Chubb reported third-quarter earnings, its CEO, Evan Greenburg, said his company was "shrinking its footprint in areas of the Golden State 'both highly exposed, and even modestly exposed, to wildfire."

AIG didn't respond to SD METRO's emails about their position in California. While there's a published report saying they were leaving the Golden State, there's another saying they remain here but scaled back the amount of business they're writing here.

The state's Department of Insurance didn't respond to SD METRO's phone calls and emails, asking for clarification about whether AIG is still doing business in California.

#### The Reinsurance View

A high-ranking reinsurance executive, requesting anonymity, confirmed State Farm and Allstate's statements, adding it's no surprise they're attempting to deflect the blame.

Consumer insurance providers, the executive said, until recently, received coverage from the reinsurance industry with relatively low-priced premiums. Reinsurers, however, stopped this practice due to their losses, the executive said, and, as a result, consumer insurance companies increased their customers' premiums to cover their shortfalls.

Citing information from Artemis, which covers the insurance and reinsurance industries, the executive said property catastrophe reinsurance premiums increased about 64% over the last five years, with the most sizable jump coming this year at close to 30%, from January 2022 to January 2023. Contracts between reinsurers

#### INSURANCE





Jennifer Branchini is the California Association of REALTORS President

and consumer insurance companies are annual, often with a Jan. 1 start date.

Another reinsurance executive offered this statement about how climate change is impacting their industry:

"In recent years, numerous devastating wildfires have made it apparent that the risk is much larger than once thought," said Michael Quigley, executive vice president and head of property underwriting and multiline quantification for Princeton, N.J.-based Munich Re US, a division of Munich RE in Germany. "Climate change, population migration from urban to more rural areas, and an increase in other catastrophe insured losses, such as hail, hurricane, and flood, have increased the pressure on insurers to properly assess and underwrite wildfire risk.

"All of these factors have forced the insurance market into a period of transition and heightened uncertainty while insurers, reinsurers, policy makers, regulators and service providers work to implement strategies to address the new realities of insuring in wildfire-prone areas," he added.

Given Maui's and Canada's wildfires this summer, May's floods in Italy, and July's flood in Montpelier, Vt., as well as August's tropical storm that hit San Diego, a first for California in 84 years, which produced floods in desert community Palm Springs, consumer insurance companies could face increased reinsurance premiums next year, which might result in San Diego County homeowners and those elsewhere in the state and the country facing higher

Susan Milazzo is the California Mortgage

Bankers Association President

#### Settling the Score: 1988's Prop. 103

property insurance premiums, too.

The Insurance Information Institute blames the actions consumer insurance providers took in California on the state's Proposition 103, which became law in 1988, because it limits their ability to raise the price of their premiums, saying the state's Department of Insurance "restricts the size of property insurance rate increases during the rate approval process."

"We need to be able to use risk modeling in the rate-making (annual premium) process, and we need to be able to use the cost of reinsurance in the rate-making process," said Janet Ruiz, a spokesperson for the Insurance Information Institute, adding that consumer insurance companies are allowed to use these factors when setting rates in other states.

Chubb CEO Greenburg echoed a similar sentiment during his company's third-quarter earnings call in October 2022, attributing his company's California pullback on Proposition 103 because it is "unable to achieve 'adequate price for the risk, and not by a small amount."

Calls and emails to the state's



Michael Quigley is Munich RE US Executive Vice President

Department of Insurance seeking a response also went unreturned.

Proposition 103 regulates price increases not only for homeowners' insurance premiums but also for a variety of other insurance premiums, including policies covering earthquakes, cars, medical malpractice, boats, farms and business owners, to name a few.

As the state's Department of Insurance sees it, Proposition 103 has stabilized and reduced insurance rates due to consumer participation.

"The Department repeatedly found that consumers made a 'substantial contribution' to the decision making, bringing to the Department's attention issues it might not have otherwise have considered and enabling the Department to reach the best decision possible for consumers," it says on its website.

Another insurance executive, requesting anonymity, observed that their industry sees the state's Department of Insurance as keeping annual premiums too low.

"California is in the bottom third in the national average insurance cost annually for homeowners' insurance," said Ruiz. "The national average is \$1,700 for an annual premium for a homeowner's insurance policy. California is about \$1,400.

"Other states with wildfire issues or tornado issues, like Oklahoma, are all more expensive," she added.

### "Climate change, population migration from urban to more rural areas, and an increase in other catastrophe insured losses, such as hail, hurricane, and flood, have increased the pressure on insurers to properly assess and underwrite wildfire risk,"

MICHAEL QUIGLEY, EXECUTIVE VICE PRESIDENT, MUNICH RE US

#### Wildfire Risk

About 100 million acres make up the Golden State, says the California Department of Food and Agriculture. Of those, says the State Fire Marshal, about 30%, just under 31 million, are considered at risk for a wildfire.

About 17 million acres earned the moniker of being "very high" risk for a wildfire while the other two designations, "high" and "moderate" consist of 10 million and nearly 4 million acres, respectively.

The top 10 counties with the most acreage at risk of a wildfire – which also make up nearly half of all the acreage at risk of a wildfire – include Mendocino, Kern, Humboldt, San Luis Obispo, Siskiyou, Shasta, Monterey, San Diego, Lassen, and Fresno. Combined, the 10 counties represent nearly 14 million acres at risk of a wildfire, according to the State Fire Marshal's office.

The State Fire Marshal's office is updating its maps – a first since 2007 - to show what parts of the state are more prone to wildfire risk.

But, according to Orange County mortgage broker Jeff Lazerson, who also writes a column about mortgages and real estate for the Orange County Register newspaper, it doesn't appear the insurance industry uses them.

"The State Fire Marshal's office was explaining to me that these hazardous fire maps that the insurance industry is coming up with or changing, these aren't anything that they have to go through the Fire Marshal's office or the FAIR Plan or the state's insurance commissioner," he said. "The insurance companies are changing their own definition of what's a hazardous fire zone.

"They're just moving the goalposts on everybody," he added.

#### The Impact on CA Home Sales

The California Association of REALTORS® (CAR) in May, reported that, statewide, home sales, year-to-date, were down nearly 40% in April.

In its April news release, CAR estimated that, this year, about 280,000 single-family homes will be sold, down 18.2% from last year when 342,000 single-family homes were sold.

"The availability of insurance is what's affecting the closings in our state right now," said CAR President Jennifer Branchini. "The cost of insurance is affecting some of the closings because the borrower is maybe not able to qualify any longer because of what the insurance cost is.

"Let's say if normally a policy was going to be \$1,500 or \$2,000 a year, maybe those quotes are coming in triple or more than that," she added.

Even CAR's chief economist, Jordan Levine, says his 2,300-square-foot, threebedroom, 2-1/2-bathroom house in the Central Coast is costing more to insure.

"A couple of years back it went from \$2,000 to \$3,000, which was painful," he said. "Most recently, last year, it went to up to \$10,000."

The cost of homeowner's insurance, he says, is dampening real estate sales.

"I think it's both hurting the transaction side, because some buyers may have to drop out if they can't afford the insurance, and I think again there's the hit to people who are existing homeowners as well," he said.

Susan Milazzo, president of the California Mortgage Bankers Association, says they joined several other business associations requesting that Gov. Gavin Newsom and Ricardo Lara, the state insurance commissioner, address what she called a "crisis" of insurance companies pulling out of the California homeowner insurance market.

Asked if there was a response, she said, "Nothing that is meaningful at this point."

Sacramento mortgage broker Matt Gougé says high insurance costs are preventing some clients from buying homes.

"You can go up the hill (to El Dorado County) where home prices are 20% less. But then people realize, damn, I've got to pay \$8,000 a year for fire insurance," he said.

One of his clients was considering doing just that but decided against it because the house was going to cost \$8,500 to insure.

"Now all these insurance companies are going out and conducting inspections (on houses)," Gougé said. "It's just a strategy for not renewing (a homeowner's policy)."

Sacramento insurance broker Javier Ortiz says he's seen homeowner's policies increase by as much as 200 to 300%.

"If State Farm is not going to write a policy anymore, or they're not going to renew someone, and Liberty Mutual is not going to renew you, and you were paying \$1,500 a year, now you're paying between \$4,000 to \$5,000 a year for a homeowner's policy," he said.

Lazerson, the Orange County mortgage broker, said that when working on one of his columns, his wife asked people on social media app Nextdoor to send their insurance pricing problems to him.

"I had 20 people either call, text or email me," he said. "These were people not in an obvious fire hazard area. They were in coastal south Orange County in places like San Clemente, Dana Point, Laguna Niguel, Aliso Viejo and San Juan Capistrano, communities west of the I-5 where it's possible to see the Pacific Ocean from a living room window."

#### INSURANCE





Jeff Lazerson is an Orange County mortgage broker

Lazerson offered a suggestion for anyone attempting to buy a home: Ask the seller for a pre-approval or pre-qualification letter from an insurer.

"The real estate agents are going to have to start hitting on the sellers to do this as part of their checklist before listing the home," he said. "It would make for a much smoother transaction if they could provide the buyer with a letter from a good insurance company and say, 'If you have any trouble, here's an insurance company that will cover the house."

This is in addition to the FAIR Plan, which homeowners living in areas considered at risk of a wildfire will also have to buy. Between 2018 and 2022, the number of policies the FAIR Plan carries for Golden State homeowners more than doubled, from 126,709 to 272,846.

"Worsening wildfires spurred by climate change and the lack of adequate insurance rates relative to increasing risk have led to cancellations by traditional insurers and, subsequently, significant growth in the number and concentration of FAIR Plan

policies," the company says in its literature.

If homeowners with a mortgage lose their property insurance policy – because it's canceled by their insurance carrier, an event that's happening with some frequency in California – it's possible the mortgage servicer will provide them with what's called "forced-place insurance."

"The borrower's going to pay for it, but, initially, the mortgage servicer, generally, has to front the money, and they recoup it from the borrower," said Michael Lau, CEO of Denver-based Pingora Asset Management, which buys mortgage servicing rights. "But it (forced-place insurance) comes with a 25% premium to what a normal insurance policy costs, so that's going to create a lot of consumer issues."

#### Real Estate and Insurance in San Diego County

It's all about the risk, says Rancho Santa Fe insurance broker John Swain. "If your property is in San Diego's inner city, you're not going to have that additional California FAIR Plan because it's not a wildfire risk," he said. "But if you're in places like Poway, Escondido, Ramona, San Marcos, and East County, from Santee to El Cajon, then you need the FAIR plan."

Insurers, Swain said, refer to the second plan that many homeowners need after the FAIR plan as the "difference in conditions."

"The difference in conditions policy would take care of everything that a traditional homeowner's or dwelling policy would cover, except for the fire risk," he said.

Swain says insurance companies are measuring wildfire risk by using what they call a "Brush" score. Every house or dwelling, he says, receives a brush score, which shows the probability they'll be hit with a wildfire.

Brush scores, he says, range from Zero to 50 for a somewhat low risk of a wildfire. 60 is caution. A rating of 61 to 80 is high risk. And any score from 81 to 100 means the dwelling is at extreme risk of a wildfire.

"When you get to the outskirts, outside the urban area of San Diego, your brush score goes up and the wildfire risk is greater," he said.

There are other versions of risk assessment that insurance companies use, the San Francisco Chronicle recently reported.

Swain also confirmed that insurance companies are using their own maps to determine wildfire risks.

"They're looking at their own maps plus the ones from the (State) Fire Marshal," he said. "They have actuaries that determine the risk, and they're definitely using all of these factors to look at these risks."

"These were people not in an obvious fire hazard area. They were in coastal south Orange County in places like San Clemente, Dana Point, Laguna Niguel, Aliso Viejo and San Juan Capistrano, communities west of the I-5 where it's possible to see the Pacific Ocean from a living room window." MORTGAGE BROKER JEFF LAZERSON Swain mentioned two homes in San Diego County that cost twice as much as previously to insure.

One was a four-bedroom, 4-1/2-bathroom house, around 4,000 square feet, in the Poway area. The FAIR Plan was around \$5,000 and the differences in conditions insurance policy was about \$1,400, for an annual total of \$6,400 to insure.

Two years ago, he said, the house cost about \$3,000 to insure, which included paying for the risk of wildfire damage.

Swain also mentioned working to insure a house in El Cajon. It had 5,100 square feet, with five bedrooms and 4-1/2 bathrooms. The FAIR Plan cost over \$6,200 and the differences in conditions policy cost nearly \$1,800 for an annual cost around \$8,000.

A few years ago, he said, the insurance premium would have been about \$4,000 a year. That annual premium also included coverage for the risk of wildfire damage.

"The cost of insurance can be a factor that can make or break a deal," Swain said. "A prospective homeowner should make sure the policies and premiums are affordable because that could disqualify them from receiving a mortgage."

San Diego mortgage broker David Stein says the increase in insurance premiums "doesn't affect affordability because if you can't afford a \$50 increase a month, you shouldn't be buying a home in California.

"You probably overextended yourself to the point where you're in trouble," he added.

Another executive, with close ties to the real estate and insurance industries, requesting anonymity, says the sale of a Rancho Santa Fe mansion for about \$20 million has yet to close because the prospective buyer can't find a carrier to insure the home. SD METRO is keeping the mansion's address confidential.

San Diego mortgage broker Lori Goldman says one of her clients was looking to buy a house in the Tierra Santa section of the city, about seven or eight miles east of the I-5 but had trouble finding a homeowner's policy.

"It's a very residential neighborhood, but it's been delegated by a lot of insurance companies as being a high-risk area, and they're not writing policies there anymore," she said.

Her client eventually secured a policy from the FAIR Plan.

Goldman also says she's nurtured a strong relationship with an insurer, and it's helped.

"I've been sending my customers there, and they've been able to get policies without having to go through the FAIR Plan," she said.

Goldman, a mortgage broker for 34 years, strongly recommends prospective homeowners seek an insurance policy as soon as their bid is accepted, if not sooner.

"The worst thing people can do is wait on finding and securing the policy until they're ready to close," she said.

Douglas Page can be reached at dpage@sandiegometro.com

### Commercial Real Estate Law that is Different by Design.



We are truly honored to be named one of San Diego's best law firms and look forward to leading the next generation of commercial real estate lawyers in Southern California and beyond.

> SAN DIEGO | LOS ANGELES 858.367.7676 | WWW.CGS3.COM



#### COVER STORY

# CHANGING THE GAME: Peter Seidler's Dual Mission By Andrew Simmerman



It seems the entire baseball world is fascinated by Peter Seidler's investment in the Padres, but San Diego leaders can tell you much more about what he's done for the city off the field. Local executive Dan Shea, a close friend of Seidler since he moved to San Diego from Los Angeles in 2012, has seen first-hand Peter's commitment to taking his Padres baseball club from the diamond to the community. "Peter gives of his time and resources, without question, like no other we've seen in this city. And he does it not by sitting behind a glass-walled boardroom with his checkbook, but by getting up close and personal with people who are suffering," said Shea.

#### "There's a Risk to Doing Nothing"

As owner of the San Diego Padres, how is it possible for Mr. Seidler to pay the third highest Major League Baseball (MLB) payroll while San Diego is MLB's 4th smallest media market (amongst 30 teams)? How can doling out three of MLB's historically largest contracts be a smart business decision? During the 2023 offseason the Padres made a giant splash, spending big to sign free agent all-star shortstop Xander Bogaerts while locking down a major contract extension for the team's de facto captain Manny Machado, on top of adding extensions for all-stars Yu Darvish and Jake Cronenworth. And one can't forget that the Padres are just two years into one of MLB's largest ever contracts for its young superstar Fernando Tatis, Jr. What exactly is this guy Peter Seidler up to, MLB journalists have asked. Much to his disliking of the word, they can't stop wondering: how is this level of spending sustainable? Even his fellow small-market MLB owners had something (not so nice)

to say about what he was doing.

But it doesn't make sense to the baseball and media worlds because they have it all wrong. Peter Seidler doesn't just think about the sustainability of his baseball team, but rather the sustainability of the entire region of San Diego - a community that sometimes wonders if it deserves its America's Finest City moniker, given its growing homeless population and other challenges. During a 2023 Spring Training media event, when Mr. Seidler was asked about the risk of carrying such a high payroll, he bluntly stated "There's a risk to doing nothing." While he may have been talking about how he runs the Padres, it's quite clear this is how he approaches life. It's what guides him to be one of San Diego's most committed, charitable, and hardworking philanthropists.

#### Alleviating the Suffering of Homelessness

Next to his job as owner of the Padres, what fills Mr. Seidler's time the most is addressing one of San Diego's most intractable problems: homelessness. Each year, the Regional Task Force on Homelessness (RTFH) conducts its annual homeless count (which the U.S. Department of Housing and Urban Development requires every two years). On January 26, 2023, RTFH deployed over 1,600 volunteers to walk the streets of San Diego to learn about and count the region's homeless population. After the numbers were tallied from the Jan. 26 count, it was reported that more than 10,000 individuals are unhoused, representing a 22% increase from the previous year. The percentage of unhoused women, seniors, and veterans also rose from the prior year, demonstrating how the crisis is getting worse faster than it's getting better. It's a problem that Seidler battles daily working with civic and elected leaders - no matter their political leanings, and without regard to who gets credit; the thought of credit never even enters his mind.

But any San Diegan who's attended a Padres game at Petco Park or enjoyed a night out in the Gaslamp District the past few years doesn't need a report to tell them the problem is growing; they can see how visible the crisis is through the increase in sidewalk encampments on the streets of downtown. It's something Peter immediately noticed when he arrived in San Diego. On daily walks throughout the East Village — often during the darkest hours of the night - Seidler has for years experienced first-hand the tragic problem of homelessness and decided that compassion for people living on the streets and providing them with a brighter path trumped any other problems facing San Diego.

In 2005, business leaders and philanthropists Pat and Stephanie Kilkenny launched the Lucky Duck Foundation to raise funds and awareness for numerous charitable causes including homelessness throughout San Diego. In 2016 Seidler and Shea made a proposition to Pat and Stephanie: would they be open to focusing the work and resources of the Lucky Duck Foundation exclusively on homelessness? Understanding the magnitude of the issue themselves and seeing Seidler and Shea's passion and vision, it wasn't difficult for them to provide a resounding yes. "Peter and Dan brought such an unwavering passion and commitment to the plight of homelessness, it made great sense to join forces because, even though it sounds cliché, there is power in numbers and we knew we needed to bring a powerful force to address homelessness," said Pat Kilkenny, co-founder, and chairman of the Lucky Duck Foundation. It is well known that Peter and Dan have different operating styles, particularly in dealing with the local political landscape. In a legendary "inside joke" that's no longer "inside," it has been said that Peter likes to "kill 'em with kindness," and Dan "just wants to kill

## Dinsmôre

### A national powerhouse for legal excellence

Dinsmore attorneys nationwide are driven by an unwavering commitment to empower our clients to accomplish their goals. We're recognized for our dedication to client service in the communities we call home because helping clients is at the center of everything we do.

We are proud to be named a Top 10 Law Firm by SD Metro Magazine.



Scan to learn more about our Firm or visit dinsmore.com

#### Dinsmore & Shohl LLP.

655 W. Broadway, Suite 800 | San Diego, CA 92101 We are a national full-service law firm with offices coast to coast. Attorney Advertising. © 2023. All Rights Reserved. 'em." "Their differing approaches actually complement each other toward their common goal of addressing homelessness in San Diego," said Kilkenny.

#### Organizing the Private Sector to Tackle the Problem -Head on

Prior to the Lucky Duck Foundation's pivot, Seidler and Shea assembled the "Tuesday Group" in 2016, a weekly convening of business and civic leaders to determine how the private sector can meaningfully address homelessness and instigate political will. In addition to Pat & Stephanie Kilkenny, most of the group's members are business leaders, such as Tom Mulvaney of the local Mulvaney legal family and Chair of the Board at the University of San Diego; Mitch Mitchell, Senior Vice President, Chief Legislative Officer, SDG&E and Southern California Gas; Keith Jones, owner and managing partner, ACE Parking; Dan Novak, retired executive from Qualcomm and Cox Communications; Deborah Norwood Ruane, Founder and Managing Member at Norwood Development Strategies; Rick Bregman, President of Bank of America San Diego and National Co-Head of Healthcare Commercial Banking; Michael Brunker, former Executive Director of the Jackie Robinson YMCA and current President of Rotary Club 33; Alyce Fernebok, President of 4LNS, Inc., and Chair of the Board of Veterans Village; and until his death in 2021, Father Joe Carroll. Since forming, the Tuesday Group has not missed a weekly meeting - including all holidays, even Christmas & New Year's Day. "Peter and the group are committed to meeting every single week." says Drew Moser, Executive Director of the Lucky Duck Foundation & Tuesday Group. "We identify a few timely urgent topics and have a hearty discussion to determine what the Tuesday Group or Lucky Duck Foundation can do to influence change and help those in need. Sometimes we discuss strategy, sometimes we hear from national experts, and sometimes organizations that have received funding or are seeking funding from the Lucky Duck Foundation present the facts and identify areas the group can help," adds Moser.

In a 2018 interview with SD METRO, Shea said that he and Seidler initially met for a discussion as to how, exactly, the homeless problem could be tackled. He said that they asked themselves: "What would we do in our own businesses?" They agreed that the issue should be approached "from the inside-out." Over the course of several months, Shea said that he and Peter "consumed everything they could get their hands on" regarding the city's efforts to combat the problem and concluded that it was not just a matter of money — as they had been told again and again. Rather, there were two primary issues that came into play: 1) leadership (or the lack thereof); and 2) the proper organization of resources. The group also studied local and national "Housing First" models, which they agreed was a good model. However, lacking city land and other resources, they concluded the "Housing First" model would leave homeless individuals, and even low-income citizens, without shelter — most likely sentencing them to life on the street for at least another five to 10 to 20 years. It was agreed that "Housing First" is a good model, but it should not be the "only model" because it needed more urgency to help people move off the street immediately.

As a result, the Lucky Duck Foundation purchased and installed several large industrial tent structures to provide shelter and critical services for more than 500 individuals nightly beginning in 2017. This resulted in a reduction of unsheltered homelessness for three consecutive years from 2017 to 2020 by nearly 30% at a time homelessness was rising substantially throughout the rest of California.

Since then, the Lucky Duck Foundation has funded, activated, and led numerous high-impact initiatives designed to immediately alleviate the suffering of homelessness. Such initiatives include:

• Funding more than 20 employment and job training programs across a multitude of industries including culinary training, construction, community beautification, driver training to help with other non-profit groups' food rescue programs, trash cleanup, certificate programs, and more. All are designed to give individuals experiencing homelessness an opportunity to improve their earning power, employability, and housing.

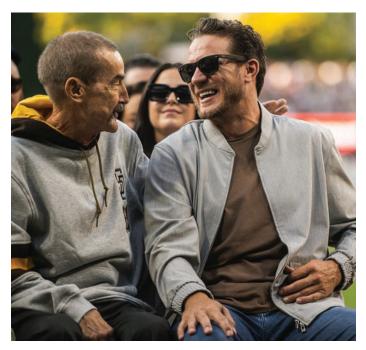
• Providing lifesaving food and water to unsheltered homeless individuals. Since launching more than 1.7 million meals have been distributed with 700-1000 people per day receiving food and water. The program began in May 2020 after the Aqualia International Foundation, LTD recognized the need to fight hunger and homelessness and the life-or-death situation facing unsheltered individuals during the COVID-19 crisis. Aqualia asked the Lucky Duck Foundation to collaborate on the initiative and donated \$500,000 to launch the program. Aqualia's donation compelled many additional donations totaling in excess of \$1 million.

• Purchasing and distributing more than 8,500 winter coats that convert into sleeping bags, which are made by individuals experiencing homelessness who are trained as seamstresses and hired to do the manufacturing. The program is another partnership with Aqualia and has resulted in the investment of over \$1M to further alleviate the suffering of the unsheltered and homeless population.

• Removing more than 185 tons of trash in only 100 days via "cash for trash" which pays homeless individuals \$2 for every bag of trash they remove from downtown San Diego.

• Supporting and facilitating "Lucky Ducklings," a youth-led movement of more than 125 high school youth committed to volunteering, raising money, designing programs, learning about philanthropy, and understanding how they can play a constructive role in alleviating the suffering of homelessness.

• Convening leadership and research professionals from San Diego's institutions of higher learning to focus and fund those



Peter and Padres legend Jake Peavy at Peavy's induction into Padres Hall of Fame (2023).

institutions to undertake meaningful and actionable research into the myriad of issues surrounding homelessness.

One of the Lucky Duck Foundation's most recent successes, a collaboration that includes the Rolf Benirschke Legacy Foundation, Union of Pan Asian Communities (UPAC), and Urban Street Angels, was the launch of a brand-new pizzeria and print shop called "Timmy's Place" which trains and employs homeless youth at Urban Street Angels' youth homeless center. The nonprofit social enterprise is expected to employ more than fifty youth per year. It is named "Timmy's Place" after Mary & Rolf Benirschke's son, Timmy, who overcame homelessness and addiction after living on the streets for more than five years. Timmy's Place is open to the public and serves pizzas, sandwiches, pastries, coffees, and also provides catering. The print shop has a high-capacity automated screen-printing machine that can produce thousands of units as well as equipment to handle customizable products. Additionally, merchandise featuring designs, logos, and creations made by homeless youth will be displayed and sold. Timmy's Place is projected to be a self-sustaining endeavor after one year.

Mr. Seidler has also looked for ways to involve his baseball team with the work of the Lucky Duck Foundation. In May of this year, Seidler and the Padres Foundation welcomed 580 guests to "Dinner on the Diamond," a major fundraising event on-field at Petco Park which raised \$1 million for homelessness. Proceeds were tripled by the Padres Foundation, Lucky Duck Foundation, and a group of Padres players led by Manny Machado, Joe Musgrove, and Yu Darvish. \$500,000 was raised to address youth homelessness with an additional commitment of \$500,000 from the Padres Foundation to address homelessness overall. Dinner on the Diamond | San Diego Padres (mlb.com)

"Peter takes the suffering of those experiencing homelessness incredibly personally. He guides us to always follow the facts, but for Peter it's about the individual human being and their suffering," says Dan Novak, member of the Lucky Duck Board of Directors, and retired executive from Qualcomm and Cox Communications. "Peter challenges us daily as individuals and as a community saying, 'We can do better, we must do better.' He leads with a sense of urgency and great focus on this humanitarian crisis. He believes everyone can do something to help," said Novak.

#### Abiding Legacies for the Common Good

It's in that spirit of believing everyone can do something to help that guides his belief that his MLB team should be an active participant in community work. And what better template for a San Diego Padre engaging in the community than following the footsteps of its most revered legend?

Native San Diegans will know that the exemplar for involvement in the community was "Mr. San Diego" himself - Tony Gwynn. Considered one of the greatest hitters in the history of the game, what he accomplished on the field is nothing short of impressive, as is everything he accomplished off the field. Tony's work was not done in silo; rather, it's always been a family enterprise, one the Gwynn Family continues today, carrying on his legacy and ensuring the name "Gwynn" is synonymous with San Diego, the Padres, family, and character. One of the many ways they accomplish this is through the Padres' Tony Gwynn Community All-Star Program, which recognizes and honors San Diego's youth who follow in his footsteps and support their local community. Roughly 9 scholars, high school students ages 13-18 working in conjunction with a local non-profit organization to support underserved segments of our community, are selected annually. Dr. Alicia Gwynn, high school sweetheart and wife of the late Mr. Gwynn, says that Peter never stops his support to ensure Tony's legacy continues through generous giving and support of the Scholars program. "Anything I ask of him he'll do. His charitable work is just over the top," says Dr. Gwynn. "He's such a giving person and just so unassuming. It doesn't matter to him where you come from, he wants everyone to have the opportunity to succeed and is always generous in supporting others."

In addition to their partnership with the Gwynn Family, the Padres have a deep and growing commitment to the greater San Diego community. The San Diego Padres Foundation makes a positive impact in the region's overall quality of life by prioritizing children's health and wellness, youth baseball and softball development, and supporting those who serve. In 2022, the Padres invested \$3.3 million in monetary and in-kind donations distributed

#### COVER STORY

into San Diego and Baja communities going to over 500 local charities like Feeding San Diego, the Jackie Robinson YMCA, and Build a Miracle in Tijuana. The Padres and Padres Foundation have annually supported the Monarch School and its students experiencing homelessness through a variety of programs, including an annual Back-to-School Shopping trip. Padres staff, players and alumni give students one-on-one personal shopping support to help them pick out new pants, shirts, jackets, shoes, and other essentials. "Peter came to San Diego not just wanting to develop a winning professional baseball team, but to truly make a positive difference in the community," shared Novak. "The Padres' depth of involvement in the community is a testament to Peter's leadership, determination, and commitment to San Diego," he added.

#### Perpetual Optimism is a Force Multiplier

There's still another important thing his critics don't get: Peter is both a realist - understanding action must be taken to solve today's problems - and an ardent optimist about what's possible for San Diego's future. Says Moser, "Good luck finding someone more committed and positive than Peter. His relentless focus on homelessness is unmatched, as is how much he gives of his time, talent, and treasure. And he does so out of a deep care and concern for the people on the street with zero concern for credit."

Padres fans know about Peter's optimism all too well - it's something, in fact, that he's most praised for by fans of the team. This off-season, when questioned about the sustainability of his spending he answered, "Let's find a different word: sustainable. Putting a great and winning team on the field in San Diego year after year is sustainable." When one of the Padres' biggest stars, Fernando Tatis, Jr., came back from missing an entire year of baseball due to an off-field injury followed by an 80-game suspension for violating the MLB's performance enhancing drug policy, Seidler told ESPN of Tatis, "He's a good dude. He's respectful, he's likable, he cares about people, he loves San Diego. And for him to have let down the people of San Diego, it really hurt him. As it should have. He made a serious and regrettable mistake. Look, we're all human. We make mistakes. A lot of times it's if and how you bounce back. You know, he quietly, when nobody was looking, did a lot of things under the radar -- getting the first surgery and then the second surgery were big, getting his body ready, getting his mind ready," sharing "I believe in him."

And Padres fans, it seems, believe in what Mr. Seidler is up to this year Petco Park set a franchise record of sell-out crowds...in June, with more than half of the season to go. A new record has been set at nearly every home game since. In fact, as of August 24, 2023, they've already sold out 53 games which is a franchise record and more than twice the prior record of 26 sellouts (2022). This year they are averaging 40,395 fans per game, the 3rd highest in all of MLB. It's expected the total number of fans this season will easily exceed the 3,000,000 mark and will likely set a new all-time franchise high in attendance, surpassing the record of 3,016,752 fans set in 2004, the first year of Petco Park.

#### Mr. Seidler's on a Dual Mission

So, what can help his critics make sense of Mr. Seidler? What can explain the optimism of a man who is attempting to accomplish two things San Diego has never been able to do in its history - win a World Series and put an end to its homelessness crisis - while simultaneously confronting the often-brutal facts in front of him? You may or may not have heard about the Stockdale Paradox, a concept featured in Jim Collins' bestselling business book Good to Great, which might just be the answer to understanding him: The "Stockdale Paradox" asserts that you must maintain unwavering faith that you can and will prevail in the end, regardless of the difficulties, and at the same time, have the discipline to confront the most brutal facts of your current reality, whatever they might be. Peter Seidler is a person who believes fervently that San Diego can accomplish both ambitious feats, and this belief guides his decisionmaking. Yet he's simultaneously a realist, understanding the realtime challenges facing both that require action.

"Will he succeed?" one might be wondering. But that's the wrong question. San Diegans should instead be asking "How can we follow his lead?" to make sure that he does. We might not have control of a baseball team to bring a World Series, but we can look to Peter Seidler as an inspiration for how to lead others and certainly to join his efforts to make San Diego deserve to be called America's Finest City.

And, if it ever happens, let's make sure the World Series Parade is one that no one will ever forget, especially the man who will have made it happen.

Seidler, 63, earned a bachelor's degree from the University of Virginia, and an MBA from UCLA. He founded a private equity firm, the Seidler Equity Partners in Marina del Rey, and is the managing partner.

On November 18, 2020, Major League Baseball approved the transfer of the role of chairman of the Padres from Ron Fowler to Seidler, who purchased part of Fowler's stake in the team to become the largest stakeholder.

Seidler is the grandson of Walter O'Malley, the legendary owner of the Los Angeles Dodgers who, along with Horace Stoneham, brought major league baseball to the West Coast in 1958, with the Dodgers moving from Brooklyn to Los Angeles, and Stoneham moving the New York Giants to San Francisco.

Andrew Simmerman is a non-profit leader, educator, entrepreneur, and communications professional currently serving as Director of Community Relations with KIPP SoCal Public Schools. He was born and raised in San Diego and is a lifelong Padres fan.





#### **RJS LAW**

RJS Law is a panoramic firm passionate about resolving personal, small business, and corporate tax matters with the IRS and California state tax authorities. The firm skillfully works with its clients to accomplish the best result for their tax problems and to mitigate their potential tax liabilities and collection action. RJS Law frequently represents clients in audits, liens, levies, and wage garnishments. It also negotiates installment agreements or Offers to Compromise; litigates in Tax Court; and protects its clients from potential criminal tax investigations/prosecutions. RJS Law has established relationships with countless agencies including the Employment Development Department, State Board of Equalization, Department of Justice - Tax Division, as a consultant on IRS Wealth Squad audits , and with US Attorney's offices throughout the country to utilize those connections by achieving success for their clients. It advocates for its clients faithfully and ethically. It is committed to giving back to the community by sponsoring billboards for the Girl Scouts of San Diego and the Susan G Komen campaigns. It donates school supplies to St. Theresa Academy and hosts a yearly USD School of Law "Big Give Bash Event" as well as one of the USD Business School's Supporting Fundraising efforts. It also supports the United Way, Our Lady of Grace Academy, UCLA Tax Controversy Institute, Grossmont Hospital Foundation and the St. Peter Chaldean Catholic Cathedral.

HAHN 🕕 LOESER

#### HAHN LOESER & PARKS LLP

Across the city or around the world, Hahn Loeser's attorneys represent Fortune 500 corporations, privately-held businesses, startups and new ventures, nonprofits and individuals. Hahn Loeser was founded in Cleveland, Ohio, in 1920 and opened its San Diego office in 2012 to meet the needs of its expanding California and west coast clients. For over a century, Hahn Loeser has expanded services while never losing sight of the firm's commitment to character and integrity. Hahn Loeser attorneys have built an impressive record of accomplishments in complex commercial and business litigation, class action, real estate and title insurance litigation, defense of consumer litigation, trade secrets and non-compete litigation, employment litigation, wage and hour litigation. Hahn Loeser has achieved Diversity Lab's midsize firm Mansfield Rule certification, which is designed to boost diversity, equity and inclusion. Hahn Loeser's San Diego office carries on the firm's reputation of excellence and members serve as board members and volunteers of local organizations such as Promises2Kids, San Diego Volunteer Lawyer Program, San Diego County Bar Association, Legal Aid Society, LaJolla Bar Association and Feeding San Diego. It has been named a Best Law Firm nationally in 12 practice areas and in 48 regional practice rankings.



#### KIRBY & KIRBY

Kirby & Kirby is known as San Diego's premier litigation firm. The firm handles professional negligence litigation, products liability, personal injury wrongful death, partnership disputes, intellectual property litigation, insurance disputes, franchise litigation, employment law/wrongful termination, contract disputes and banking issues. Mike Kirby has been involved in civil litigation for more than 30 years, trying more than fifty jury trials throughout his career. His expertise is extensive and covers a variety of

practice areas that involve business, partnerships, real estate and investor disputes. He has received multiple Outstanding Trial Lawyers awards from Consumer Attorneys of San Diego (CASD). Jason Kirby has represented hundreds of clients of litigation cases throughout Southern California for almost twenty years. His primary practice areas are business litigation and real estate litigation..], but he has handled almost every type of civil case at some point during his career.

# Dinsmôre

#### **DINSMORE & SHOHL LLP**

Building off the momentum created through a merger with Mulvaney Barry Beatty Linn & Mayers LLP in January 2023, Dinsmore's San Diego office has exhibited solid performance, notable victories and giving back to the community. In the combination

with Mulvaney, the firm welcomed attorneys and eight business professionals. Joseph Leventhal is the San Diego managing partner. Litigation attorney George Rios III was named a 40 Under 40 honoree by SD METRO Magazine. As president of San Diego Ka Raza Association, he created a new nonprofit benefiting San Diego's diverse community and secured a \$200,000 grant for programs that mentor K-12 students. A litigation team led by Joe and Caroline Massey successfully defeated a \$23 million breach of contract lawsuit on behalf of Milacron Marketing Company LLC and Milacron LLC. The Dinsmore team secured Milacon an award of nearly \$600,000. A Dinsmore team successfully defended Secured Capital Limited Partnership and El Dorado Propertied in a case where the judge ruled in favor of motions for a nonsuit. The judge believed there was insufficient evidence to proceed with the trial. Jeremy Freedman emceed the San Diego Defense Lawyers installation and presented a check for \$7,500 to JDRF International.



### CROSBIE GLINER SCHIFFMAN SOUTHARD & SWANSON LLP (CGS3)

CGS3 is a premier law firm exclusively serving the commercial real estate industry. The firm was founded in 2013 by five long time partners at another firm CGS3 has offices in San Diego and Los Angeles. It is in the vanguard of a new generation of highly specialized law firms, attracting top legal talent from both large corporate

firms and senior in-house positions. Offering a value-oriented and flexible approach, CGS3 pairs high-caliber lawyering with practical street smarts and solid business sense, with the aim of always exceeding client expectations. Now celebrating its ten year anniversary, since its inception CGS3 has played a key role in some of the region's most high-profile real estate transactions, from record -setting retail leasing deals to complex commercial sales and acquisitions. CGS3 annual sponsorships include: Burhsm Moores Policy Institute Board, Camp Out for Kids, Magdalena Ecke Family YMCA 51st Annual Roof Raisers Golf, NAIOP San Diego Annual Platinum Partner, SES Tennis Center Fundraising Pro-Am, the New Children's Museum and USD's Advancing Black Leadership and Scholarship Fund. CGS3 handles a high volume of transactions and has extensive experience across all industries within the commeecial real estate sector. CGS3 has been recognized by Chambers & Partners, the preemient legal reaearch and law firm ranking publisher, as one of the est real estate firms in California.

SULLIVAN HILL REZ & ENGEL | KLINEDINST P C PETTIT KOHN INGRASSIA LUTZ & DOLIN | SNELL & WILMER CASEY GERRY | GOMEZ TRIAL ATTORNEYS

### **Eight Habits That Could Add Decades to Your Life**

#### By George Citroner | The Epoch Times

Research recently presented at Nutrition 2023 meeting at the annual meeting of the American Society of Nutrition shows how much can be gained by changing lifestyle habits.

#### 1. Be Physically Active .

Regular activity reduced the risk of chronic diseases such heart disease, diabetes and certain cancers. The Physical Activity Guidelines recommend 150 minutes per week of moderste activity or 75 minutes of vigorous activity, along with muscle-strenthening exercises twice a week.

#### 2. Avoid Opioids

Opioid addition damages the health over the long term. Repeated use can harm the liver and kidneys and often worsens chronic pain, leading to greater dependence.

#### 3. Don't Binge Drink

Binge drinking, defined as four or more drinks for women and five or more for men on occasion , can lead to liver damage, cardiovascular disease and several types of cancer.

#### 4. Don't Smoke

Tobacco use is responsible for about 1,300 deaths a day in the United States, more than 480,000 deaths annually, according to the U.S. Center for Disease Control and Prevention. This bad habit contributes to up to 90 percent of lung cancer deaths. Smoking also weakens the immune system and significantly increases the risk of chonic obstructive pulmonary disease and cardiovascular disease.

#### 5. Eat A Healthy Diet

A nutritious diet full of whole, minimally processed foods ensures the body gets all the vitamins, minerals and fiber it requires. The Mediterranean diet encourages eating plant-based foods and healthy fats while limiting meat consumption to small portions, Emily Feivor, a registered dietitian at Long Island Jewish Forest Hills in Queens, New York, told the Epoch Times. "Eggs are a good source of high quality protein, and the whites can be enjoyed by those looking to reduce saturated fat intake" Ms. Feivor added.

#### 6. Manage Stress

Chronic stress can damage health over time by increasing blood pressure and contributing to heart disease, diabetes, sleep issues and pain. It can even weaken thr immune system, making the body more susceptible to infections and illnesses.

#### 7. Practice Good Sleep Habits

Poor sleep can also increase inflammation in the body, which can

lead to various chronic diseases, including heart disease,"Dr. Thomas Kilkenny, director of the Institute for Sleep Medicine at Staten Island University Hospital, said. But that's not the only way poor sleep can n affect health and life expectancy. Several major accidents in world history have been linked to human error due to the lack of sleep, according to Dr. Kilkenny, including the 1987 Chernobyl nuclear disaster.

#### 8. Maintain Positive Social Relationships

Strong social ties are linked to reduced risk of chronic illness, lower stress, enhanced immunity, and increased lifespan. A recent published meta-analysis of 90 studies, including more than 2.2 million people observed for up to 25 years, found a 32 percent higher risk of death due to any cause for socially isolated people. Participants who said they felt lonely had a 14 percent higher risk of dying prematurely than those who didn't.

SERVING SAN DIEGO, LOS ANGELES AND IRVINE	
A TAX LAW FIRM	
TAX AUDITS, CIVIL & CRIMINAL TAX LITIGATION	
· IRS Audits	· SBOE / Sales Tax
· IRS Appeals	· FTB / State Tax
· IRS Collections	• Estate Tax
· OIC / Settlement	· International Tax
· Criminal Tax	
Innocent Spouse Relief	· Corporate Law
Payroll Tax	· Real Estate Law
· OVDP / Voluntary Disclosure · EDD / California State Payroll Tax	
Ronson J. Shamoun, Principal Attorney and CEO of RJS LAW, is an Adjunct Law Professor at the University of San Diego-School of Law where he teaches a Tax Practice and Penalties class. He was recently presented with the following awards:	
<ul> <li>San Diego Metro Magazine- Best Attorney 2016</li> </ul>	• Martindale Hubbel's- AC Preeminent Rated 2014, 2015 & 2016
· San Diego Magazine- Top Attorney 2016	· San Diego Daily Transcript-
San Diego Business Journal- Best of the Bar 2014, 2015 & 201	
FULL SERVICE STAFF OF 9 ATTORNEYS & 2 CPAs	
619-777-7700	RJSLawFirm.com
SAN DIEGO 303 A STREET STE 400 SAN DIEGO, CA 92101	

# **Paradise** in the **Pacific**

### FRENCH POLYNESIA

#### **By Marlise Kast-Myers**

French Polynesia sounded exotic, tropical, and romantic—all necessary ingredients for an idyllic honeymoon. But I'd been married for nearly a decade, and this was my solo adventure, a gift to myself while my husband toured Colorado's Backcountry Discovery Route.

We both have our passions; mine being surfing and all things water, while he craves motorbikes and off-roading adventures. With the calendar before us, I set my eyes on Tahiti and he on Colorado.

There was little I knew about the destination, other than I could put my French to use in a place known for epic waves, and of course Bora Bora. With 118 islands and five archipelagoes, this French collective beckoned me to just about every island, except Bora Bora. I was on a quest

for the uncommon, the cultural, and the fluid core of French Polynesia.

From San Diego, I drove to LAX and caught a direct 8-hour flight to Tahiti on Air Tahiti Nui. They have daily non-stop service between LAX and Tahiti's International Airport near the capital of Papeete.

With a row to myself, I sprawled out until awakened by a flight attendant, her hair pulled back and adorned with a gardenia. This was not a fashion statement but rather a tradition, something I soon found commonplace in lei necklaces, floral crowns, and fragrant petal baths.

Passengers awaiting their stamp of entry were serenaded by ukuleles, drums, and flutes upstaged by the Tahitian dance, Ori Tahiti. It's like hula with less arms and more hips.

Outside the airport, the sweet perfume of leis hit me like a wave. Surrounded by affectionate couples, I was in honeymooner's haven, a place I set out to redefine as an adventure-seekers utopia.

It was midnight (3:00 AM my time) when I arrived at Manava Suite Resort Tahiti, located 10 minutes from the airport and 20 from the harbor. Rumor had it the hotel fronted Ta'apuna surf spot. This shallow, reef break is considered "baby Teahupo'o," the heaviest wave in the world.

From the infinity pool, I watched as surfers paddled 20 minutes into the line up—the sky streaked with pinks and purples over Mo'orea, the first of four islands on my itinerary.

Kayaking in the shallow waters near Hilton Moorea Lagoon Resort.



Within an hour I was aboard Poe Maia Catamaran for an overnight sailing trip around Mo'orea. The transportation seemed fitting since Polynesians first developed catamarans in 1500 BCE.

Just 28 nautical miles from Tahiti, Mo'orea rises from the ocean like a cathedral, with dramatic green spires crowned by billowing darkness. Skirting the shores are thatched huts draped in bougainvillea and hibiscus.

Outrigger canoes cut through the water as dolphins played in our wake. The rhythm of the waves took over and before long, I found myself laying facedown on the catamaran net. Mesmerized by the water's transparency, I soaked in the hues of blues, inviting me into a world of boundless brilliance.

Only the motion of the swell caused me to stir, announcing our arrival to Haapiti. At this surf spot off Mo'orea, I was in for an 8-ft day with steep drops and a river-like current that longed to pull me out to sea.

The 30-minute paddle to the break was exhausting, leaving me with Gumby-like arms and humbling wipeouts. It certainly wasn't the best session of my life, but it might have been the most breathtaking.

Jagged mountains and rainforest slopes crescendoed to the 3,960-ft volcanic summit of Mount Tohivea. From the top are views of Mont Routui, two bays, and three peninsulas.

Beyond surfing and hiking, catamaran passengers can pick from pearl farms, vanilla fields, coffee plantations, and pineapple-wine "vineyards". I could have even left with a Polynesian tattoo in the birthplace of this sacred social marker.

Having absorbed enough pain for one day, I opted for a Hinano beer. My captain insisted on preparing the national dish, Poisson cru ("ia ota" in Tahitian). This version of Polynesian ceviche is marinated with limejuice and coconut milk, and tossed with vegetables.

That night we anchored in Ōpūnohu Bay, not far from Hilton Moorea Lagoon Resort. The location made it easy to arrive by dingy to the overwater-bungalow hotel.

Last year, Tahiti celebrated its 50th anniversary of the first luxury hut on stilts. Now was my chance to experience these iconic symbols of paradise, perched over clear waters and shaded by palapas. Hilton Moorea didn't disappoint, with a string of glass-bottom bungalows connected by wooden walkways; below was a crystal lagoon where exotic fish darted between pylons and coral gardens.

At check-in, I was greeted by Amo, owner of Enjoy Boat Tours Moorea. I signed up for the 4-hour whale-watching tour (June-October), which lasted six hours—not for lack of wildlife, but rather for its overabundance.

Like Moby Dick minus the harpoon, we were on the hunt



Mo'orea rises from the ocean like a cathedral.



There's no bad view in the French Polynesian islands.



Landing in Tetiaroa, an atoll centered by a sparkling lagoon.

#### TRAVEL



Tahiti celebrating its 50th anniversary of the first luxury hut on stilts.

for these magical creatures. And then, there it was, our first whale's tail slapping the horizon with vigor. Every camera went into paparazzi mode, thrilled by the wonder before us.

If only we knew.

Over the next five hours, we saw over 60 humpback whales, and each time, I jumped overboard to swim with the beasts. In our group of 10, just four of us snorkeled with these bus-sized mammals.

Our guide Amo was beside himself, especially when we encountered a pod of pilot whales. He warned us that, on occasion, a whitetip shark might be lurking near the baby whales.

"Stay together, and don't panic," he said adjusting his snorkel.

The moment my mask dipped below the surface, I saw not one, but 12 sharks approaching. Amo immediately huddled our group, and ordered the captain to drop the ladder.

On board, we couldn't contain our excitement, a muddle of joy and fear, as we witnessed an orchestrated-like dance of breaching whales and circling sharks. Sitting alone on the bow of the boat, I was overwhelmed with gratitude that nature had gifted us with an unparalleled moment in time.

Back on the shores of Mo'orea, locals were celebrating Sunday—splashing in the bay, swaying in hammocks, and barbequing on grills propped over the water. Leftovers were handfed to manta rays, or wrapped in foil for passing boats. Residents mingled with tourists as if one big family, smiling with no hidden agenda other than to share joy.

After kayaking around Hilton, I boarded Terevau ferry back to Tahiti. The largest island in French Polynesia, Tahiti is the gateway to surrounding islands . . . and so much more. Its mountainous interior boasts streams, valleys, and waterfalls, and the bustling capital is buzzing with markets, music, dance, art, and culture. It's also home to Arahurahu marae (temple), a sacred meeting place for ancient ceremonies and celebrations.

I caught an hour flight to Tikehau, one of the 77 atolls that make up Tuamotu Islands. For anyone interested in diving, Tikehau's transparent world is a must.

Set on Motu Tiano islet, Tikehau Pearl Beach Resort served as the ideal base for diving excursions. Thirteen Polynesian villas dot a coconut grove, fringed by pink-sand beaches. Another 24 overwater bungalows push off the mainland.

Snorkeling and kayaking are onsite attractions, but most people book diving trips with Tikehau Plongee. Expect to see tuna, barracuda, and manta rays up to 13ft. Kneeling on the ocean floor, I leaned back as the belly of a manta ray skimmed my forehead.

Saving the best for last, I ended my trip at Tetiaroa, an atoll of 12 islands centered by a sparkling lagoon. Only one is developed by The Brando, named for Marlon Brando who fell in love with Tetiaroa while filming *Mutiny on the Bounty*. Passionate about preserving the island's biodiversity, the actor bought the atoll in 1967 and turned it into a model for sustainability.

Officially opened in 2014, The Brando is considered the greenest resort in the South Pacific. A 20-minute flight from Tahiti, it's like the Where's Waldo of resorts. All 35 villas are tucked behind gardens on white-sandy beaches frequented by exotic birds. This year they released a record-breaking 25,000 green turtles.

Guests can navigate the 2-mile island by bike or golf cart, or spend the day in their villas complete with plunge pools, media rooms, jungle baths, and windows galore.

Included in the rate are meals, drinks, plus one daily activity and spa treatment. For an energy boost, the Peue Blend massage combines Shiatsu, yoga, and Thai into one out-of-body-intomind experience. Activities run the gamut of tennis, biking, snorkeling, fishing, and beyond.

I chose the behind-the-scenes Green Tour, and the Tetiaroa Ultimate Tour of the atoll. Led by the experienced and fabulous naturalist guide, "Tihoni," he has a heart for the islands that runs deep. He pointed out the dove-like common tern, the red-footed booby, strawberry crabs, and the 45 hives of resident bees that produce 827 pounds of honey every two months.

Never had I experienced such splendor, with shades of turquoise I didn't know existed. For the grand finale, we anchored in the still lagoon, waded in knee-deep water, and pinched the sugary sand between our toes. I told Tihoni it would be hard to describe a place such as this.

He told me it's more about "her" energy and her desire to shine for those who loved her back. I gave him a puzzled look.

"It's a she," Tihoni explained. "The islands I mean, she's female."

I smiled and asked if she might feel loved by me.

"Well, let's just say I've lived in French Polynesia all my life, and today, she's showing off for you."

Marlise Kast-Myers is an award winning travel writer who lives in Valley Center.



Anchored in the still lagoon at Tetiaroa.





Need In-Home Care?

Call Golden Care for a *free* home assessment!

We are a concierge care company and treat you like family.

(760) 828-5201 | getgoldencare.com

PRSRT STD US POSTAGE PAID PERMIT #3175 SAN DIEGO, CA



# AND IT'S

## JUST THE BEGINNING OF YOUR ASCENT.

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

