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PERSPECTIVE

A Dynamic Duo

The two founders of Gavrilov & Brooks employ their different styles to connect with juries.

By Shane Nelson

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Born and raised in Bulgaria, trial attorney Ognian A. Gavrilov first came to the U.S. when he was 20. A couple of years later, when his wife suggested he join her in pursuit of a legal degree, Gavrilov thought that was a terrible idea.

“I said, ‘Who in their right mind is going to hire a foreigner with an accent as their lawyer?’” Gavrilov recalled with a chuckle. “You can tell who was the brighter one in the family at the time. Clearly, I was wrong, and she was right, which is why we’re still friends today even though we divorced.”

Gavrilov graduated from University of the Pacific’s McGeorge School of Law in 2008 and said he struck out on his own soon afterward because there were no jobs.

“It was a complete economic calamity in the legal profession,” he explained. “Nobody needed a brand new lawyer, so I had to create a job for myself.”

In those early days, Gavrilov said he did everything from trucking law cases to family law, bankruptcy, tax matters, business litigation and immigration.

“I really wasn’t very selective,” he recalled. “I didn’t really have much choice. It was between that and sleeping in my car, so I had to go with anything and everything that came through the door.”

A few years later, Gavrilov said he handled his first jury trial with two weeks’ notice and won, a somewhat unexpected success that he said taught him a surprising lesson.



J. Edward Brooks and Ognian Gavrilov | Malcolm Maclachlan / Daily Journal photo

“That’s when I realized my accent turns out not to be an impediment but a huge advantage,” he explained. “The jury is entertained and interested in the fact that there is something they didn’t expect, and ... they actually pay more attention than when, say, John Smith is speaking.”

More successes followed, and by 2014, Gavrilov had built a thriving business and corporate litigation practice in Sacramento, hired associates and purchased an office building. He’d also been working for a time on cases with employment attorney J. Edward Brooks.

“I didn’t know anything about employment law,” Gavrilov explained. “And with Ed being a terrific employment lawyer, he was a really good fit for what I needed to continue to represent my corporate clients and do more for them.”

The duo enjoyed working together so much they decided to join forces and launched Gavrilov & Brooks in 2015. Today, the Sacramento-headquartered firm has 20 attorneys, four of whom are based in a Los Angeles office opened a little over a year ago.

“We represent Fortune 500 companies, banks, government entities,

all the way down to individuals,” he said, noting they handle both plaintiff and defense work. “Three quarters of the firm is employment and corporate business. Then a quarter of the firm is contingency work.”

Brooks said the firm owes a fair bit of its success to what he described as the contrasting styles of its founding partners.

“I would say he’s a lot more aggressive than I am,” Brooks said of Gavrilov. “My approach, I guess, probably tends to be a bit more conservative. ... But that sort of yin and yang balance we

have, I think, works well for our clients.”

Brooks graduated from McGeorge School of Law in 2006 and then worked as a Sacramento County prosecutor before leaving to focus on civil litigation in 2009. Before law school, Brooks worked for 10 years as a high school teacher and soccer coach — experience he said has proved terrifically useful in trial.

“Having spent all that time in the classroom with an audience who does not necessarily want to listen to you every day — I think that helped me a lot,” he explained. “Being able to communicate with jurors and working to have that captive audience, knowing you need to keep their attention, you need to make things interesting for them to make sure they’re following along.”

Gavrilov & Brooks earned media attention in the fall of 2021, winning a \$39 million jury verdict in a defamation case for Dalas Gundersen,

a former Edward Jones financial adviser who claimed two of his ex-colleagues destroyed his reputation in an effort to steal his clients. One of those former co-workers posted fake Craigslist ads posing as Gundersen and soliciting gay sexual encounters, according to the complaint.

The trial judge reduced the award to \$26 million, but an appeal of that decision is ongoing. *Gundersen v. Edward D. Jones & Co. LP*, 15CV01484 (Glenn Co. Super. Ct., filed Sept. 29, 2016).

Gavrilov said another firm brought the case to him a couple months before trial was scheduled to begin, and initially, he wasn’t sure he wanted to be involved.

“It was so complicated the way it was presented to me. When I saw the evidence and the facts, I’m like, ‘How do I wrap my head around this?’” he said. “And it was definitely a very difficult explanation for a jury to comprehend. But I thought if the jury can

appreciate this man’s life, his reputation had been destroyed, they won’t care how much business he lost because it’s just outrageous behavior for anybody to suffer through, especially in a small community. ... Destroying somebody’s reputation is catastrophic in such a community. So we ran the case purely as reputational loss, pain and suffering, essentially emotional distress only.”

Walnut Creek defense attorney Brian H. Gunn, who opposed Gavrilov in an unrelated personal injury jury trial, described him as a great trial attorney.

“He’s charismatic, and he added a lot of value to the case,” Gunn said. “The plaintiff probably got \$1 million more than he otherwise would have because of Ognian’s involvement.”

Gunn agreed that Gavrilov’s Bulgarian background can be an asset at trial.

“I think his accent makes him more interesting to some jurors,”

Gunn said. “He sounds like an intelligent guy. ... And it’s not as if he doesn’t have a strong command of the English language.”

Orangevale defense attorney John J. Casey, a former Sacramento County assistant public defender who opposed Brooks during his time as a state prosecutor, agreed that Brooks’ time as a teacher paid dividends in court, and he said public defenders respected him.

“Ed was a very effective advocate in trial,” Casey said. “He was somebody you had to take seriously; otherwise you’d get your hat handed to you.”

Gavrilov said his firm isn’t afraid to try cases, and he enjoys doing it.

“I think juries are smart — a lot smarter than many lawyers give them credit for,” he explained. “If you can connect with them, that moves the needle. And I think I connect with juries really well. I don’t win them all. I’m not claiming that, but I surely win a whole lot more than I should.”

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GAVRILOV & BROOKS
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