At first glance Mike Schonbuch looks like your average hardworking, highly intelligent, nice-looking Southern California lawyer. And I don't mean to infer that he's not all of those things. But Mike is special, very special. Mike has the kind of practice that a Hollywood screenwriter might dream up as the next vehicle for a Baldwin, or Brad, or perhaps Sean. Mike Schonbuch defends Southern California nightlife. He makes it possible for us (well, those of you who like to leave home after dark) to go out and play in the equivalent of sandboxes for adults.
To research this story I spent several hours with Mike discussing his practice, the cases he's handled, and the people he's met. I wish it could have been several days.

To provide a little background let me list for you the categories of businesses that Mike represents. Damon Runyon might have described it all as booze, broads, and bullies. Well Mr. Runyon didn't interview Mike, and those characterizations are not accurate. First, there is the classic restaurant with a bar, a place you go to have drinks and dinner, or maybe just dinner, or maybe just drinks. Second, there's what you might call a bar/club, which is a way of describing a saloon that serves little or no food. If this saloon emphasizes music and/or dancing, then it's not just a bar, it's now a club.

Lastly, and the one you were all waiting for, is what the more fastidious will term a "gentleman's club." And by golly the owners of these places tend to be terribly fastidious, because almost all of them term their joints "gentleman's clubs". Please don't think that you have to be either gentle, or even a man, to gain admittance to these, uh, clubs. However, if you're looking for a beer, or a great martini you'll have to go somewhere else. The gentlemen's clubs where the girls dance without clothing aren't generally allowed to serve alcohol. Life's a compromise.

In any event, I know that you'll be shocked to learn that these business establishments, from time to time, become involved in litigation. I know, I know, it beggars the imagination. And for those of you who really don't like to read, and prefer to skip some of the dry statistics I'm about to present, you may simply proceed to the end of this story where I'll share with you some information about a couple of actual cases that Mike handled that the rest of us would have tried for free just for the excitement and privilege of defending these cases.

First the dry stats. About 20% of Mike's work involves the restaurant-with-bar establishment, with the biggest percentage, 50%, involving a bar or music/dance club. The remainder fall into what we previously primly referred to as gentleman's clubs, and which you creatures of the night call strip joints.

More dry stats. The allegations of fault leveled against these establishments break down more or less into three basic areas: (1) claims of a premises defect; (2) alleged failure to properly control the premises (usually involving third party criminal conduct); and (3) the ever-popular claims of alleged overreaction on the part of the security force (okay, the bouncers). Sorry to burst your bubble guys, but you'll note that none of these categories involve claims of the talent engaging in audience-participation activities. Despite what you might read in the tabloids, that stuff almost never happens, at least not on campus.

Over the years Mike has represented a very large number of women and men whose job it is to create fun and enjoyment for all of us, or at least some of us. The labors of these men and women can't be easy. I asked Mike to tell me a little bit about his clients. I don't mean the folks who own these establishments, but the individuals who work there, the women and men who check your I.D. if you look young enough, pour your drinks, wait on your table, curb your enthusiasm should you get over-served, and take their clothes off for you.

The security guys (and sorry ladies, but the only place you're allowed to secure are the women's bathrooms) tend to follow the stereotype most of us see on T.V. or in the tabloids. We're talking major meat here, 200-400 pounds for about 80% of them. A few are former football players, or professional wrestlers. According to Mike, almost all of them are pleasant, unaggressive peacemakers. After all, the last thing these guys need is another fight. If they win, they are likely to get sued, and if they lose they get hurt, or worse. As with any line of work there's the occasional bad guy, but Mike thinks these fellows tend to be the last man in the saloon who wants to fight.

When most of you were young children there was a very popular television program called, appropriately enough for this story, "The Naked City", and at the beginning of each program a voice-over would begin by saying something like, "There are millions of people in the city, and each of them has a different story to tell." Apparently women who dance without clothes for the enjoyment of paying customers are descendents of people who lived in that long-ago television city, i.e. they each have a different story, a different background, a different reason to take their clothes off for strangers.
They have some things in common. Most tend to be in their early to mid twenties, and many are, if not actresses and models, at least aspiring actresses and models. Most are not ugly. But after that, each young woman is unique, with her own reasons for seeking employment in this line of, ah, entertainment.

What they earn varies widely. Mike reports pay scales ranging from $100 to $1000 per night. None of these women are "employees"; they are all independent contractors, and from time to time Mike has represented women who actually paid the club for the opportunity to perform there. Patrons there apparently tip well.

Mr. Schonbuch, ever the gentleman, told us that these young women have invariably been pleasant, cooperative (and I mean that in the very best and most ethical way), and excellent clients. Actually, Mike wasn't just being a gentleman; he was quite serious and straightforward when discussing his clients, and he made it easy to appreciate that these women work hard under sometimes unpleasant circumstances. Interestingly he mentioned that occasionally his women clients appeared embarrassed when meeting with him, most particularly if the meeting took place at his office, rather than where they worked. He senses that his clients sometimes feel uneasy at being in a more formal business atmosphere.

You're probably wondering how frequently Mr. Schonbuch finds it necessary to do some field work, some investigation at the very scene of the alleged tort. Mike responded to this question by indicating that while he certainly needs to understand and appreciate the physical layout, and how each club operates, he only needs to do this kind of field investigation just before a case goes to mediation, arbitration or trial. The site work, in other words, is done as often as you would need to prepare a mediation brief or in limine motions. Also, in addition to his personal visit to the club, at trial, Mike will often use photographs, and even videotapes made by security which demonstrate not only the club's layout, but on occasion all or part of an alleged assault. Upon review of the video by a jury, they often conclude that if there was an assault, it was the plaintiff rather than the defendant who was the assailtor.

And a fair number of these cases do go to trial. Mike Schonbuch has probably tried more "saloon cases" than any other attorney in the country. He was kind enough to share with us a few facts and information concerning some of the more noteworthy cases he has

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The folks shown with Mike Schonbuch on the cover are not actors (well at least they’re not acting for purposes of this photograph). However, they all work for business establishments which Mike has represented. Two of them are entertainers, and two are security. Can you tell which?

Actually Ursula Quackenbush (top) and Madeline Lindley (center) are both terpsichoreans at an elegant place called Crazy Girls. Messrs. Ed Shaw (behind the shades) and Tim Wayne (with the goatee) help maintain order at the Viper Room. Looking at Ed and Tim, order sounds like a really good thing. Looking at Ursula and Madeline, it’s understandable that it might not always be easy to maintain order when they perform.

We are most grateful to Ursula, Madeline, Ed, and Tim, for their time. We thank Mike Schonbuch for making it possible to meet some of the folks he works with, and for helping us understand that nightlife isn’t fun and games for the men and women working the clubs. Thanks to each of them.

One evening in 1996 a band called the Wallflowers was scheduled to headline at a joint called the Viper Room located in West Hollywood. Those of you too young to remember “The Naked City” will know that Jacob Dylan, son of Bob, heads up the Wallflowers. Those of you too young to know who Bob, the father of Jacob is, will know that the Viper Room was owned by Johnny Depp. Now, apparently on this evening a bunch of really famous Hollywood types thought it would be more than cool to hang at the Viper and catch Jake. We’re talking Mick Jagger with his own private security force, and a large group of other role models. The Viper Room, as a courtesy to its celebrity customers and performers, has a strictly enforced policy against recordings, videotapings, and particularly photographs.

Well darn it, but some paparazzo managed to gain admittance, and also succeeded in smuggling in a camera. As Jacob played and people cheered, Mr. Jagger allegedly thought it might be a good idea to visit with Ms. Uma Thurman, who was ensconced in one of the better booths near the door. Mick made his move, and the guy with the camera did likewise. On his way to the door, and I’m not clear whether he was walking or running, the camera guy snapped a photo with the accompanying flash, of Mr. Jagger and Ms. Thurman that Mrs. Jagger tried. Amazingly, two rather well-known cases arose from separate incidents, which occurred at the same location within 36 hours of each other.
might not appreciate. At trial the cameraman testified that the next thing he remembered after taking the picture is waking up on the sidewalk out side the Vipe, and at this point he wasn’t feeling well. He sued Jagger and Depp for assault and battery, negligence (got to get the insurer involved), and conversion (someone bagged his film).

To cut to the chase, Mike is defending Depp. Trial is approaching. Jagger is not crazy about giving a deposition. On the other hand, he’s giving a concert at Dodger Stadium, and the judge decides Jagger should be ordered to talk. Since Jagger was giving a concert downtown it made it a little more difficult for Jagger to argue that it would be inconvenient for him to appear in Beverly Hills for a deposition. Apparently Jagger was willing to pay so that he wouldn’t have to talk because he settles out a day or so before his deposition for a confidential figure. The case goes to trial against Depp. Mike loses. He loses $600,000. The verdict is $1.2million, but Jagger, who was no longer a party, was found 50% at fault.

Mike appeals. The court grants Mike’s appeal. Mike retries the case. Mike wins, and justice is finally done.

Most attorneys would refrain from reliving with you cases they lost, but as they say, the only guys that don’t lose’em are the guys that don’t try’em. Besides, in the long run, he won. In addition, Mr. Schonbuch is secure in his talents, and his record needs no embellishing.

The night following the Jagger and Wallflowers extravaganza, the Baywatch cast and crew had a dinner party at a Le Colonial in West Hollywood. After dinner, naturally the entire crowd all wanted to head for the Vipe, maybe to see if Uma was still there. They enter; they dance; they might even have had a drink or two. They leave. As Tommy and Pam exit they are greeted by a hundred or so paparazzi waiting on the sidewalk. One of the papps points a videocamera right in Tommy’s face. Tommy grabs the camera which is looped around the guy’s neck, and swings the guy around dumping him to the ground with enough force to fracture his hip. Tommy then gets pepper-sprayed by, he says, the Viper crew.

Tommy and his crew leave in a huff. Shortly thereafter they return even fussier. They leave again. The guy with the sore hip sues Tommy. The plaintiff is repped by Ms. Allred, who reluctantly became involved in this case despite the fact that there might be some unwanted media coverage. Tommy cross-complains against the Vipe.

There are lots of pictures and videos. Lee dismisses his case against the Vipe. Mike doesn’t know with certainty, but he heard that Lee may have settled with the papp.

Sometime you should ask Mike to tell you about his really weird and unusual cases. As mentioned previously, this being a family/scholarly publication, we can’t touch them. Suffice it to say, he’s one hell of a lawyer, and he hasn’t handled a reaender in years. Those of you who enjoy the occasional night out, be thankful for Mike Schonbuch, a guy who makes it safer and more civilized for all of us.