ORAL HISTORY

of

ELIZABETH J. CABRASER

Interviewer: Rebecca Westerfield

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ABA SENIOR LAWYERS DIVISION

WOMEN TRAILBLAZERS IN THE LAW

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Interviewer:
Honorable Rebecca Westerfield (Ret.)

Date of Interview:
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THIRD INTERVIEW

December 22, 2014

JUDGE WESTERFIELD: Let's go on the record.

And my name is Rebecca Westerfield, and I'm interviewing Elizabeth Cabraser here for the Women Trailblazers Project for the American Bar Association.

And I think for archival purposes, and so that historians who might look at this in the future understand kind of our sequencing here, this is actually our third interview.

The first interview ended up being fragmented when we tried to prepare the transcript. And I am going to go ahead and tender that to the project, but we -- because I think there is some real seeds and phrases. It's a little bit like the fragments of Heraclitus or something, but I think they're worthwhile.
But that being said, I think we will, with your indulgence, Elizabeth, revisit some of the topics that we had tried to touch on in that first interview.

One was to maybe describe three or four of the major cases that you're involved in now and even since our last interview. I picked up the paper and you're involved in -- your law firm is involved in yet another class action suit on behalf of Sony employees who were injured during this breach by the North Koreans, but -- so tell us about some of the cases that you personally are involved in.

MS. CABRASER: Oh, sure.

I think right now, contemporary cases that I'm most deeply involved in personally, would be another data-breach-related case, the Google Street View case or the Google Earth case, which arose out of an incident a few years ago now in which Google was mapping for its Street View service and sent around little Google cars everywhere to take the video, but these cars were equipped with data-capturing
devices and captured personal e-mails from home Wi-Fi networks.

And so this gave rise to quite a number of class action suits brought under the Federal Wiretap Statute for violations of privacy, Internet privacy, and raised a number of new issues, some of which are still working their ways through the courts, in terms of basically the expectation of privacy for private e-mail correspondence, whether or not home Wi-Fi networks are essentially radio broadcast stations for purposes of a Wiretap Act that was originally written in the '30s, 1930s. And we got past motions to dismiss, went up to the Ninth circuit. Supreme Court denied review. So we have actionable claims into the Wiretap Act.

But we now face a number of challenges that relate to many, many different types of privacy litigation in the 21st century, which is basically working through the extent to which statutes and constitutional rights that were put on paper long ago when we put things on paper, the extent to which they do effectively protect
our rights of privacy today, and what the
c parameters of those rights are in an Internet
age.

And I think the Sony case that you
mentioned briefly is the latest-breaking
manifestation of this with respect to data
privacy in the workplace. I think these issues
are going to be the focus of much judicial
attention, including at the highest level, at
the Supreme Court, for the next generation, and
are going to engage, I think, everyone in this
country.

We've taken privacy for granted. We
assume it's there. We assume our Internet
communications are more secure than it turns out
they are. And, of course, this now has a
national security dimension, and apparently
someone is engaging in a bit of a cyber -- cyber
tit for tat internationally.

So it's something that our law firm is
looking at, given our heritage, and I guess our
purpose as a law firm, that exists to protect
and advance the rights of private citizens as
consumers, as employees, as investors, and basically as citizens of this country.

So if I had ever been worried that our workload would be shrinking, recent events have assured me that it won't.

So that's the data privacy and related intellectual property area, of course, because we also represent inventors and copyright holders. I'm not sure how copyright is going to survive in the 21st century. We represent photographers and musicians and song writers and such, and that's a huge battle, not only for economic justice for people that produce artistic and intellectual property, but how we all, as consumers, can have the benefit of that so that our culture survives and it's worth -- economically worth struggling in the arts. It's always been a struggle, but I think the struggles are greater for people that want to produce art and music and want to survive economically doing so. So that's all of that.

In the more conventional consumer area,
now is the General Motors ignition switch litigation, which is multidistrict litigation, centralized before Judge Furman in the Southern District of New York. So I commute between my San Francisco and New York offices to work on the GM litigation. And that, of course, arose out of the recall of now nearly 20 million GM vehicles for faulty ignition switch assemblies which can turn off during operation, which disables airbags and disables power during the operation of the vehicle.

So these -- this problem has been implicated now in thousands of crashes, which were previously of unknown cause. This defect goes back to 2000. So many older cars still on the road today have the problem. GM is initiating massive recalls, but the recalls themselves are far from complete.

It's a massive undertaking for any company, and, meanwhile, claims by those who have been killed or injured in these crashes have been filed in federal courts and state courts nationwide. So the job of the GM
multidistrict litigation is to centralize and organize that litigation, to conduct common discovery and investigation so that we can get the factual evidence before the courts, and to hold a series of bellweather trials which, hopefully, will inform future resolution efforts.

We also have consumer class actions on file for the cost and inconvenience to people of having to park their cars, take them in for recalls, find other ways to get to work and get the kids to school. It's one of those situations where a series of millions of relatively small day-to-day inconveniences and costs turn into a massive aggregate problem.

JUDGE WESTERFIELD: Well, I know we could go through a very long list, but I would like for you to talk for a moment about the BP case --

MS. CABRASER: Okay.

JUDGE WESTERFIELD: -- because that's another cutting-edge issue --

MS. CABRASER: Yes.
JUDGE WESTERFIELD: -- and environment being so critically important to us all.

MS. CABRASER: So, yes, I am involved as a member of the Plaintiffs' Steering Committee in the multidistrict litigation called "In Re: Deepwater Horizon Oil Spill," sometimes known as the "BP litigation," because BP was the operator of the oil rig that caught fire and blew up and created a massive oil spill, and early on was determined by the federal government to be the primarily responsible party under federal statutory law for damages to the environment and economic losses arising from the spill.

That litigation is centralized in New Orleans, appropriately enough, and has been ongoing since fall of 2010. So we've just finished our year four. We've had two phases of a multiphase admiralty trial to determine relative liability, exposure to punitive damages, and to -- to decide some of the factual predicates of calculating the size of the fine that BP owes the federal government and also
owes to state governments in reparation for the spill.

We negotiated over the course of a year of, essentially, 24-hour-per-day, 7-day-a-week negotiations a massive class action settlement with BP for private economic losses and also for medical damages, for injuries suffered by the folks that went out to the beaches to clean up the spill and were exposed to the chemicals that were used to disperse the oil, and that has proven to be its own litigation.

The good news is that under the economic loss settlement, nearly $5 billion has been distributed to businesses and individuals throughout the Gulf Coast and the medical settlement is distributing approximately $1 billion worth of benefits.

We also just negotiated an additional $1 billion settlement with Haliburton over the disputed punitive damages issues. That settlement hasn't gone in for court approval.

We got court approval of the BP settlements and then BP challenged the
settlements. It's the first instance we know of where a settling defendant has challenged its own class action, and BP went all the way up to the Supreme Court to seek reversal of that settlement. The Supreme Court has now denied review. That occurred earlier this month. And so we have a final settlement.

We have a number of battles over administration and implementation of the settlement. I think we're going to be engaged in those battles for the next several years, but the settlement will continue to distribute benefits. We have six months to go on our claims period under that settlement, and it may top $10 billion in terms of damages paid by the time we're done.

We're very proud that that settlement was accomplished and that the beginning phases of trial were conducted within four years of the spill. We compared that to the Exxon Valdez litigation which took 20 years from beginning to end, and our BP judge, Judge Barbier, was very cognizant that he was case managing in the
shadow of the Exxon Valdez and every status
conference every month reminded us that this was
not going to be another Exxon Valdez litigation.

He actually appointed me to the
Plaintiffs' Steering Committee because I had
been one of the class counsel in Exxon Valdez,
and so I guess he figured that I knew what not
to do this time around, but I was kind of the
reminder that we weren't going to go there
again.

That case was actually tried within
five years of the spill, but was hung up on
endless appeals from the class action trial
verdict. So sometimes I don't have the hope but
sometimes have the expectation that the cases I
am involved in this year I may still be involved
in decade from now.

JUDGE WESTERFIELD: And I'm sure we'll
have a whole new list of cases.

Well, now that we've established that
you are, in fact, the premiere plaintiffs'
counsel in class action in the U.S., and
internationally known as well, I'd like to turn
our conversation now to how you got here and why. How did you get here?

   MS. CABRASER: Gosh, it's been a long strange trip, I think. Certainly never thought at all about being a lawyer growing up. I wanted to be a musician, and if I couldn't be a musician I wanted to be a physicist. So somehow that turned into being a plaintiffs' lawyer working on class cases and other cases for consumers. No one in my immediate family had gone to law school. So it was kind of a new thing. And I went to law school --

   JUDGE WESTERFIELD: May I ask that year again when you went to law school?

   MS. CABRASER: I started in 1975. So after -- after going to the University of California and switching majors probably a world record number of times, I went from physics to classics to criminology to music. And I think I -- I finally graduated in sociology, not because I know anything about it or wanted to be a sociologist, but I was invited to finish up by the university and I needed only one class,
turns out, Sociology 101, to graduate with a bachelor's in sociology. So I did that by default.

And the summer after I graduated, I had to figure out what to do, and I heard that they were giving -- I was living in San Francisco, heard they were giving the LSAT down the street at San Francisco State, so I went down and took the LSAT. And then had $15, and it cost $15 to apply to the University of California Law School at Berkeley, so I did that, figuring, okay, I've done what I can about higher education, now I'll go get a music job or something and forget the whole thing. But I got in, so I went. It was kind of the path of least resistance.

It was a tuition-free school at the time. So I could afford it. They gave all the work study you could do. So I worked at the law library in Alameda County and I worked for the Public Defender's Office. And actually, it was through these little work study jobs that I began to see some possibilities in the law.

I wasn't really big on the theory, at
least when I started. I had no earthly idea --
first year of law school had no idea what
anybody was talking about. It was interesting
because it was something new to learn, but I
didn't know what I could possibly do with it.

And then working at the law library I
got hooked on legal research. Nobody really
wanted to do it. I thought it was fun. You
know, I would find obscure books for people and
research obscure questions. LexisNexis had just
been invented and they had these big, standalone
terminals with the daisywheel printer, and I was
just -- it looked so scientific. You know, I
thought, this is great. You can key in search
terms and law comes out, literally, with a lot
of noise. So I was fascinated by that. I still
have my original user code, which is 001. I was
an early Lexis person.

JUDGE WESTERFIELD: Well, I mean, so
what I'm getting from this is that you're a
learner and you enjoy learning about all sorts
of things.

MS. CABRASER: I think that's what it
JUDGE WESTERFIELD: Where does that come from?

MS. CABRASER: I don't know. I always enjoyed it. You know, we got -- my family got one of those weekly installment encyclopedias that you got at the Safeway grocery store for 99 cents. And so every time we would get one, I would just read it because it was like everything that starts with the letter A and then you go to the next one, and I always enjoyed just reading about and learning new things. And it turned out, the law is uniquely situated to that, because if you have a new case, you have to learn about that particular area.

And I had no idea about specializing in the law and that there were people that were going to go into taxation or wills and trusts or transactional work or corporate work. I just thought, Oh, okay, you can wander around and do everything. So I turned into a litigator by default.
But I think that's what it was. I mean, I wasn't particularly academic for the sake of being academic, but I was always curious about things, and, of course, the thing that wasn't assigned was always the thing that was more fascinating. So, you know, you go into the law library and you're supposed to be looking up your cases for the real property class, well, that would be the last thing I did. I would go, you know, wander around in other areas of the law. I loved legal history, for example, which Berkeley actually taught classes in.

JUDGE WESTERFIELD: That's right. And still does.

MS. CABRASER: Still does.

I loved Canon law. I hung out in the rare-book and old-book section and, again, you know, not with any view toward a particular job. I didn't think that I was going to be working as a lawyer. I was just safely ensconced in law school, still playing in bands, you know.

JUDGE WESTERFIELD: What instruments again?
MS. CABRASER: Drums and sax, but mostly I was a drummer.

And, you know, I realize now it was a Halcyon age, because no tuition. I wasn't incurring debt. I wasn't locking myself into, you know, the financial pressures now that law students have, and that was a tremendous gift because I was free at the end of law school, I thought, to just go off and do something completely different; not have to use a law degree, go into anything that I wanted.

It turned out that my fate was determined by an index card that was posted on the bulletin board of the Sonoma County Law Library. I was living in Sonoma County, helping my parents out who lived there, and commuting down to law school. And so I would study at the Sonoma County Law Library, and I saw a little card that said: "Legal research needed $5 an hour." And I thought, Well, great.

JUDGE WESTERFIELD: That's a big salary at the time.

MS. CABRASER: It was because I was
making $3.62 doing legal research at work study.
So this was like -- this was fabulous. In 1977,
this was big bucks. So I thought, I can keep my
work study job. I can moonlight doing legal
research for 5 bucks an hour.

So I called up the number and there was
an attorney in Sonoma whose name was Bob Lieff,
and he said, "Come on. Can you drive over?
I've got some legal research that I need to have
done right away."

So I drove over to Sonoma and it turned
out the legal research that he needed to have
done right away was a brief that was due in the
Ninth Circuit the next day. And he said, "Can
you do it?" And I said, "Sure."

I had no idea what a brief for the
Ninth Circuit was or looked like, but I got some
samples, and I went home and I typed out -- this
was in the age of typewriters. I typewrote a
brief and I brought it in the next morning, and
he said, "Yeah, okay. That looks okay. There
is a few things we have to fix."

So his secretary used Wite-Out and we
did a little Wite-Out job, and he said, "Okay, now you have to file it."

And I thought, Where do I -- so he explained, you go down to San Francisco and you make copies and you file it. And so somehow or other I got the thing filed at I think like 3:45 in the afternoon with the right number of copies.

And I was hooked at that point because it was an interesting case. The issue was whether or not a widow was going to get money from her husband's life insurance policy, and it turned on a choice-of-law question. Happened I knew something about choice of law. Turned out later, we won the appeal. So then I was really hooked, because it made a difference to do that. A, it was exciting to try and beat the clock and to do something --

JUDGE WESTERFIELD: So you liked that adrenaline flow?

MS. CABRASER: It was the adrenaline flow. And I didn't know that's what litigation was about at the time.
So within the course of 24 hours, almost literally, you could take on a challenge, do something about it, and help somebody. I didn't realize how unusual a circumstance that was. I thought we would do that every day.

So I went to work for Bob as his law clerk while I was still at Berkeley for my last year and for $5 an hour again. And the idea was that my job was going to be to help Bob get rid of the cases that he had. He wanted to retire. He had left the Belli firm. He had been a partner there.

JUDGE WESTERFIELD: Oh, I forgot that.

MS. CABRASER: He was 40 years old at the time. He had gone up to Sonoma, bought an old, defunct winery and vineyard, and his goal was to restore the winery, replant the vineyard, get historical landmark status for that, and be a gentleman farmer. He was, he thought, through with the law.

Meanwhile, he had opened up a one-desk -- I had one side, he had the other side -- one-desk law office on the Sonoma Plaza
and he was running through the cases that he had taken with him from the Belli firm. My job was to help do that, the Ninth Circuit case being one of them.

So it didn't work out quite that way because people would show up at the law office, and so since we were open and since we were there and since I was working on these cases, I would say, "Well, you know, this is a will. Can I do this?" "Oh, sure. No problem." Or "This is a little automobile accident. Can I do this?" "Oh, sure." You know, and so it was. So it was a small town --

JUDGE WESTERFIELD: So you were just an old-fashion country lawyer?

MS. CABRASER: Very much so. I loved it. I thought it was fabulous. Whatever came in the door, that's what we would look at. If we couldn't do it, we were refer it around the Plaza because all the little law offices had their offices around the Plaza. So I got to know the lawyers in Sonoma County.

There was a Municipal Court that held
session at the old courthouse there at the time. This was before the California courts unified. So I would go to court Monday morning. We had this little -- you know, little case files. I did criminal defense. I did family law. I did wills and trusts. I did contracts. We did anything and everything. But the idea was we were going to cycle out of the process, and then I was going to go look for a real job. I was going to graduate from law school and look for a real job.

I graduated from law school and it turned out that the first case I did as an actual lawyer was a class action for a group of elderly people in Sonoma who had been defrauded, of what turned out to be their life savings, by a real estate promoter. Turned out that Sonoma County was ground zero for real estate fraud in Northern California in the late '70s, early '80s because it was an elderly population.

JUDGE WESTERFIELD: I see.

MS. CABRASER: People had life savings. This was a time of very high inflation and
people needed investments that would keep up
with the rate of inflation, otherwise they would
run through their money. And so it was just a
perfect setup for all sorts of obscure
investment fraud; not stocks or bonds, not the
10B5 securities litigation, but this was oddball
limited partnerships, diamonds, gold, real
estate, anything that anybody could conjure up.

So it was real fraud, which I thought
of as a tort. And we knew about 10B5 and we
knew about civil RICO and we knew you could do
class actions for those things. What we didn't
know was that you don't do those in cases of
oral misrepresentation or fraud. So we did them
anyway, and I would go around and I would get
declarations from the investors. They loved the
idea of doing it as a class action because they
didn't all have to put their names on the suit.
This was so embarrassing for people that they
had lost their money.

JUDGE WESTERFIELD: Interesting.

MS. CABRASER: And if we could just
find one person that was willing to be the named
plaintiff, we could do them as class actions. And so we just, not knowing any better, started doing these class actions. Put a lot of work and time and blood and tears and sweat into them, but to us they were worthwhile because it was the difference for people between going on food stamps and welfare and being able to live on their savings.

JUDGE WESTERFIELD: So, I mean, you have such a well-honed sense of justice. Any idea where that comes from?

MS. CABRASER: I don't know. I mean, it just seems like there are things that can be done. Life isn't fair. We know that. But I think people have an instinct that it should be fairer than it is. And most people, if they can do something to achieve some measure of justice in their own lives or in others' lives, they will do it. I think it's just basically a sense of fair play. We don't like to see people being ripped off or taken advantage of or treated with disrespect.

And the revelation for me was that the
law was a vehicle to do something about it. You know, not to make the world a perfect place overnight, but that we had conditions in this country, we had access to courts, we had laws. We had an idea, I think, as Americans, that everybody is entitled to justice, not just the rich and not just the powerful. And obviously, you know, it doesn't work out perfectly and it doesn't work out all the time, but there is usually something to be done.

And so, as a lawyer, the great privilege of a lawyer is, you get to do something about it. You have to figure it out. You have to figure out is it economically feasible; how will I pay the rent while this is happening. But I was fortunate because Bob Lieff had had the experience of working with Melvin Belli, kind of the original all-purpose people's lawyer, and so he understood and was comfortable with the idea of a contingent fee or court-awarded fee, didn't worry so much about fronting costs and fronting time and effort and figured you win a few, you lose a few. You're
not always going to get the money back, but if you do it right and you're careful and you watch the economies and you're frugal about it, it can work out in the long run.

And so it never bothered me to take what some people considered to be large risks. Because, again, I was very fortunate. I could afford to be poor. I had no debt. Right? It was just can I make my rent? Can I make the payments on my car? That's all I needed to be able to do and I was in business. And so working for Bob, trying to enable his retirement, that was a complete failure. He is not --

JUDGE WESTERFIELD: He is not retired.

MS. CABRASER: No. It's still Lieff Cabraser.

JUDGE WESTERFIELD: Right.

MS. CABRASER: It's been Lieff Cabraser since 1978. And we've added partners and we've added lawyers, but we're still doing basically what we did back then. It hasn't changed. The business model, such as it is, really hasn't
changed, which is, do worthwhile cases that we think, that we hope, courts will be interested in, investing judicial resources in, because we know those are scarce, and that will make a difference in people's lives. And that's all it is. It's not any more elaborate than that.

JUDGE WESTERFIELD: Any gender differences in that era, late '70s, early '80s, that you noticed in terms of treatment by the courts or by other attorneys?

MS. CABRASER: You know, I was pretty oblivious to what was going on with other attorneys. I mean, I know now that I was being condescended to or being patronized. I thought it was because I was a newbie, you know, and that probably a lot of that was deserved. I didn't know what I was doing. I went into court and, you know, had a lot of energy and that was about it; certainly not a lot of experience and certainly not a lot of knowledge.

The one thing that I noticed right away, though, is that -- because I watched a lot of law and motion, is that when there was a man
on each side of the V, they would -- they would say "Plaintiff" or "Defendant" or "Counsel," but when I was arguing they would personalize. The other guy on the other side -- it was always a guy on the side, would personalize it, and say "Ms. Cabraser."

JUDGE WESTERFIELD: I see.

MS. CABRASER: And would do it by name, and I never could figure out if that was -- what that was, whether that was an insult or an affront. I didn't notice a lot of --

JUDGE WESTERFIELD: A way of somehow marginalizing, outside the profession.

MS. CABRASER: Outside the -- it's like something personal. What's she up to? It's something personal with her. And that always bothered me a little bit, and I just always tried to say "Counsel" and I always tried to comport myself the way that I saw the lawyers that I admired in the courtroom do it.

JUDGE WESTERFIELD: It takes discipline not to be distracted by something like that, don't you think?
MS. CABRASER: I think it does. I was so worried and concerned about making a good argument and appearing to be professional, that I didn't really waste a lot of energy on resenting it.

The things that I found more disturbing, and they were rare, would be instances when the judge would be condescending or patronizing. It didn't happen a lot. And I think it was fortunate that I began my practice in Northern California. I began my federal practice in the Northern District of California. And so I think that this was a fairly advanced court system, not perfect. I found out when I traveled to other parts of the country that things were quite different. And then I was never sure whether it was because I was a woman attorney or I was relatively young or I was not from there.

So I would always try to be a very good guest and very attentive to local conventions and local rules and local customs. And I found that just by approaching the Court and
relationships with other lawyers in that way, that it got rid of a lot of at least the overt hostility, which I think was as much about lawyers not from there, as it was about women lawyers. That said, women litigators were scarce then. I didn't realize that. I mean, there was so much I didn't know because I just -- I did it.

Bob Lieff was one of these -- is one of these rare people that is just gender blind and color blind and he -- there are two types of people in the world: good lawyers and bad lawyers. And if he thinks you're a good lawyer or could be a good lawyer, none of the rest of it matters. And I -- I don't think it would occur to him that you have different standards for women, you have different standards for minorities, or any of that, because he just -- it just didn't bother him. And, you know, the fact that he entrusted -- basically entrusted his practice to me as I was coming right out of law school, and there were plenty at the time -- you know, plenty of people that would have given
a lot to work with someone who had been a Belli partner.

JUDGE WESTERFIELD: Do you think there is anything special about your code of good lawyering that -- because you're special. I mean, that's simply a fact. You're exceptionally good at what you do, you're exceptionally well-respected, and it's a little bit like watching a great performer. I saw Rita Moreno the other day who is 83 years old.

MS. CABRASER: Oh, my gosh. Is she still singing and dancing?

JUDGE WESTERFIELD: Totally.

MS. CABRASER: Amazing.

JUDGE WESTERFIELD: And she commanded the stage. She just commanded the stage. And it was interesting to contrast her to some other big names who were there as well, but they commanded the stage. There was a presence there.

And I just wondered if you've ever thought about that?

MS. CABRASER: No, I mean --
JUDGE WESTERFIELD: She was just, you
know, so distinctive.

MS. CABRASER: Yeah, I was really
worried coming into -- when I finally realized
Oh, I must be -- I must be a lawyer, as I was
sitting in court one day doing that, thinking,
Huh, how did I get here? This is really
interesting. I was worried because I didn't
look like or sound like the people that I
thought of as being, you know, the hotshot
lawyers. I had never been a big talker in
school. I mean, my goal was to never speak in
class. I achieved that goal. I had always been
into the sciences and music because you don't
have to talk in either of those. You are
present in different ways.

So I was not -- I was not one of those
people that do debates or rhetoric or public
speaking. I avoided all of that just because
I'm basically very shy and insecure and don't
like to be in crowds or groups of people or
speak out. But I would end up in the courtroom
and I had to do something. You know, you can't
just leave or just say, "Oh, never mind. It's in the papers." You have to do it.

And the more I watched the law and motion calendars and the estates -- I would watch everything, the wills and trusts, and there would be 60 items on the calendar, and what I noticed was the people that were effective were not necessarily the big talkers and they weren't the ones that were orating or speaking or had the big egos or were doing any of that. And the people that were effective or the people that were just willing to take the risk to be themselves in the courtroom, it was all about the case or the motion or the matter that they were there on, and it wasn't about them at all. And it's almost that you didn't see them. So there was this complete invisibility, in a sense. There was no ego interference and it was just the law and the facts and the case coming through. So that was a huge relief to me. Because I thought, Oh, okay. I just have to know what I'm doing, and I just have to be able to articulate what I want
and why, and I just have to answer the questions that the Court has for me and basically just have to risk being in an open conversation with the Court. And if I can get over myself enough to do that, then I'm going to be okay. I'll get through this. And so that's basically what I tried to do.

JUDGE WESTERFIELD: Well, it also seems that you got to that point through some sharp observation and deep listening, which are both attributes that you see in scientists and musicians, obviously.

MS. CABRASER: I think that listening -- music is mostly about listening to what other people are doing and participating in and interacting in a constructive way. And, of course, if you watch or listen to the great Supreme Court advocates, it's a very informal conversation with the Court. They are at ease because they are familiar there, that's a big part of it; but the other thing is just being willing to take the risk of responding in realtime to the questions.
And I think it's easier to do that, frankly, representing plaintiffs because I don't have a critical -- I don't have another audience in the courtroom that I have to play to, and on the defense side you do. You have corporate clients that are expecting you to make a certain record, to make certain arguments, even if that's not necessary to the motion or the case and even if it would interfere.

So all I have to do is what I think is the best thing under the circumstances because my clients trust me. They are not sophisticated. They don't know better or think they know better than I do about what the goal is. And so that's a tremendous burden that I don't have to worry about. That's a distraction I don't have. And so I think that's another advantage.

And it is necessary to just -- it's what you block -- you have to block out everything except the judge or the panel of judges with whom you are conversing and remember not to argue. The whole thing about oral
argument is remember not to argue, because then
you're done.

JUDGE WESTERFIELD: Especially with the
judge.

MS. CABRASER: With the judge. And
every time that's happened to me, I've lost.
It's one of those things you have to learn over
and over again. Oh, yeah, don't do that.
That's not good.

But it's just I think anyone who wants
to be effective as a lawyer, whether it's
writing or orally, can do it. There is just a
lot of stuff you have to get out of the way
because it's just being an authentic -- it's
being an authentic voice. There are as many
ways to be a good lawyer as there are lawyers.
So that was the other thing I had to learn. I
was just going to have to be my own best --
whatever it was I could do, I was just going to
have to do that the best I could.

JUDGE WESTERFIELD: Would your advice
to a young woman attorney who came out of law
school, let's say, in the early '80s be any
different than the advice you'd give a young
woman attorney coming out of law school now in
terms of how to be a good lawyer and how to be
successful at law?

MS. CABRASER: You know, it's
interesting. I think it would be a little
different. The '80s were a pretty tough time.
Women did have to pay particular attention to
packaging, ways not to look, ways not to act,
just to eliminate the presumption and the
sterotypes.

JUDGE WESTERFIELD: I remember the era
of the floppy bow tie.

MS. CABRASER: Oh, my gosh. I had a
drawer full of them. And the best ones were the
fake ones that you could clip on in the back.
But they looked so ridiculous. I really -- I
admire Diane Feinstein, but it's really the one
thing I feel I should have to talk to her about
sometime because she just set the tone for that.
And we all wore them.

So there was that, you know, and how to
dress and how to act. And things are more
flexible now, but in a way, it's a little scarier now. Because they are flexible, it's harder to tell when you're over the line, I think, for young women, particularly.

I have been in a couple of courtrooms with young women attorneys who show up in outfits that I am appalled by, but they think are perfectly fine and they may well be perfectly fine. So that's how I can tell.

JUDGE WESTERFIELD: In what way? Are they too revealing?

MS. CABRASER: Too revealing, too casual. Although that's partly regional. You know, I would never show up in a Federal courtroom in -- I don't show up in a Federal courtroom in pants. Because I'm from the late '70s, so I still wear a matching skirt and jacket, but I think pants are fine. But in the Midwest in Federal Court, you can show up in pants and no jacket and different colors and sleeveless blouses and it is apparently fine. It appears to be the custom. So that's different.
We all travel a lot, and so knowing what's appropriate wear -- but I think women still have to spend a lot more time and attention on that than men do.

JUDGE WESTERFIELD: Do you think there is a greater tolerance within the profession now or a welcoming within the profession for a wider range of assertiveness and being on the part of women in the courtroom?

MS. CABRASER: I hope so. I hope so. I hope that we're getting toward the point where women can express themselves with as much range and individuality and authenticity as men can, because, again, it's the secret to, I think, long-term success as a lawyer to be able to be yourself and to be a professional, good lawyer. I think women are still constrained, relatively, in that respect because they don't know what is going to be misperceived or perceived as being too assertive or being slightly off.

And also, I think -- you know, this is stereotypical, but I think men take it less seriously or less hard if they are over the line.
and someone corrects them or someone reacts. It's like, Oh, okay, my bad, you know, and no problem. They just adjust. I think women tend to internalize that more. Oh, my gosh, I've done something horribly wrong. Now what do I do? I think we take it harder and more personally, whether it's necessarily meant more personally or not. More seems to be riding on it.

JUDGE WESTERFIELD: Well, I certainly expect that you're much more resilient now than perhaps in the beginning. So what would help you right the course for yourself?

MS. CABRASER: A lot of introspection after the fact. You know, how you replay the tape of what you did or said in court and you realize you should have done and said completely different things and you want to go back and do it again. And I would -- I would beat myself up a lot about that in the beginning, and then I would realize, okay, I'm not going to stop doing this. I'm not going to stop obsessing about shoulda, woulda, coulda, but let me see if I
could turn some of this into what I will do or won't do the next time so the next time is better. And so I did try to self-correct and to learn, and I had a lot of practice because I was in court a lot, which is good, and that's another -- I think that's a major problem for women, is getting in the courtroom.

JUDGE WESTERFIELD: I was thinking about that as you were talking about what you learned just from observing law and motion and that sort of thing.

But it also sounds, though, your introspection was very solitary. Did you have any group of friends or support that were sort of reality checks for you, particularly around gender issues, if that was ever on the forefront?

MS. CABRASER: You know, I didn't have a lot of friends and I still don't have a lot of personal friends who are lawyers, because in some way I don't really identify as a lawyer. It just -- I kind of get to work, Oh, that's what I do. Okay. And sometimes I hesitate when
people ask me what I do, because then I have to explain it.

But the lawyers in our firm -- it's always been a small firm. We always were very collegial. We always sat around and talked about cases. And again, it was mainly going to court and watching people in a courtroom situation. And I did have a woman litigator who I just admired immensely. She was an antitrust lawyer, Dianne Nast, out of Philadelphia, and I wanted to be Dianne when I grew up because she was the only one I knew who was in major litigation, who was in the courtroom a lot, who was in Federal Court a lot, who commanded the respect, and she always commanded the respect of judges. I mean, she was amazing to watch. She was just confident and smooth, very self-assured, very soft-spoken, very courteous to opposing counsel. She was really -- I didn't know this. She was really the quintessential Philadelphia lawyer, but I would watch her every chance I got and I would emulate -- you know, try to model myself. Because I could do that.
She wasn't a fiery orator, but she was always very well prepared. Okay. I can do that. You just have to do the work.

And I had a hard time at first getting the self-confidence thing because she was just -- nothing fazed her. I mean, the courthouse could be burning down around her and she would probably ask leave of the Court to gather her things and, you know, make an organized --

JUDGE WESTERFIELD: Get to the fire exit.

MS. CABRASER: Get to the fire -- Your, Honor, might I suggest we consider...

So -- and she still practices today. I think the strange thing is that we would always -- for years, we would always be the only two women lawyers in the courtroom on the plaintiff side. Now there are a few more, but there aren't enough. What hasn't happened is getting women into the courtroom to be able to learn by observing and learn by doing. Because that's a more and more scarce commodity. I just
walked across the street to the Municipal Court and sat and watched and did my own work in the back and I got it by osmosis.

When I started at Lieff Cabraser, there was Lieff and there was Cabraser. Bob didn't like to go to court so much, so I always went. It wasn't like I had to compete with anybody else to be able to be the one going to court. I was the one who was going to court, whether I was particularly good at it or not didn't matter. I was the one we had, so I went.

And I didn't realize until later that in big firms certainly, you don't get to court. They don't trust you. They have other people that are more experienced that can do things, and you might get to carry somebody's briefcase, but you didn't get to go do it.

Now I think a very good thing that the federal judges in San Francisco at least are doing is, if you're the junior person on the list of counsel of record, you're the one expected to argue the pretrial motions.

JUDGE WESTERFIELD: Oh.
MS. CABRASER: So the big dogs don't get away with keeping control of the courtroom. Particularly, Judge Alsup will do that. He will look for the lowest person with the highest bar number on the pleading and say, "You're going to argue the motion next time." And so it's an opportunity for young lawyers, who are more and more women, to be able to actually do it. But if the judges didn't do it, it wouldn't happen.

So the good news is, I think judges are on the forefront of diversity. The judiciary is more diverse than the litigators that practice before them, and judges are insisting on greater opportunity and more diversity because, basically, it improves the practice of law. It improves the quality of the efficacy that they have to sit through in writing to have younger, more creative, more energetic, more dedicated lawyers actually doing the visible work.

JUDGE WESTERFIELD: And perhaps this may be our last topic, but you can certainly add any others you would like.

MS. CABRASER: Okay.
JUDGE WESTERFIELD: But of course whenever we talk about women and the law and women and work life and so on, the work-family balance issue comes up. What are your thoughts about that?

MS. CABRASER: Wow. You know, it's -- I had hoped that as more women went into litigation, that litigation would be less cruel on personal lives, more productive, and that the compassion and justice that we want for our clients would be reflected in the lives of the litigators who were trying to get it for them. So far, that has not come to pass.

I think there are a few encouraging signs, but there is still too much the mentality of the litigators work 24/7, whether they are productive or not, whether they have to or not. The family, the friends, the personal life, the community involvement goes by the wayside, and a lot of collateral damage is not only -- is not only tolerated, but it becomes this weird badge of honor. So the successful trial lawyer has had four or five marriages and kids that aren't
talking, you know, and estranged family and undeveloped friendships, and maybe not a lot of community involvement.

JUDGE WESTERFIELD: I have never quite understood that bragging about I haven't had a vacation in four years. I'm thinking, Well, aren't you better organized than that?

MS. CABRASER: Right. No. No. And, you know, nobody -- nobody can work more than a certain number of hours per day, productively.

JUDGE WESTERFIELD: Right. Yeah.

MS. CABRASER: So a lot of it is -- and I do that too. I mean, I'll sit there past my point of productivity when I should be going home or going somewhere else and I'll sit there, because I'm going to get this done. I'm going to do it. I'm going to prove that I can.

So, no, we haven't reached the point of maturity in the profession where we can tell ourselves when to stop. I try with younger attorneys to make sure that they go home, make sure that they take vacations, make sure that they don't ignore their families. So we do try
to say here that family comes first. If it's an important event, you know, if one of your kids is having a recital or a game, or there is a medical issue, yeah, you have to be there for your family.

In the long run, that's the only way that's going to keep people from burning out, and you don't want to look back and say, "Yeah, I had a great career, but I'm alone now and everybody thinks I'm a jerk because, well, guess what? I am."

JUDGE WESTERFIELD: Because you don't know how to turn it off?

MS. CABRASER: Yeah.

JUDGE WESTERFIELD: One doesn't know how to turn it off?

MS. CABRASER: Right. And so, you know, I wish I had spent more time with kids. I wish I had spent more time with Marguerite, my partner. Now the kids are in their late 20s. I love them now. They're very interesting people, and I realize now what I missed through the travel and the work.
And I think now it's more possible to lead a more balanced, blended life because at least we can take our computers and smartphones with us. The trick is, though, turning them off.

JUDGE WESTERFIELD: Not being addicted.
MS. CABRASER: Not being addicted. And I am not doing as well as I would like on that score.

But I think that we -- the next initiative, I think, for the profession, including judges and lawyers and law firms, is really we're going to have to decide that the law is the most human of professions. It is the most able to improve the quality of human life, but in order to do that we are going to have to humanize ourselves and we are going to have to lead the types of lives that we want to make possible for our clients and for others. So I think sometimes judges will issue orders enforcing an e-mail-free Sunday, which doesn't seem like a lot --

JUDGE WESTERFIELD: That's interesting.
MS. CABRASER: But it's a huge thing.

JUDGE WESTERFIELD: That is very interesting.

MS. CABRASER: And it doesn't affect productivity; in fact, it increases productivity.

But I think we're going to have to be more inventive about taking care of each other, making sure that lawyers can have a career, making sure that women and men who want to have families and children can do that well while being good lawyers and good professionals and that we don't have to choose one or the other.

You know, it's funny, women are supposedly the ones who are bedeviled by that choice and who have to make the choice. Men don't have to make the choice. It's already assumed that they have made the choice for the career. And if they agonize about the choice, they're less manly. Or if they make a choice for a family and home life, they are less manly. And that has to change, because we're not going to lose the double standard unless it becomes
equally okay --

JUDGE WESTERFIELD: Right.

MS. CABRASER: -- for men and women to create a balance in their own lives that works for them professionally and as members of the family and members of a community.

JUDGE WESTERFIELD: Yeah, so true.

Thank you for that.

Anything else you would like to add before we --

MS. CABRASER: No, other than that I am a very lucky person. I've been able to have a fun career in the law, wandering around litigating and doing I hope some worthwhile things in the meantime. And I would wish for any woman who is in law school today, or in the future, to seriously consider litigation, including complex litigation, and to help us make it a more enjoyable endeavor for everyone because we have a net lack of women active in litigation today. It's been persistent. We're beginning to see some slow changes, but the percentage of women partners and even women
attorneys in litigation firms is still very, very low.

JUDGE WESTERFIELD: Right.

MS. CABRASER: So there is a lot of -- there is a lot of fun and challenge to be had, and hopefully law firms and lawyers and law schools will do a better job of not keeping that so secret.

JUDGE WESTERFIELD: Well, thank you for articulating that challenge so eloquently. This has been a genuine pleasure. I really appreciate it.

MS. CABRASER: Great. It's been my pleasure. Thank you.

JUDGE WESTERFIELD: Thanks.
NOVEMBER 18, 2015  SAN FRANCISCO, CALIFORNIA

REBECCA WESTERFIELD: This is Rebecca Westerfield continuing to interview Elizabeth Cabraser.

Thank you again, Elizabeth, for being available for this Trailblazer Project.

ELIZABETH CABRASER: My pleasure.

REBECCA WESTERFIELD: We've had a number of interviews, and just so anyone in the future who is trying to figure out where we are in these interviews, let me sum up. We've had an interview that was transcribed, talked about some of the cases that you were involved in maybe as long as a year ago, and then we had another session in -- that was reported and transcribed in which we talked a lot about how you became a lawyer, what brought you to the law, about your meeting Bob Lieff and what that led to, and certainly we have established in those previous interviews why you are one of the premier plaintiffs' class action attorneys in the -- in the U.S. and internationally known.

So what I'd like to do in this interview is talk a little bit more about deep background, literally deep background, and, for instance, where exactly were you born and what year?

ELIZABETH CABRASER: I was born in Oakland, California. So I'm a local, East Bay, Northern
California girl. I was born in Oakland in 1952, June 23rd, 1952, to be precise.

REBECCA WESTERFIELD: And --

ELIZABETH CABRASER: And grew up in Oakland.

REBECCA WESTERFIELD: And your dad and your mom, what sort of work did they do? What were they involved in?

ELIZABETH CABRASER: My dad was a Jack-of-all-trades. He was a photographer. He started out as a wedding photographer and then went to work for Shell Development Company in Emeryville as an industrial photographer. He was a union member, a member of the Oil, Chemical & Atomic Workers, AF of L, CIO, and a union organizer. And although he had an industrial photographer's certificate, which is a professional certificate, and is quite a rarefied specialty, he never went to college. He was a high school graduate, never went to college.

At the time I was born neither of my parents had been to college, although my mom went back after we were grown up a little bit and got her bachelor's degree and a special ed. teaching credential, and then spent the latter part of her career as a teacher.

When we were little, she had a series of small businesses. She was a small-scale entrepreneur, I guess,
would be the word for it now. But she had a little business sewing knock-off Barbie and Ken clothes.

As you might remember, the marketing genius behind the Barbie doll was that Barbie was not expensive, but her wardrobe could put parents into bankruptcy. And so my mom's idea was to sell Barbie and Ken clothes, kind of -- kind of the Filene's Basement version of Barbie and Ken, so it was knock-offs. And she had local stores carry them, and her production line consisted of her five children. So we were in-home piece work workers, a little ironic, because my dad was a union organizer, but we were non-unionized, child laborers paid by the piece.

REBECCA WESTERFIELD: Various violations there.

But now that the --

ELIZABETH CABRASER: A number of them, yes.

REBECCA WESTERFIELD: Now that the statute of limitations has run --

ELIZABETH CABRASER: It has.

REBECCA WESTERFIELD: -- what were the names of your parents?

ELIZABETH CABRASER: And by the way, we had great fun. We loved it. We thought it was fabulous. And if you are 12 inches tall to this day I can make you an outfit. I can't do it for normal-size people.

REBECCA WESTERFIELD: Your talents constantly
amaze me.

ELIZABETH CABRASER: Yes, small items of tailoring.

My dad's name was Donald, so his name was Donald Cabrall. My mother's name was Elizabeth. Her maiden name was Holcomb. And her father was an orthopedic surgeon in Oakland, California. So the family goes back in California quite -- quite a ways, I think, on my great grandparents' side and my mother's side.

So he was a doctor, and she was the second of two daughters and the rebellious one. So she married supposedly beneath her, which was kind of a source of a little tension in the family, but -- and she and my dad had five -- five children. I'm the eldest.

REBECCA WESTERFIELD: Okay. And your dad's family, where did they come from?

ELIZABETH CABRASER: My dad's father was an itinerate cherry-picker from somewhere in south -- Southern California and probably from Brazil before that, so Cabrall is a Portuguese name. And he left home when my dad was young. So I don't think my dad ever knew his father. And his mother was a Rosie-the-Riveter during the second World War, relocated to Guam and was a welder. So my dad was basically on his own growing up. His elder brother had gone into the Marine Corps, and so he was
left to watch the family house in Oakland during the war, probably -- he was probably 13 or 14 at the time. And so basically he was on his own after that, and learned auto mechanics and photography and cabinetry and all the things that he did during the rest of his life.

He basically built the houses that we lived in growing up. I remember at age five we moved from Oakland out to what was then the country, Castro Valley now, but it was out up the road from a chicken farm, and he built the family house. And then when he moved up to Sebastopol, where he lived for the rest of his life, he built that house as well. So we just thought it was normal that you built the houses you lived in, and you started living in them before they were sheetrocked, and it was a big deal when the sheetrock came, because then you got to close it in and paint the walls and that sort of thing.

REBECCA WESTERFIELD: Sounds like you learned about self-sufficiency from a very early age.

ELIZABETH CABRASER: Well, you know, at the time I -- I remember having a blast, you know, as a kid, because we got to do all these things. We got hammers and saws, and we got to build things; and we were supervised, but nobody ever said, "You can't do this," you know, "It is not appropriate." And so if something
needed fixing, you know, you either could fix it or you could learn how to fix it. There was a book that would teach you or you could ask somebody or you could figure it out on your own.

And I -- yeah, I think it did teach us really not to be afraid of anything or feel that we couldn't do things if we really wanted to. And so my -- my parents both had a very can-do attitude, and not obnoxious about it, but just, you know -- you know, if you want something, you can earn the money to get it, or you can make it, or we can figure out how to build it or that sort of thing. So -- and as I say, we had a -- we had a great time.

REBECCA WESTERFIELD: So his last name again is spelled?

ELIZABETH CABRASER: Cabrall, C-a-b-r-a-l-l-l.

REBECCA WESTERFIELD: And how did it become Cabraser?

ELIZABETH CABRASER: Oh, gosh, it became Cabraser because I changed my name to Cabraser. His -- his name is still Cabrall. That was a bit of a sore subject. That was a fit of -- I think I was calling it independence at the time, but I was about 20 or 21, so you can imagine. I just wanted to be my own person and didn't think -- didn't think that it would be -- would be
hurtful or alienating or -- so I changed my name, and
that's -- I got my college degree and my -- my law school
degree in that name, and -- and I just kept it.

REBECCA WESTERFIELD: Was there a particular
reason why Cabraser came to -- as opposed do some other
name?

ELIZABETH CABRASER: Yes, yes, there was. I
was in a relationship with a young woman whose last name
was Waycaser. (**spell) This was way before marriage
equality or way before anybody was thinking of getting
married, period, because this was the -- this was the
early '70s. And so we -- somebody on a lark sent us a
letter, people still sent letters in those days, too,
that is kind of another old-fashioned thing, and they
combined our last names, and it came out as Cabraser. So
we thought that was great fun. So -- so we changed it.

And I was -- I was -- I was shocked to learn
that my parents were hurt very much by that, and I
just -- it just didn't -- I just didn't think that it
would be hurtful. It wasn't a commentary on them, you
know. I was just trying to be -- you know, make a
statement. It was a big era for making statements, and I
made a lot of statements. And that was one.

And by the time --

REBECCA WESTERFIELD: And continue to.
ELIZABETH CABRASER: Yeah. And then by the
time I really talked to them about it, it was years
later, and they said, you know, "We -- we were really
hurt by that, and then we kind of got over it and figured
you weren't -- you didn't mean it. You know, you
weren't -- it wasn't about us, it was about you."
And I said, "Yeah, it was all about me."
Everything was about me. You know, "Should I -- should I
change it back?" Because at the time I thought, "Oh, why
not, on the Cabrall."

REBECCA WESTERFIELD: When was that?

ELIZABETH CABRASER: Probably in the '80s, you
know, 1980s, I had grown up a little bit, you know, was
out, you know, earning a living, and they said, "No, it's
fine, you know. It's fine. Everything is fine now.
Just -- just come home and see us."

So we never -- we were never really estranged
in any sense. So that was -- but I -- I've -- I
remembered that, because now, you know, when -- when my
kids have done things that I've thought, "How can they do
that to me," I've realized they're not -- they're not
even thinking that way. They are not doing it to me,
they are just doing it. So it's okay.

REBECCA WESTERFIELD: Well, you -- you talked a
bit about how you lived and what you learned from your
parents and the way that you lived and they lived.

Any other things you think they taught you that have helped you?

ELIZABETH CABRASER: Well, I think a lot of it was just -- that -- that life could be an adventure; that it wasn't wrong not to have any money, because they didn't have any money. We didn't have any money growing up. I never felt particularly deprived. As I say, anything we really wanted, we could figure out how to get, if we really wanted it.

But, you know, my -- my mother would -- would cavalierly dispense with random words of wisdom, some of which I remembered and some of which, you know, I didn't.

I mean one thing that she told all of us that I -- that I do remember is she said, you know, "Never, never let anybody tell you you can't do something. You know, if you can't do something, you'll figure that out. But don't let them tell you you can't do something."

And, of course, the other thing she said was, "Never own a car that you can't sleep in," which turns out to be very useful advice, because sometimes you might -- you might have to, and I -- and I have.

REBECCA WESTERFIELD: I was going to ask you if you had.

ELIZABETH CABRASER: Yes. Yes. I had a van,
and I had a station wagon, both of which at various times I ended up sleeping in, you know, as a student or, you know, in between school. And, you know, the point was, if you -- you know, in the course of doing something that you really believe in, or you really want to do, it may be very disadvantageous, and so, you know, you figure -- you figure it out.

You know, the other thing that they showed by example was I -- I remember my father being arrested as a union organizer, because the union wasn't welcome at Shell Development Company, and they did have to go out on strike. And he -- he, you know, did -- he was out on picket lines. So I try never to cross picket lines. I mean that's just kind of an article of religion. You don't cross picket lines; and that in the course of doing something that you believe in, you may have to disobey the rules, and that doesn't mean you don't respect the rules. That doesn't mean you don't believe in the rules. It means you might have to disobey them in -- in deference to a higher principle, and if that happens then you -- you take the punishment for that, which is the other side of it.

So, you know, it -- my father never complained, you know, about being arrested or going to jail or having to get bailed out, and when in the course of student
protests at Berkeley I got arrested and bussed out to
Santa Rita with hundreds of other people, I wasn't
surprised when my parents didn't come and get me. I went
and -- you know, I remember queuing up for the pay phone,
you know, finally getting my turn to call them, and you
know, I said, "Guess where I am?" And they said they
kind of didn't have to guess, because they had seen it on
the news, and they figured, yeah, she is probably out at
Santa Rita.

And I said, "Well? Well?"

And they said, "Well?"

I said, "Well, you know, are you going to come
out and get me?"

And they said, "No," you know, and, "They'll --
you know, they'll process you all, they'll book you all,
and they'll bus you back to Berkeley, you know, and then
you'll do whatever you have to do."

So I thought I was being quite, quite heroic,
you know, because people were out there singing folk
songs and Joan Baez was out there, and we were eating
peanut butter sandwiches.

REBECCA WESTERFIELD: How old were you then?

ELIZABETH CABRASER: Oh, 19, something like
that, you know, I was -- I was a student at Berkeley, so
of course I was involved in all of that, so -- but, you
know, they were -- you know, you're not -- it was basically, "Get over yourself. You're not doing anything that millions of other people in history haven't had to do, and you're getting it -- you know, you're getting off pretty easy, because you're getting peanut butter sandwiches and usually, you know, that doesn't happen."

And -- but that's part of it.

REBECCA WESTERFIELD: So going back to the to the family life again, how old were you when your -- when your dad was arrested?

ELIZABETH CABRASER: Oh, you know, I'm trying to think when this would have been. I -- I would have been in elementary school, so it would have been late '50s to early '60s, you know, and it just -- they were organizing, and every so often there would be an -- you know, an injunction entered against the striking activities. So it was all very civil. I don't -- I don't remember any fear or anxiety around, you know, people being beaten up or anything like that.

When -- when we did have -- when we did have demonstrations and protests around the Vietnam War, in the later '60s, that got -- that got livelier.

REBECCA WESTERFIELD: Yeah.

ELIZABETH CABRASER: Yes. I had to get rid of my high school uniform because I got tear gassed, and so
that -- that stuff doesn't come out, so I -- I was an advanced placement student at Berkeley while I was a senior in high school and had worn my high school uniform to Berkeley to the -- what was a peaceful protest that ended up with a tear gassing of the sociology building, which I was in at the time.

REBECCA WESTERFIELD: Was that when you were arrested, or was that later?

ELIZABETH CABRASER: No. That was a separate incident. There were -- there were a number of protesting opportunities and situations during the -- during that time, because I was arrested in 1969. I remember that, having to go to court for a malicious mischief charge, which was a reduction from assaulting a police officer, which I hadn't -- hadn't done.

But anyway -- but that -- that was -- that was part of, you know, if you believed in something, and you wanted to speak out about it and take action about it, that's what you did, and, you know, if you got arrested, then, you know, you had to go to court or you had to serve some time or whatever. That's -- that's what you did, because that was part of it, because people had been involved in much more important struggles, had done the same thing.

Like my parents were great admirers of
Dr. Martin Luther King, and I remember being taken to hear him speak at the Oakland Coliseum during one of his last appearances.

REBECCA WESTERFIELD: Would that be in '67 or '68?

ELIZABETH CABRASER: It would have been in '67, I believe. Yeah, it would have been '67, because I was a sophomore. And it was a major, major event. I was mostly interested in hearing Aretha Franklin sing, which is why I was excited about going, but my parents were very, very excited about hearing Dr. King speak, and it was an incredible experience, and it's something that I will never forget, and feel very fortunate to have grown up at a time and in a family where that was the most important thing in my family, that you had something, whatever it was, that you had something that you believed in that you worked for that was different than yourself and your own personal concerns and was greater, and that was part of an ongoing project.

Because the other thing I remember, my dad particularly always was a very patient person, and we were kids, so we weren't patient. But he would always tell us, he would say, "Look, this is a project." I remember everything. "This is a project. You're not going to -- it's not over today. You're not going to get
it done today. We're going to have to work on it tomorrow and the day after that." And so big things, you know, social movements, were big projects, and it meant that maybe it won't ever be over, but that doesn't mean you shouldn't work on it. You know, you work on it when you can and how you can, and then somebody else will work on it.

And, you know, for a kid that's a huge lesson, because you want what you want when you want it, and you want it now, and if you don't get it right away, it can be very, very frustrating.

REBECCA WESTERFIELD: Where do you think their hope and energy come from?

ELIZABETH CABRASER: You know, I don't know. I know -- I know that -- that they loved each other very much. We always knew that growing up. They were both fearless people in their way.

I think part of it was the times. I feel very, very fortunate to have grown up in the '50s and the '60s when our country was on an upward trajectory and there was a future that was going to be a wonderful thing. We all knew it. We all knew there was going to be a wonderful future and that we were going to be part of it. And we didn't know exactly what it was going to be or what we were going to be able to do, but it was exciting
to wake up, you know, in the morning and see what the day would bring.

I think that turned very dark toward the latter part of the '60s, you know, with -- in an era of political unrest and violence and assassinations and hopes dashed, but -- but still, then it was, well, we're in the middle of a struggle because these issues are important, and they literally are life and death issues, and we're part of them and we have a role to play.

So it wasn't as, you know, bright and shiny at that point, but it was still -- life meant something.

REBECCA WESTERFIELD: Do you remember before college any other historical events or moments in time that -- that really impacted you in some way as a child or a teenager?

ELIZABETH CABRASER: Well, of course I remember the assassination of President Kennedy. I mean everyone does. And I remember I was in elementary school, and I was in a Catholic school, and I remember the nuns bringing in televisions, which never, never, never happened. You never had a television in the classroom. We had -- we had seen one of the Kennedy/Goldwater debates during the election, because that was a big deal, because Kennedy was a Catholic, and so --

REBECCA WESTERFIELD: Nixon?
ELIZABETH CABRASER: That's right, Kennedy --
sorry. I don't know why I'm thinking Goldwater.

But Kennedy was a Catholic, so that was a big
deal, so -- and we were all Democrats, because we thought
the two things went together. I found -- I don't know
how old I was when I found out that some Catholics were
Republicans. I was very shocked by that.

But anyway, yeah, the -- the TVs in the
classroom and just life stopping, and people being
utterly -- everyone being utterly shocked and bereft by
that. So that was -- that was the darkest event.

I also remember the Cuban missile crisis
through radio reports, listening in the car. My parents
were big public events people, and so we always had
discussions about public events at the dinner table. And
the radio was always on in the car to the news station.
We always watched. That is what we got to watch on TV,
we got to watch the evening news, and we got to watch
William F. Buckley, who my mother loved, although she
disagreed with everything he said, because she just loved
that he was so smart and -- and obnoxious. So she would
talk back to him. So the big entertainment was watching
my mother watch William F. Buckley on KQED.

But anyway, so I do remember the Cuban missile
crisis and just being frightened out of my wits, and then
after that the Kennedy assassination. And, you know, otherwise, just the usual kind of pop cultural events.

REBECCA WESTERFIELD: Were you involved in --

I'm sorry.

ELIZABETH CABRASER: Go ahead.

REBECCA WESTERFIELD: No. It is you.

ELIZABETH CABRASER: You know, Cassius Clay, that was exciting, he was exciting. My mother was a big sports fan.

REBECCA WESTERFIELD: A beautiful man, gorgeous.

ELIZABETH CABRASER: And that's what my mother would say. "He's a beautiful man. You have to watch. You have to watch." And we're thinking, "But it's boxing. You know, aren't you against -- it's violence. Aren't you against that?"

"Yes, but this is different. This is an art form," or at least when he did it, it was an art form. So there was that.

There was, of course, the Beatles on Ed Sullivan. You know, I immediately fell in love and was going to be a musician.

REBECCA WESTERFIELD: Which one did you fall in love with?

ELIZABETH CABRASER: Well, John Lennon, of
course. But I loved watching Ringo Starr, and decided I
would be a drummer. And so that's what I did. So my
parents had to put up with me being in garage bands
throughout my high school career.

REBECCA WESTERFIELD: Did you ever record?
ELIZABETH CABRASER: Yes, actually, a series of
obscure garage band recordings. But anyway...

REBECCA WESTERFIELD: So you were the oldest of
five. How would you describe how you interacted with
your younger siblings?

ELIZABETH CABRASER: Oh, I was the boss, and I
am reminded of that to this day.

REBECCA WESTERFIELD: By whom?

ELIZABETH CABRASER: By my brothers and
sisters, whom I bossed around. My -- my mother often
found it convenient to just delegate that kind of thing
to me, so I took full advantage, probably -- probably
not -- I think I probably abused my power a little bit.
Not, you know, in any horrible way, but, yeah, I just
liked to see if I could get people to do things.

My brother, who is two years younger, I really
couldn't get him to do much, because he had wised up to
it, but the younger kids I could sometimes --

REBECCA WESTERFIELD: Did he ever get bigger
than you?
ELIZABETH CABRASER: He's bigger than me now. I think actually everybody is bigger than me now. So I -- yeah, I'm about my mom's size, she's -- although I'm a little taller than she is. I'm bigger than my mom. She was 4'10.

REBECCA WESTERFIELD: And what is the age difference between you and the youngest?

ELIZABETH CABRASER: Eight years. My younger sister Mary is eight years younger than I am.

REBECCA WESTERFIELD: And they're all surviving?

ELIZABETH CABRASER: They're all surviving, yes. So -- we're all going to try to get together for Thanksgiving this year, which is logistically difficult, but we'll -- we'll figure it out.

REBECCA WESTERFIELD: Did you have any learnings from them?

ELIZABETH CABRASER: I watched -- I watched my -- one of my younger sisters fight with my mother all the time. They just never -- just never seemed to hit it off. I mean, you know, not knock-down, drag-out fights, but lots of arguments, lots of confrontation. I wasn't really confrontational with my parents in -- as a teenager, because I pretty much was just doing what I wanted to do anyway. You know, as long as I didn't get
into huge trouble, it was okay, I could do what I wanted
to do, and I pretty much did. So I didn't have those --
those sorts of parental fights, but she did, because she
was more protected, being the younger -- a young sibling.

And I just always -- was -- was shocked and
appalled by it, but in later life it turned out she had
the best relationship with my parents, because she had
gotten it out of her system growing up. And as an adult,
you know, it was all forgotten, and they were very
simpatico, and -- and so I -- I think what I learned is
it's not a bad thing sometimes to be able to disagree
with people and to say what you think and even to do it
forcefully and even to have arguments. I was never,
ever an arguer. You know, I wouldn't confront anybody.
I wouldn't stand -- you know, stand up to anybody
directly. I would just go -- kind of go around and do
what I was going to do anyway, and I always felt like I
should have been able to speak out more.

REBECCA WESTERFIELD: And when you weren't able
to do what you wanted to do, what would be your -- your
default mode in that situation?

ELIZABETH CABRASER: Wait, wait until the
opportunity presented itself. Or, you know, until I
realized I didn't really want to do it that much anyway.
So, I mean, you know, everybody -- I think everybody has
coping -- coping mechanisms growing up. You kind of figure out what the boundaries are.

Some people just seem to be a lot more confrontational about it than -- than others. I didn't -- I never felt like I needed anybody to tell me I was right about something, if I thought I was right about something. And then the question was, you know, was it that important to me to actually act on it or not?

REBECCA WESTERFIELD: So let's go to these exciting years in Berkeley, '67, '68. You went to school ultimately at UC Berkeley --

ELIZABETH CABRASER: I did.

REBECCA WESTERFIELD: -- undergrad as well?

ELIZABETH CABRASER: I did. I -- I went as an undergrad. And, in fact, at the time, I don't know if they still have this program, they -- they had an advanced admissions program, so that if you'd fulfilled all your high school graduation requirements, which I had by the time I was a senior, you could enroll as a freshman at Berkeley and get a head start, supposedly, on college and -- and take -- and take courses. So I did that. I thought that was a wonderful thing to do.

So I enrolled in 1969. So the last year of high school I commuted between UC Berkeley and -- and my high school, which was in Oakland. It wasn't a big
commute. But it was a kind of a cultural crisis, because --

REBECCA WESTERFIELD: May I ask this, which high school in Oakland?

ELIZABETH CABRASER: Bishop O'Dowd in Oakland.

REBECCA WESTERFIELD: Okay.

ELIZABETH CABRASER: So I -- I lived in Castro Valley, and I commuted into Oakland to go to high school. So I got a scholarship there, because I wanted to get out of Castro Valley, which was -- had become a suburb and was all white and was really scary. Everybody that went -- I went to summer school once at Castro Valley High School before -- I was going to go there as a freshman, and everybody was, like, really tall and blond, and they were all cheerleaders, or that's what it seemed to me, and I just -- it scared me to death.

So I asked my parents if I could go to Bishop O'Dowd High School in Oakland, because --

REBECCA WESTERFIELD: What was the fear? Well, you don't have to answer any of these questions.

ELIZABETH CABRASER: I don't know.

REBECCA WESTERFIELD: It is just intriguing.

ELIZABETH CABRASER: I -- I just -- I found it very -- I just found it very intimidating. It just
seemed to be very -- maybe I was just more of an urban person, I think is probably what it was. I liked Oakland, you know, I liked the friends I had had there. I -- I -- I didn't like -- to me it seemed like everybody out in the suburbs had a lot of money, and they were very self-assured, and they just, you know, were not into school. They were into sports and boyfriends and all that stuff. And so I just didn't -- didn't think I was going to be comfortable there. I'm sure I would have found my own milieu, but I just thought it was a better idea to bus myself two hours each way into high school every day.

REBECCA WESTERFIELD: Did you have many friends in the -- in the high school itself, or --

ELIZABETH CABRASER: Well, at Bishop O'Dowd I did, when I went, yeah. So all my friends ended up being from the Oakland -- Oakland area. And I basically -- you know, it -- would stay away from home for several days, crash at my friend's house, my parents always knew where I was. That was okay. So it was a way to be -- I think it was also a way to be independent, you know, in a good cause, "I'm going to a college prep high school, so cut me some slack."

So anyway, so I ended up going to Berkeley while I was still in high school, which meant that I, of
course, immediately got involved in all the political activities at Berkeley and became an outside agitator in my own high school. I think the nuns started to rethink the advanced admissions program almost immediately after several of us took advantage of it by blithely going off to Berkeley and then coming back and organizing antiwar protests and, you know, refusing to salute the flag, and et cetera, et cetera.

REBECCA WESTERFIELD: Are you still in touch with any of those cohorts?

ELIZABETH CABRASER: A few of them, yeah, yeah, yeah, a couple of -- a couple of folks that I was in a band with during high school I still keep in touch with.

REBECCA WESTERFIELD: So then you finally became a full-fledged student at -- at Berkeley.

ELIZABETH CABRASER: Yes.

REBECCA WESTERFIELD: And what activities were you involved in there, and what was influencing you?

ELIZABETH CABRASER: Well, I -- I went -- I went to Berkeley full-time on a National Merit Scholarship, and I was very interested in physics, and Berkeley was the school to go to for physics. I could have gone anywhere with the National Merit Scholarship, but again, I was not very adventurous in terms of geography. I kind of wanted to stay close to home,
Berkeley was the place to go for physics, the Lawrence Lab was there. And I -- that's what I was excited about. So that's why I went the Berkeley.

And then, of course, once I got there I spent actually five years before I graduated, incessantly switching majors, because I was always interested in the next thing over. So I switched from physics to classics, which was ancient Greek and Latin, so I did that for two years. And then I enrolled in the School of Criminology when Berkeley had one, which they don't have any longer. And then I did pre-med, and I finally graduated with a degree in sociology because it was the only thing I could graduate in without having to take any more courses. And I was invited to, you know, pick something and -- and get out of there.

REBECCA WESTERFIELD: So what political associations or social associations were you involved with --

ELIZABETH CABRASER: Well --

REBECCA WESTERFIELD: -- while you were in --

ELIZABETH CABRASER: Various -- various radical and/or progressive and/or feminist groups. I don't think I was a card-carrying member of any particular thing because they didn't have cards. But let me just suffice it to say that at one point I was living in a collective
household where we had to answer the phone by saying,
"Dare to struggle, dare to win, may I help you?" So --

REBECCA WESTERFIELD: That's quite a mantra.
ELIZABETH CABRASER: It is.

But I spent a lot of time and energy on the
antiwar movement, realized through spending a lot of time
and energy on the antiwar movement that it was time to
spend a lot of time and energy in the feminist movement,
because the antiwar movement was not feminist, and
because, you know, we always ended up having to actually
commandeer the Xerox machine to make the flyers, you
know, correct the grammar and spelling in the manifestos,
but we never got to -- you know, we never got to declaim
the manifestos at the rallies, because the guys always
got to do that.

So, you know -- and women were expected to be
in support positions, and I think we had all become
politically activated because we didn't necessarily want
to be in support positions. So that was an interesting
realization.

REBECCA WESTERFIELD: Did your collective have
a name at the time?
ELIZABETH CABRASER: Oh, well, let's see. We
were an unofficial adjunct of BSDS, and loosely
affiliated with the White Panther Party. So --
REBECCA WESTERFIELD: The White Panther --


REBECCA WESTERFIELD: What was the White Panther Party?

ELIZABETH CABRASER: Well, kids that really wanted to be part of the Black Panther Party, but didn't qualify on ethnic grounds, so, yeah. But kind of -- it was hard to separate the want-to-be revolutionaries from the real revolutionaries.

REBECCA WESTERFIELD: What -- and as you look back and you look at that separation, what were you -- what are some of the characteristics that, here is the real deal, this is the authentic person who wants change, and this person just enjoys excitement, perhaps, or whatever it was that was motivating you?

ELIZABETH CABRASER: Well, when you're dealing with that age group, boy, it's really hard. And also, you know, at an institution like -- like UC Berkeley or any -- any college, you have people that are, whether they -- whether they identify that way or not, part of a self-selected elite, right, and people that have -- feel certain entitlements to things, like radical change right now, because they want it. Therefore, it's important.

I think the hardest -- the hardest lesson for me was to figure out who was and is the real deal and why
is someone doing something? Do they really understand what they're saying? Are they -- are they imposing reasonable expectations on someone else?

When I was still in high school in Oakland, the Black Panther Party was just forming, and one of the first things that the Black Panthers did was have breakfast and lunch programs and literacy programs for kids, so that one of our community service requirements in high school could be satisfied by -- by working with the Black Panthers at one of their programs, and we did as high school students.

And that was -- that was the real deal.

What happened to that organization was a tremendous tragedy, as they were infiltrated and as things kind of -- kind of accelerated out of control. But that organization started at a level of community organizing and empowering people through direct action, basic action, education, literacy, you know, make sure someone has enough to eat. And so to me that -- that was authentic, at least to start with.

The feminist movement is an authentic movement, as far as I'm concerned. A lot of the antiwar activity, very, very authentic, very sincere, very well intentioned, but then it also became a platform for people to act out in terms of their own egos and their
own, "Oh, look, I can get on TV if I say this or do this," and that's where it got -- it got very confusing, because are you trying to be visible to make a point, or are you trying to be visible to become a celebrity.

And --

REBECCA WESTERFIELD: And there was a lot of attention on Berkeley, so that would be --

ELIZABETH CABRASER: A lot of attention on Berkeley.

REBECCA WESTERFIELD: -- quite a temptation.

ELIZABETH CABRASER: Berkeley was one of the -- not the only, by any means, but at least on the West Coast one of the, you know -- one of the points of -- of attention. And -- and so I -- I -- I always tried to look for people that were actually -- you know, after the crowds dispersed were they actually still trying to do something.

And, you know, did -- did they have anything that resembled some sort of long-term goal, because, you know, it was, like, "Where is the project?" That's what I was always looking for, "Where is the project? What are we trying to do? What are we trying to build," you know? "What's going to be -- what's going to be left after the demonstration is over or after the crowds go away?"
REBECCA WESTERFIELD: Who were your heroines during that period of time? Did you ever get to meet them or engage with them?

ELIZABETH CABRASER: I can't think of anybody that I really engaged with a lot, you know, at the time that was really a heroic figure to me. Martin Luther King was always a heroic figure to me. Malcolm X was a heroic figure to me, but those were people that you couldn't meet. Angela Davis, I thought, was a heroic feature -- figure. You know, there were -- there were teachers at Berkeley that I thought were pretty cool. But --

REBECCA WESTERFIELD: Can you remember their names?

ELIZABETH CABRASER: I -- I don't. I'm trying to remember Ralph Nader's sister. What is his sister?

REBECCA WESTERFIELD: Laura?

ELIZABETH CABRASER: Laura Nader, yeah.

REBECCA WESTERFIELD: Laura Nader.

ELIZABETH CABRASER: Yeah. And then, you know, just various other people that -- that weren't -- Carl Sagan taught astronomy at Berkeley. He was -- he was -- although we were -- we were -- it was his -- it was his buckskin jacket with the fringe that we were mostly thrilled with. But he was a good teacher, too.
And then various people that were -- were more obscure, you know, specialists at Berkeley. There was a -- there was a classics professor, Dr. Tune, who always --

REBECCA WESTERFIELD: How do you spell that?
I'm sorry.

ELIZABETH CABRASER: T-u-n-e -- who only spoke Greek, ancient Greek, as if anybody knew what that sounded like during lectures, and we had to figure that out. I thought that was pretty cool.

REBECCA WESTERFIELD: Did you figure it out?

ELIZABETH CABRASER: Well, apparently ancient Greek was spoken with a British accent. You know, who knew?

REBECCA WESTERFIELD: So you make it through -- were you working while you were at school?

ELIZABETH CABRASER: I was.

REBECCA WESTERFIELD: What were you doing?

ELIZABETH CABRASER: I always had -- I always had work-study jobs. I never -- I mean at the time if you were a California resident, Berkeley was tuition free, so I could afford to go to college. And the National Merit Scholarship paid for room and board, so I didn't have to live at home.

And there were all the work -- my recollection
was, this may be a rosy one, there were all the work-study jobs anybody ever wanted. So I worked at the Bevatron, you know, looking for neutrinos to come across the cathode screen; I never saw one, but I looked.

You know, there were library jobs. By the time I got to law school, I was working at the Public Defenders Office in Oakland. I was working at the Law Library in Oakland. There were just all sorts of things to do.

And then I would have private jobs, as well. I worked as a bike messenger. I worked as a retail clerk. I played in bands on the weekends. You know, I -- I had a moving and hauling business at one point. I had a rather large van, and since nobody told me, you know, you couldn't -- one shouldn't move heavy objects, you know, I -- I had a -- I had a couple of friends, and we did piano moving and -- moving and hauling. It was quite a business, because at the time students moved in and out of apartments incessantly. So we always --

REBECCA WESTERFIELD: That explains why you are continuing to do the heavy lifting in litigation, probably.

ELIZABETH CABRASER: Well, I don't know about that.

REBECCA WESTERFIELD: So did you take any --
did you travel abroad or anything during college or --

ELIZABETH CABRASER: I spent the summer after my freshman year on one of those treks through Europe where you go to as many countries as possible and stay in youth hostels, and that was that, I think -- with a couple of friends from high school, who we used to stay -- we stayed friends in college, and we all went out together and went out for about three months and went from -- from the U.K. all the way to Prague, we went to Athens, we went all over the place.

REBECCA WESTERFIELD: Was that your first time in Europe?

ELIZABETH CABRASER: Yes. Yes. I had never been outside of the country.

REBECCA WESTERFIELD: And your take-away from that was?

ELIZABETH CABRASER: I wish -- well, that was a -- that was the summer of -- it was the summer of inflation, so I remember that. I remember suddenly realizing that we didn't have nearly as much money as we needed and that Americans weren't particularly welcome in most places in Europe because we were considered to be loud and obnoxious and that it was much better if we were Canadian. So we would semi-seriously think about, you know, sewing Canadian flags to our backpacks so that
people would realize we were actually nice, but we didn't feel that that was morally right, and we were afraid that somebody would actually ask us questions about Canada, which we wouldn't be able to answer. So --

But that was -- that was a shock. It shouldn't have been a shock to me, but it was, because I -- I went over there thinking, "Oh, you know, everybody loves Americans. We're just nice people."

Well, apparently not, so -- apparently we were considered loud and obnoxious and culturally immature and -- and not sufficiently interested in the places that we were visiting. But I was entranced by most of the places that we went.

REBECCA WESTERFIELD: What year would this have been in?

ELIZABETH CABRASER: '71? Would have been 1971. And so, you know, I learned a lot. I mean I had never been to Prague. I had never seen such a beautiful city.

REBECCA WESTERFIELD: It is gorgeous.

ELIZABETH CABRASER: It is gorgeous. And I had a great time in Italy. I had a great time everywhere. It was nice to be -- it was actually, you know, during that year, it was nice to be away from the United States.

REBECCA WESTERFIELD: Was there any gap --
And, by the way, if you need a break at any point, just say.

ELIZABETH CABRASER: All right.

REBECCA WESTERFIELD: Did you take any gap year between undergraduate and law school?

ELIZABETH CABRASER: I would occasionally -- I would go for -- UC was on the quarter system at the time. I would go for a couple of quarters, and then I would quit and go tour with my band, or work, and then go back to school. So as a result --

REBECCA WESTERFIELD: Did the band have a name?

ELIZABETH CABRASER: It had several names. One of them was The Truth About Radio. Another one was Rosie and the Riveters. And I did -- and then I did, you know, backup for session work for various touring bands.

REBECCA WESTERFIELD: 20 feet from stardom, was that your role or --

ELIZABETH CABRASER: Farther than 20 feet from stardom. As, you know, the drummer, you're kind of way, way in the background. But I had -- I liked doing it. I liked being a musician. I liked working with musicians. And it was a way -- it's another way to see the country, not under glamorous circumstances, but -- and then I would go back to school because I missed being in school.

So as a result I probably should have graduated
from college in three years, and it took me -- took me five. I graduated from UC Berkeley in 1975 and then went to law school.

REBECCA WESTERFIELD: And we may have touched on this in previous transcripts, but, again, what was the motivating factor for -- for law school?

ELIZABETH CABRASER: Too -- too sick to make it in medical school. I had applied to UCSF Medical School. I had never had a thought of going to law school. And I had gotten very ill my last year in school, and I was basically told, "You're not going to make it here. It's too rigorous. You know, go find something that's -- that's less rigorous."

And I was at a complete loss. I didn't know what to do. I -- I had planned, you know, to be in school. I had planned a career. I -- and -- and so somebody said, "Well, they are giving the LSAT down at San Francisco State." So I went down -- I rushed down to San Francisco State, took the LSAT, and then it -- I remember it cost $15 to apply to law school at Boalt Hall, and I --

REBECCA WESTERFIELD: $15?

ELIZABETH CABRASER: $15. And I had $15. So that's where I applied, and I figured, "Okay, if I get in there, I'm going to go to law school; and if I don't get
in there, then I'll figure out something else," whatever plan B was going to be. But I got in, so I went to law school. But honestly I have to say I had no -- no idea why I was going, other than I -- I -- I had to do something. I had to be in school.

And I was quite afraid of the prospect of going, because I heard that you had to write things and you had to talk in class, and I had studiously avoided both of those things through my entire -- my entire college career. You know, pre-med you never have to open your mouth.

REBECCA WESTERFIELD: So I remember that when we talked before you -- you talked about legal history and other subject matters that you enjoyed, perhaps even canon law, if I recall correctly. But do you recall any professors in particular who influenced you during law school?

ELIZABETH CABRASER: Well, the reason that I enjoyed legal history so much was I think the professor, Thomas Garden Barnes, who was the -- was -- taught all of the legal history courses at Boalt at the time, and he was, maybe -- maybe even rather obnoxious and full of himself, but he seemed to be enjoying himself immensely, and I always gravitate to things that people are having fun with. And I thought it was fun. So I enjoyed legal
And then I liked canon law because nobody else was doing it. Right? There was not a lot of competition there. And it meant that you got to sit in the stacks and look at all the books and learn how to repair old books, which I loved doing, which is why I liked the legal -- or the law librarian job at -- at the courthouse in Oakland.

So I thought that was kind of what I was going to do. It was going to be very studious, again very quiet, nobody would have to know I was there. I wouldn't have to talk to anybody. I wouldn't necessarily have to write anything, but I would be around -- I would be around books and around learning, which I always loved. I would spend days in the library as an undergrad at Berkeley, which is why I changed my major so much, because it was always this next set of books that was required reading for this course I wasn't taking that always seemed more interesting to me. So -- but --

REBECCA WESTERFIELD: Did you glean anything from that study of canon law that informs the way you approach or have approached litigation, or the law?

ELIZABETH CABRASER: I don't know. I mean I -- I had an affinity toward it because I could read the Latin and I could read the Greek, you know, not -- not
super fluently, but I wasn't completely lost. And I --
I -- what I think what I realized was that, you know,
even though canon law is more in the civil law tradition
than the common law tradition, what was really going on
is you'd have a basic text, whatever it was, and then
you'd have everybody writing glosses on it or
commentaries on it, and then there would be commentaries
on the commentaries.

So what was really going on over time was that
people were able to shape the law, and it wasn't a fixed
thing. It wasn't, you know, divinely --

REBECCA WESTERFIELD: Ordained?

ELIZABETH CABRASER: -- received edict or
doctrine, that even the black letter had to be
interpreted, it had to be applied, and that's where the
action was. And so to me that was a revelation, because
(A) it was participatory, we can all do this, you know,
who's to say -- nobody can tell me I can't have something
to say about the law. I just say it, and then people
like it or they don't like it, or it's persuasive or it's
not persuasive; but it is not a crime in a common law
system or in any legal system, really, to have input.

And I guess to me that was really exciting,
because, again, it was project-like, like this thing
isn't anywhere near finished, you know, we can all have a
lot to say about how this goes. And it can be changed for the better, or it could become more inclusive.

And -- and, you know, I don't -- I don't like things that are super competitive. You know, it is, either I'm right or you're right, and only one of us can be right; although a lot of the law works that way, like somebody wins and loses a motion or a trial or an appeal, but in the process, even if you don't win that time, you know, you've had input, you've had something to say. There may be something in a brief or an opinion or an order that somebody else can use, and it -- and it gets built on. And so it's a way to be -- it is a way to participate in something and to be present in something, even if you're not the loudest person or the winner at that particular time.

And so, you know, you look back -- I'd look back at hundreds of years of people's glosses on this law, you know, and it's like, yeah, they had something to say in the 1200s and in the 1300s and in the 1500s, and everybody has always had something to say about this.

And it's changed. If you look at it in the long run, I was fascinated that -- that -- that the law in England had changed, you know, from Anglo Saxon law to the Dane law to the French law and that the language of the law had changed from various -- various tongues into
law French, which was its own fun and ridiculous thing to try to read and understand; and to eventually -- you know, from Latin to law French to English, and, you know, I still have to this day, you know, books of English reports where you've got the same report in three different languages, and you've got someone's handwritten comments on it in -- in the fourth language, which would have been the vernacular. And so to me that -- that was just an amazing thing.

And it was a belated recognition. I mean I was most of the way through law school before I finally figured out, "Oh, yeah, there is a place for me in the law. I could -- I can be -- I can be a lawyer. It's not a bad deal."

REBECCA WESTERFIELD: It would strike me as the -- the prototype for humanist -- the enlightened humanist. Do you think that has influenced you to be on the plaintiff's side of these class actions it's -- in any way, or maybe I should ask just the broader question, why do you find yourself on the plaintiff's side rather than the defense side?

ELIZABETH CABRASER: Well, good question. I -- I think the simplest answer is that I started working for a lawyer who was on the plaintiff's side, and I liked it. So I didn't have to go find out what the other side was
like, because I already liked the side I was on.

If I had worked on the defense side, I would have had to have gone and interviewed at a large firm, and I was just totally intimidated by doing that. I didn't want to dress up, I didn't want to put on makeup, I didn't want to go to a big firm. You know, this was in -- in the late '70s, and there weren't a lot of women being hired in private litigation firms, large firms, and I wasn't really the type that was going to be one of the first to be hired, so I kind of just didn't -- didn't gravitate in that direction.

I liked being on the plaintiff's side because you had to figure out a plan of action and initiate it, and then figure out -- you were always the one to figure out what to do next. And you had to have a goal. And I just thought that was -- that was more interesting and probably more authentic to who I was than being the person on the other side trying to -- to hold back.

You know, it is like a siege, you know. I would rather have the catapult than be behind the wall of the siege, although I respect immensely the people that do defense work for both criminal and civil defense. It is a remarkable thing, and it takes its own type of faith in the law to do that.

It was just easier for me to, you know, be the
plan A person, and then if that doesn't work, plan B, rather than the person who is in charge of scuttling plan A and plan B and plan C. So I think that that's why.

And -- and I enjoyed -- to me it is very gratifying to be able to do something positive for my clients, rather than simply staving off a worse result. You know, I like my clients to come out a little bit ahead. By the time they see me, something has already happened to them, and maybe the law can't make them completely whole. Maybe the law can't put them back exactly where their -- they were, but the law can do something, and I like to be an agent of helping the law do something for them.

REBECCA WESTERFIELD: So back to law school --

ELIZABETH CABRASER: Yes.

REBECCA WESTERFIELD: -- for just a moment again, did you have a core group of friends or study group or -- and who were some of those folks that we --

ELIZABETH CABRASER: Oh, my gosh. Well, yes, I was part of a study group, but I didn't go. So I -- I think I might have had the worst attendance record during my three years of law school in my class. There were people in my class that I literally didn't know and never met -- and it has been a source of regret for me I think through my whole career -- partly because I was in the
hospital much of the time, I was ill, so I couldn't go. The times I was -- I felt great I would go out on tour with a band, and then kind of -- I think I was an early -- early practitioner of remote studying before it was really remote.

So I -- I would do very well in some classes, I would not do well in other classes. I had a very checkered career, and I didn't really make close friendships with anybody at the law school. Partly -- I mean that was all my -- it was all my doing. They were -- they were wonderful people, but, again, throughout most of my law school career, if you could call it that, I felt intimidated by them. I thought they were all so smart, and they were all so focused, and they were all completely, you know, wrapped up in what they were doing, and I kind of felt like I wasn't. I wasn't ready or I was still trying it out.

REBECCA WESTERFIELD: When did that self -- almost I want to say self-deception, but when did that self-image change?

ELIZABETH CABRASER: I think it was just my very last semester, and I started working -- as I had said before, I started working for Bob Lieff in Sonoma while I was still in law school, and I was doing legal research for him, and I was -- but I was actually writing
briefs and complaints and working with clients, and
that's when I think I finally made the connection.

It was, like, "Oh, oh, I see. You can really
do this. Somebody has to do it, and I can do it." And I
liked to do it.

I think nowadays that realization probably
would have kicked in sooner because there are more
opportunities now in law school to actually get out there
and do clinical work or do work that is more
practice-based. But at the time, you know, it was all
very theoretical. And there were people, I felt, that
were much better at the theory than I was.

And it wasn't until I got -- I got the chance
of seeing, you know, oh, okay, that's what this -- this
is what a complaint is. This is what happens.

And I -- and I would end up going to court, you
know, basically to hold Bob's place until he had to be
there in the law and argument -- the law and motion
calendar. There were 65 matters on the law and motion
calendar, and he was No. 45. You know, that meant I got
to sit through the first 40 before I had to get him into
court. And just watching it, this is -- oh, this is
how -- this is how litigation works, this is how law in
motion works. This is what the judge is doing. This is
what the lawyer's doing. This is what they are doing
that works; this is what they are doing that doesn't work.

So that was -- that was a huge, you know, revelation to me that I probably should have had sooner, but it just -- it didn't click.

REBECCA WESTERFIELD: So I don't want to pry, and you certainly don't have to answer this, of course, but I wonder if you are willing to talk about the illness. What was -- and what you -- what it taught you or what -- you came out on the other end and...

ELIZABETH CABRASER: Well, hmm. Yeah. I -- I had started feeling really ill part -- when I was in college, and it what come and go. I never knew what it was. I had free healthcare through the UC system, so I would go over to UCSF, which is why I kind of got the idea that I wanted to be a doctor.

And it took a couple of years to diagnose, and it finally -- it finally turned out to be sarcoidosis, which is an autoimmune syndrome. It tends to run in families. I've now learned that a couple -- that one of my brothers and one of my sisters has it, you know, in -- but with different -- a cluster of symptoms. And it comes and goes. It is a chronic disease, but it comes -- it comes up at certain times, young adulthood being one of them. And it just kind of hit me full force. So I
lost a lot of weight. I lost all of my skin. I had to wrap myself in Saran Wrap, take a lot of baths. I felt like the Marquis de Sade.

REBECCA WESTERFIELD: It sounds also very painful.

ELIZABETH CABRASER: It was painful and it was distracting, because there was a lot of things I couldn't do, and it was hard to concentrate. But lots of Prednisone, lots of steroids controlled the symptoms, that -- they have side effects.

But by the time I got out of law school, and a couple of years after that, I had kind of aged out of it, for the most part. So I've been very fortunate in that respect, and so whenever it recurs, I know what it is, and I know what to do. And so it really hasn't had -- it really hasn't had an impact on my life.

The one thing that I do remember about it was at one point I -- I wasn't doing well at all, and I -- I was at UCSF, and I was talking to the doctor, and he said to me, he said, "You know, maybe you ought to quit school and go on disability."

And I said, "Why?"

He said, "Well, you know, this is stress-related. We think that stress is one of the things that brings this on, and so you should try not to
have any stress in your life. And so maybe, you know, maybe the law school is causing too much stress, and this is too hard, and you should just go on disability."

And I said, "Well, what does that mean?"

And he said, "Well, you know, they -- they'll pay you every month, and you don't have to work, and you get, you know, all the medical --" and it just sounded like a horrible, horrible thing to me.

I thought, "Oh, God." You know, I -- that can't be -- that can't possibly be true. I don't want to do that.

And -- and so, you know, that was kind of another turning point of, you know, what's the rest of -- what is the rest of my life going to be like, then? You know, and I thought, "Wow, that's probably a way to have a really short life, is to just kind of give up and go on disability and decide to be a disabled person if you don't have to be."

And, of course, at the time the movement was just starting for people that had all sorts of physical, what were called handicaps or disabilities, to start saying, "No, you know, you can't make me opt out of life. You can't put me in a little box and say, there, there, dear, you don't have to do anything. Nothing is expected of you."
And so that -- that movement, I think, helped me a great deal, because there were people that had a lot more difficult things to overcome, you know, access disabilities, all sorts of things that I didn't really have, that were saying, "Hey, we're here, you know, we're going to live. We're going to go to school. We're going to go to work. We're going to have lives. You can't stop us. And, in fact, you have to get out of our way."

So, you know, I was a -- I was an incidental collateral beneficiary of that movement, for which I'm -- I'm grateful.

REBECCA WESTERFIELD: That's an amazing story, really, of courage and persistence.

ELIZABETH CABRASER: Well, it's more fun to do things than not, right?

REBECCA WESTERFIELD: Right. So I think in our previous interviews we talked about how you met Bob, and, as I said when we began this, and went through some of your cases and your philosophy of justice and so on; and I wonder if we could turn for a moment to your family life, and we touched on that in the last interview that we had.

And I wonder if you just could tell us what you would like about your family life and how it's impacted you in terms of your practice and your ability to perform
as an -- as an outstanding litigator as well.

ELIZABETH CABRASER: Well --

REBECCA WESTERFIELD: Or any other way it has impacted you.

ELIZABETH CABRASER: Yeah. Well, I've been very -- I've been very fortunate, both with respect to my parents and my siblings, having a very happy childhood and being friends with people in my family as an adult.

And in terms of my own family, I've also been very, very fortunate. I've been with the same partner for 35 years now, Marguerite. We met right after I had been admitted to the bar. We've been together since 1981. We just got married this year, which felt very, very strange to get married at the end, rather than the beginning.

REBECCA WESTERFIELD: Congratulations.

ELIZABETH CABRASER: There was an opportunity to do that, so we did. I had to promise no wedding, you know, no -- no toasters, none of that.

We've had two kids. They're both adopted. They're both in their mid or late 20s now and beginning to -- to make their own way in the world, although we have the boomerang phenomenon where they are away from home, they're back, they're away from home, they're back, which is kind of nice.
I did the same thing through law school. I would occasionally -- my grandmother spent a lot of time taking -- taking care of me. I would arrive unannounced, "I'm back. Take care of me."

So -- so that's -- that's been good. Neither of the kids has any thought to be a lawyer, which is just fine, because I didn't have any thought to be a lawyer either.

And the one regret that I have is that when I was out on the road litigating when -- when my son and my daughter were young, and I wasn't there, and Marguerite was the one who was there, but I wasn't as -- as there for them as -- as I wish I had been, and as I think they wished I had been. They've been very good about it. They have been very understanding about it. They are more than happy now to take all the attention I can give them. It is not guilt tripping, but it's -- you know, I'm more able to do it now, and -- and they're fun because they're grown-ups.

But I think that's -- that's the dilemma that -- that both men and women face, and that we haven't solved as a society in terms of how to enable people to actually live real lives, taking care of their families, enjoying their families, supporting their families, having a role in the community, and having success by
however that is measured. We tend to be -- still be
either/or.

And the law, particularly litigation, is very,
very arbitrary about that, and demanding. And so
that's -- you know, in terms of a project for the law,
there is the substantive law which needs to be better;
there is procedural law which needs to be more
accessible, more cost effective, more economical, more
available to more of our people; and then there is the
role of litigation in either supporting or not supporting
the cultural values that we say that we want, and to me
that's a huge task.

And I think women have pioneered in that, but
sometimes we put too much of the brunt on -- on women,
you know.

So if guys want to ask for parental leave,
it's -- you know, it is okay, but it is not fully
accepted yet.

We try to be supportive, in this firm we try to
be very supportive in terms of new parents and people
being able to take the time and be with their kids and
arrange their schedules so that they can go to the games
and go the recitals and take care of sick kids and do all
of that.

But I think there is still this cultural value
about litigation, which is that, you know, everything else is secondary, and what has to be primary is your case, you know, the court, the clients; although I've noticed the judges are probably the best at being accommodating about personal schedules, and I've noticed recently even in very high stakes litigation, if the judge is trying to schedule a hearing or a status conference and one of the lawyers says, "Well, Your Honor, you know, that doesn't work for me because my daughter is graduating from high school," or -- and -- and, you know, it's accommodated, which I think is great, because it -- we'll all be much more efficient at what we do, no litigation calendar is going to be permanently disrupted, so that families be can families.

And I just wish that I had been more -- that I had been a little pushier about that earlier in my career. Because back in the day, we just didn't think -- particularly women, I mean maybe guys could ask, you know, "Can I go see my son's Little League game," but women couldn't ask, you know, because it was a sign of -- of whatever. And I think that's finally -- I think that's finally over.

REBECCA WESTERFIELD: Did you ever experience anything that looked like bias or discrimination based on your same-sex union?
ELIZABETH CABRASER: You know, I -- if -- I --

I don't think so. I -- that's not to say it wasn't

happening, but I'm pretty oblivious, which can be a gift,

I think, and also I'm fortunate because my hometown is

San Francisco as a lawyer. And, I think, you know, the

Northern California, San Francisco Bay Area legal

community is an excellent one in terms of inclusiveness

and appreciation and -- and being relatively progressive.

And I am sure that I was -- I was looked upon,

you know, as perhaps a curiosity, but nobody ever

confronted me to my face, you know.

The only problem that I had litigating in the

south was lawyers would be a little too polite, which I

always -- always found unnerving, with people opening

doors and stuff. I always thought that was -- "What are

you doing?"

But, you know, there, most of the bias was

cultural bias, because I was a lawyer from California,

and, you know, "those people are totally crazy." So

people were watching me to say -- to see if I would say

or do something that was utterly -- you know, utterly

crackpot, which I tried never to do. I was always very,

very low key and polite and tried to be a good guest in

other peoples' states or courthouses, and it -- it

usually worked.
I don't know whether that is -- whether that was a benefit of being a woman --

(Recess was taken.)

ELIZABETH CABRASER: You know, I think that's one area in which being a woman might be an advantage. I think if I were a gay man I probably would have had a harder time, at least that's what I've heard from my colleagues.

REBECCA WESTERFIELD: Your gay male colleagues?

ELIZABETH CABRASER: Yeah, because -- because guys can feel more threatened by that, and then they feel it's okay to act out or to taunt or to make remarks, whereas if you're a woman, they are -- they really don't want to be impolite. You know, I mean they'll -- they'll discriminate behind your back, they'll not include you in things, but they are not going to -- they are not going to be overtly -- overtly nasty.

But, again, I -- you know, I -- I certainly have been involved in mentoring and working with other women lawyers, particularly plaintiffs, women plaintiff's lawyers, and just hear a lot of -- a lot of accounts of -- of bad treatment, pretty rough treatment, pretty overt discriminatory treatment, and it can be -- it can be very discouraging. I think I've just been very fortunate.
I primarily litigate in federal courts, which may be part of it, and the state courts I litigate in are primarily in California, which is another -- another part of it. But I've heard some hair-raising tails about -- about courts elsewhere.

So collectively we have work to do in that area.

REBECCA WESTERFIELD: So going back to your children for a moment, I don't know about you, but I -- I have found that my three children have been my greatest teachers. Have your children taught you anything?

ELIZABETH CABRASER: They have. And a lot of it has to do with, you know, not getting so wrapped up in things. My daughter, Francesca, is one of these people that has all of the people skills that I don't have. She obviously didn't get them from me. But she has them. And so she's very, very perceptive, and she's one of these people who, even at a very young age, could meet someone and look at them and know exactly who they were, where they were coming from, what they needed to hear, you know, and how to relate to them. And so I've learned a lot just by watching her. And I'll ask her a lot of times, if we meet somebody, I said, "You know, this person is -- this person seemed kind of odd to me or something was going on there. What do you think it was?"
And she'll tell me. And I think she's -- she's right.
She can see that.

She wants to be a teacher, and she already does
work as a teacher, and she's fabulous with kids for that
reason, I think. She gets -- she understands them, and
she is not threatening, and she really cares a lot about
how people -- how other people are doing and how they're
feeling and how to make them feel better. So I
learned -- I've learned a lot. You know, it is -- it
seems to be a talent that is more innate than anything.
So I haven't figured it out, but I -- I've learned to pay
attention more and not to make assumptions, you know,
about this is who I think that person is or how -- what
I, you know, want them to be or presume they are. So
that's just the way it is, because it's -- it's not true.

And my son, who has had a number of learning
disabilities --

REBECCA WESTERFIELD: And his name, I'm sorry?

ELIZABETH CABRASER: Rene. And he's one of
these people who just thinks differently. And so that's
been quite an illumination to me. It is a treat to go to
a movie with him because -- you can go to a two-hour
movie with him, you have to not ask him what was the
movie about, because then you get the whole movie in two
hours, because he'll remember everything that everybody
said in the movie and what happened, but if I ask him for
his take on the movie, you know, who -- and in terms of
motivations and things that he sees that I don't see, it
is just a different window into -- into what is going on.

And so it's really a treat to watch kids turn
into adults and turn into people that are -- that are
quite different and that you can't really take credit
for, you know, and you think, "Wow, you know, here is a
whole new -- here is a whole new person for the world
that's going to have something to say and something to
do."

REBECCA WESTERFIELD: And what a wonderful
blessing to be able to enjoy them.

ELIZABETH CABRASER: Yes.

REBECCA WESTERFIELD: So is there anything else
we don't know about Elizabeth Cabraser that folks might
find interesting or that we haven't touched on in order
to get a whole picture?

ELIZABETH CABRASER: Oh, gosh. I don't know.
I've been talking a lot.

REBECCA WESTERFIELD: Any major -- it doesn't
have to be major or minor -- you know, segment or part of
your life that we haven't touched on that you think is
important or learning or insight? I just love listening
to, you Elizabeth. I really do. It's -- you are such --
so eloquent and articulate I think what so many of us see and have experienced, and it's a real gift.

ELIZABETH CABRASER: You know, I -- I don't think so. I've spent what sometimes seems like a long time, and sometimes seems like just a few seconds, working in -- in the law through litigating, and, you know, seeing things change, not always for the better. But what I would really hope for in terms of what the law can do in our society and in our world is that more of us will feel more able to control more of our own destinies and the destiny of our world, and that more people will recognize that the law is an ally in doing that.

And we have a long way to go in this country, because there aren't -- there are lots of lawyers, sometimes, of course, you know, in the course of my day, pretty much everybody I see is a lawyer or a paralegal or court reporter or in the legal profession in some way, and it is sometimes difficult to remember that the vast majority of people out there aren't engaged in this. But there are so many folks that need the law and need it more than ever that don't have access to it because we've erected financial barriers, because we've -- we have inefficiencies, because we don't support it publicly through -- through taxes and appropriations.

And it really is something in this country --
we expect the law to do so much more in this country than most countries do, and I think that is to the good. That is an American exceptionalism premise, but I think it's an accurate one, that we expect the law to have a larger role in our society as a free society.

And, you know, sometimes I think about if I retire, what would I -- what would I do if I -- if I weren't --

REBECCA WESTERFIELD: That's a great question.

ELIZABETH CABRASER: -- doing this lawyer gig?

And -- and I think I would -- I would try to teach the law and teach younger students about the place of the law and what the law can do and how exciting it is.

When you think of the civil rights struggle, which was a struggle through law for access to legal rights, that's not over by any means, and to try to help people take back a sense of empowerment and a sense of engagement and activism through the law.

I mean I took it for granted as a student. Of course we could demonstrate. Of course we could protest. We could Xerox manifestos. We would be heard. Someone might act on it. It was our right. It was our entitlement. We ought to be doing it. It was part of being an American. There was nothing wrong or silly about it.
I make fun of it now because there were youthful excesses, but I was thrilled by the Occupy movement. I was heartened by the Black Lives Matter movement. I think these are -- these are our -- it is necessary for people to speak out and to occupy the law. I would like more young people to occupy the law and say, "This is our project, too, and it is not over. It is not an old thing. It is a new thing. We're going to protect our rights and our opportunities, and we're going to make sure others have them, too. And, heck, maybe we'll even start having legislation again in the U.S. Congress as a thing."

REBECCA WESTERFIELD: Miracles do happen.

ELIZABETH CABRASER: They do. They do. But, again, you know, the history of our -- when we've been on a trajectory of progress and hope in our country, interestingly enough to me, and I don't think this is an artificial connection, is that when we are making progress, when we are hopeful, when we are broadening access to the law and to our economy is when we are most actively engaged through the law in doing that. We look at the '50 and '60s and the Civil Rights movement. It is almost like, you know, the byproducts of the American space program where transistors and computers for everyone. Well, the byproducts of that project, which
was a legal project, a litigation project, were more access and -- and more rights for everyone.

And so, you know, I think the -- the law is the single engine that drives our society, not only in the obvious direction toward justice, but in the direction toward opportunity and -- and a real participatory life as citizens in our -- in our society, which -- which, you know, in this country you come here because you want to be an active part of it. That is why people come here. It's not just fleeing other places, it's this is the place where we can be part of something, not just the passive recipients of whatever, you know, the government program is.

So that's -- that's the kind of future that I hope that our country still feels like it has and I'd like to be a part of. And, you know, sometimes I feel like that's -- that's just nostalgia, that it's passed, and then other times I think, no, I think people are ready to engage again. We are not done. The project isn't over. There's more -- there's more to build.

REBECCA WESTERFIELD: On that note, let's move forward.

ELIZABETH CABRASER: Okay.

REBECCA WESTERFIELD: Thank you again so much.

ELIZABETH CABRASER: Sure.
REBECCA WESTERFIELD: That was wonderful. I appreciate it.

ELIZABETH CABRASER: Thank you.

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