

**BRAUER, Harry F.**  
**RETIRED ASSOCIATE JUSTICE, COURT OF APPEAL, Sixth Appellate District**

**Appointment/Election:** Appointed to newly-created court by Governor Deukmejian Sept. 14, 1984, confirmed by Commission on Judicial Appointments Nov. 2, 1984, oath same day. Confirmed by electorate Nov. 4, 1986 and retired from bench June 30, 1989.

**Previous Judicial Office:** Judge. Superior Court, Santa Cruz County, Jan. 2, 1973 (date of oath) to Nov. 2, 1984. Appointed succeeding Judge Nick J. Drobac resigned in Dec. 1972 by Governor Reagan, elected in 1974, and reelected in 1980. Judge, Municipal Court, Santa Cruz, Judicial District, Santa Cruz County, Jan. 2, 1962 (date of oath) to Jan. 2, 1973. Appointed Dec. 20, 1961, by Governor Brown, Sr. elected in 1964, and reelected in 1970.

**Past Employment:** Private law practice, Watsonville. Calif.. 1954-62 (associate and then partner. Wyckoff, Parker, Boyle & Pope. specializing in commercial and appellate law). Law clerk to U.S. District Judge Edward P. Murphy, San Francisco, Calif 1953-54.

**Memberships/Awards:** Member: Calif. Judges Assn. 1962. Former member: Chief Justice's Select Committee on the Courts and the Media, 1979-80; Judicial Council Criminal Justice Planning Committee, 1973-79, appointed by Calif. Judicial Council Advisory Board. Calif. Joint Legislative Committee for Revision of the Penal Code, 1970-72; Board of Directors, Watsonville Community Hospital. 1968-72; and Board of Directors, Family Service Assn, of Santa Cruz County, 1958-61. Former Chair Santa Cruz County Civil Service Commission, 1960-61.

**Teaching/Lectures/Panelist:** Faculty ("Evidence"), Calif. Trial Judges College Session (CJER) [now Calif. Judicial College (CJER)], Berkeley, 1973, and its predecessor, Calif College of Trial Judges, 1972, 1971, and 1969. Also taught at judicial workshops sponsored by Calif. Judicial Council and Conference of Calif. Judges [now Calif. Judges Assn)

**Noteworthy Cases:** Significant decisions include *Dong u. Board of Trustees*. (1987) 191 Cal.App.3d 1572, 236 Cal.Rptr. 912 (affirming judgment: of nonsuit in action by professor against University for libel infliction of emotional distress, and breach of implied covenant of good faith): *Kahn v. Superior Court*. (1987) 188 Cal.App.3d 752. 233 Cal.Rptr. 662 (involving constitutional right to privacy vis-a-vis pretrial discovery): *Eldridge u. Tymshare, Inc.*, (1987; 186 Cal.App.3d 767. 230 Cal.Rptr. 815 (action against corporation by disappointed shareholders who sold their stock at a loss but would have received higher price had they known of pending merger): *City of Carmel-by-the-Sea v. Board of Supervisors*. (1986) 183 Cal.App.3d 229, 227 Cal Rptr. 899 (ruling that county's rezoning of property which could result in significant environmental impact required preparation of environmental impact report): *People v. Wilson*. (1986) 182 Cal.App.3d 742, 227 Cal Rptr. 528 (upholding validity of search warrants of rural

properties for methamphetamines); *Sher v. Leiderman*, (1986) 181 Cal.App.3d 867, 226 Cal. Rptr. 698 (ruling that homeowner has no grounds for suing neighbor whose trees blocked sun allegedly making house dark and dismal and ruining its solar heating system); *West v. Johnson & Johnson Products, Inc.*, (1985) 174 Cal.App.3d 831, 220 Cal.Rptr. 437 (affirming trial court's order granting new trial on ground of excessive damages unless plaintiff agreed to reduction, which she did, in action arising out of plaintiff's use of tampon which, because of defect in design caused plaintiff to contract toxic shock syndrome); *Akers v. Kelley Co.*, (1985) 173 Cal.App.3d 633, 219 Cal.Rptr. 513 (affirming judgment for worker who sustained permanent brain damage when adjustable truck-loading platform manufactured by defendant flew apart striking him in head); *In re Marriage of Lugo*, 11985; 170 Cal.App.3d 427, 217 Cal.Rptr. 74 (ruling that county paying welfare (aid to families with dependent children) to mother must be included in any court proceedings in which she and former husband agree to reduce child support payments).

**Education:** LL.B. (Feb. 4, 1951), Yale Univ. Law School New Haven, Conn. (Board of Editors, Yale L.J., 1950 and 1951); Ph.D. (1947, with Honors), Univ. of Chicago, Chicago, Illinois.

**Born:** April 25, 1926; Germany; Married (psychiatric social worker). One child.

**Interests:** Enjoys mountain climbing, backpacking, fishing, and listening to classical music.

**Admission:** Admitted to Calif. Bar July 31, 1952.

**Political Affiliation/Religion:** Democrat