

SABRAW, M.O. (Modeste Orton). ASSOCIATE JUSTICE, COURT OF APPEAL, First Appellate District, Division Four.

Appointed [succeeding Associate Justice Edward A. Panelli, elevated] by Governor Deukmejian Dec 6, 1984, confirmed by Commission on Judicial Appointments Jan 3, 1985, oath same day, and confirmed by electorate Nov 4, 1986. Judge, Superior Court, Alameda County, Dec 31, 1970 (date at oath) to Jan 3, 1985, appointed to new position by Governor Reagan Dec 30, 1970, elected in 1972, and reelected in 1978 (unopposed) and 1984. Judge, Municipal Court, Fremont-Newark Union City Judicial District, Alameda County, March 1, 1968 (date of oath) to Dec 31, 1970, appointed Feb 2, 1968 by Governor Reagan. Served as Associate Justice *pro tempore*, Supreme Court of Calif, in 1979. Private law practice (specializing in civil litigation and real estate and public agency law), Fremont, Alameda County, 1955-68 (partner: Quaresma, Sabraw & Avera, 1966-68; Sabraw & Avera, 1962-66; Rhodes & Sabraw, 1959-62; and Quaresma, Rhodes & Sabraw, 1955-59): Deputy District Attorney, Sonoma County, 1954-55. Admitted to Calif Bar Sept 12, 1953, to US Court of Appeals, Ninth Circuit, and to US Dist Court, Northern Dist of Calif. J.D. (June 1953), Univ of Calif, Berkeley. Boalt Hall School of Law. B.A. (June 1950 Political Science), Univ of Calif, Berkeley. Served in US Army World War II 1944-46 (Paratroopers, South Pacific). Present status, Major, U.S. Army Reserve (Inactive). Born July 20, 1926 in Saskatchewan, Canada, and moved with family. to San Francisco, Calif in 1937. Married Betty King Sept 7, 1947 III Santa Rosa, Calif. Four children: Ronald, born March 7, 1950 (Judge, Fremont-Newark-Union City Municipal Court); Mark, born July 10, 1951; Teri, born July 23, 1955; and Kris, born Sept 18, 1957.

Member: Calif Judges Assn, 1968-; and Rotary Club, 1960 (President, Niles Club, 1965). Former member: Alameda County Bar Assn, 1955-68; Southern Alameda County Bar Assn, 1959-68 (Board of Directors, 1964); Washington Township Bar Assn, 1965-68 (President, 1966); Fremont Board of Education, 1964-68 (President, 1965-67); Washington Township Republican Assembly, Fremont, 1960-68 (President, 1962); and Board of Trustees, Washington Union High School District, 1963-64. Republican. Enjoys raising and riding horses and skiing.

Significant decisions authored by Justice Sabraw include: *Garvey v. State Farm Fire & Cas. Co.* (1986) 190 CA3d 1248 [review granted] (involving homeowner's insurance and ruling that insurance company can deny coverage under its policy for loss if "moving cause" of loss was excluded from coverage under the policy); *City of Oakland v. Oakland Raiders* (1985) 174 CA3d 414, 220 CR 153 (holding city's eminent domain suit against Raiders football team violated the commerce clause (Art I, sec, 8, c1. 3) of the US Constitution); and *Kearl v. Lederle Laboratories* (1985) 172 CA3d 812, 218 CR 453 (involving action for damages based on strict products liability by minor contracting polio from oral polio vaccine for failure to warn of danger and holding that strict liability cause of action, although available for "manufacturing defects," must be prohibited for public policy reasons for "warning defects," if court determines, after taking evidence, that product complained of is "unavoidably dangerous" and that such products are subject merely negligence liability for warning defects).