



American College of Trial Lawyers

**The American College of Trial Lawyers Presents M. David Lepofsky With
Samuel E. Gates Litigation Award
*Author, Professor Is A Pioneer in Human Rights And Disability Law***

NEWPORT BEACH, CALIFORNIA (March 17, 2020) - The American College of Trial Lawyers (the College) has presented its Samuel E. Gates Litigation Award to **M. David Lepofsky** during the 2020 Spring Meeting in Tucson, Arizona. The award honors a lawyer or judge who has made a significant contribution to the improvement of the litigation process. In its 40 years of existence, the award has been extended previously only 25 times.

College President **Douglas R. Young** of Farella Braun + Martel LLP in San Francisco, California said: “David Lepofsky has been a legendary advocate for disability rights. His efforts to make courts and mediations accessible for people with disabilities epitomize the qualities that are the foundation of the Samuel E. Gates Award, and have significantly improved the litigation processes for many who otherwise would have faced significant barriers in pursuit of justice. The College is tremendously honored to be able to recognize his groundbreaking work.”

Regent **Sandra A. Forbes** of Davies Ward Phillips & Vineberg LLP in Toronto, Ontario presented the award to Lepofsky. Forbes said of Lepofsky: “David rivals Beyoncé as a true influencer. He has been an influencer even before we had Instagram, Twitter, YouTube, or TikTok. Using the power of social media, his ability to force change to improve our justice system seems unstoppable. David’s efforts over the decades have resulted in barriers in the litigation process and beyond being removed for those with disabilities, ensuring true access to justice. Because of his tireless efforts, mentoring, advocating, educating, and spearheading test cases, David has made our society and the litigation process more accessible and inclusive. He fights those that defend the seemingly impenetrable walls that exclude the disabled, and he does not quit until they are torn down.”

In his acceptance remarks, Mr. Lepofsky said: “Everybody has a disability now or has somebody near and dear to them with a disability or gets one later in life. We are the minority of everyone. I’ve had the privilege of doing advocacy on the issue of accessibility outside my day job over the years of my career as an appeal lawyer on a wide range of accessibility issues.... I invite you to join the minority of everyone to become a barrier buster, to decide amidst all your other work, all the wonderful pro bono work you already do. Just take on one barrier. Find an example. Whether you solve it through litigation or through lobbying, don’t stop until you get rid of that barrier. I can tell you that most of these barriers we face are, actually, legally not very challenging. Legally not very challenging in the sense that there’s only one side to the argument.

“Regent Forbes mentioned how I fought the Toronto Transit Commission to force them to announce subway bus and streetcar stops. They had no defense. They seriously had no defense, and yet they fought every step of the way. That’s the case for so many of the barriers we face. Don’t look for the cases that necessarily have the tough legal questions. Look for the cases that have the intractable opponent, where we need your skills to dig in, and keep going. If every one of us just takes on one barrier, deploying that rare gift, we can make an enormous, enormous difference. I’d welcome the opportunity both to learn from what you’re able to do, and to learn ideas of how you’re able to do it, so we can do it better.”

According to the award committee’s nomination: “Blind for most of his life, David has gained a reputation for being an advocate for the blind and disabled. He leads by example and makes all lawyers strive for excellence, to be the best they can be, no matter what challenges they may face.”

About the Samuel E. Gates Litigation Award

This award is presented by the Foundation of the American College of Trial Lawyers and was established in 1980 to honor a lawyer or judge who has made a significant contribution to the improvement of the litigation process. The person selected might be a trial practitioner, a judge, a teacher, a writer, a legislator, an administrator, or initiator of organizations or programs, or some other person whose work has been substantively significant or who has inaugurated or advanced significant programs. Samuel E. Gates was a President-Elect of the College who died shortly before he was to be sworn in. In Gates' memory, the College created the award in his name. The award is funded by Gates' old firm, Debevoise and Plimpton of New York City. Gates was recognized as a pioneer in the field of aviation law, playing a major role in shaping the laws and international conventions that govern airline flights, and in representing domestic and international airlines.

Previous recipients of the award are: Former Colorado Supreme Court Justice Rebecca Love Kourlis – 2016; Honorable Allan van Gestel (Ret.) - 2015; Donald R. Dunner - 2013; James B. Sales - 2011; Honorable Judith S. Kaye - 2008; Honorable Ronald M. George - 2007; Honorable Robert R. Mehrige, Jr. - 2004; Garry D. Warson, Q.C. - 2004; William R. Jones, Jr. - 2003; James E. Coleman, Jr. - 2002; James J. Brosnahan - 2000; Honorable Dorothy W. Nelson - 1999; Honorable Patrick E. Higginbotham - 1997; Honorable William J. Brennan, Jr. - 1993; Honorable William W. Schwarzer - 1991; Honorable Sam C. Pointer - 1990; Honorable David Hittner - 1989; Professor A. Leo Levin - 1988; Robert W. Meserve - 1987; Professor Daniel J. Meador - 1986; Professor John W. Reed - 1985; Honorable Robert E. Keeton - 1984; Joseph A. Ball - 1983; Honorable Erwin N. Griswold - 1982; Honorable Edward Weinfeld - 1981.

About the [American College of Trial Lawyers](#)

The American College of Trial Lawyers is composed of the best of the trial bar from the United States, Canada and Puerto Rico and is recognized as the leading trial lawyers organization in these countries. Founded in 1950, the College is an invitation only fellowship. The College thoroughly investigates each nominee for admission and selects only those who have demonstrated the very highest standards of trial advocacy, ethical conduct, integrity, professionalism and collegiality. The College is dedicated to maintaining and seeking to improve the standards of trial practice, professionalism, ethics, and the administration of justice through education and public statements on important legal issues relating to its mission. The College strongly supports the independence of the judiciary, trial by jury, respect for the rule of law, access to justice, and fair and just representation of all parties to legal proceedings. For more information about the College, visit its website at www.actl.com.

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