



89th ANNUAL MEETING

PREVIEW AT A GLANCE

THE STATE BAR OF CALIFORNIA



SEPTEMBER 29 - OCTOBER 2, 2016

SAN DIEGO MARRIOTT MARQUIS & MARINA

An all-inclusive opportunity for business, legal education, & entertainment. Over 110 education programs offering up to 19 hours of legal education. With 2 ½ day legal exhibit show.

THE STATE BAR OF CALIFORNIA

89th ANNUAL MEETING

September 29—October 2, 2016 | San Diego



The State Bar of California returns to San Diego for the 2016 Annual Meeting. The Annual Meeting is a multi-day showcase of continuing legal education courses, celebrity speakers, and noted legal scholars. Each day gives you several choices of courses and special events.

- Selection of 110 MCLE courses
- Up to 19 Hours of MCLE and Legal Specialization credit
- Dynamic Opening Day and Closing Day General Sessions
- Free Networking Lunch, Morning Coffee Breaks and Evening Happy Hours in the Exhibit Hall
- Social events hosted by the State Bar and its various Sections along with local bar associations and law school alumni groups



REGISTRATION

August 30 Early-bird Deadline*
September 8 Pre-Registration Deadline
*Fees increase by \$100 after August 30

wo-day Meeting Pass (Thursday/Friday or Saturday/Sunday)	\$395
Full Meeting Pass for attorneys licensed after 9/1/11	\$425
Full Meeting Pass for attorneys licensed before 9/1/11	\$525
Full Meeting Pass for New Admittees licensed from	\$175

Register Online at www.calbar.ca.gov/AnnualMeeting

HOTEL & TRAVEL DISCOUNTS

Hotel \$239 Reduced Rate, Reserve by August 30

Reservation information available online at:

www.calbar.ca.gov/AnnualMeeting

Hertz www.hertz.com with CV# 04450009

Annual Meeting education programs, meetings, and events will be held at:

Marriott Marquis San Diego Marina
333 West Harbor Drive

San Diego, CA 92101

Annual Meeting Luncheons and

SPECIAL EVENTS

Thursday, September 29 | 11:00 am - 12:30 pm | Session # 1 | 1 Hour MCLE

Opening Day Annual Meeting General Session

"Fail Better: Continuing Efforts to Eliminate Bias in the Practice of Law" Featuring: Sean Carter, Law Humorist

Thursday, September 29 | 12:30 pm-1:45 pm | Complimentary. RSVP Required | Event # 112

Networking Luncheon in the Exhibit Hall

Thursday, September 29 \mid 5:30 pm - 6:30 pm \mid Complimentary Happy Hour in the Exhibit Hall

Thursday, September 29 | 5:30 pm - 9:30 pm | \$150 pp | Event # 113

The California Women Lawyers Association 42nd Annual Dinner and Silent Auction

 $Key note \, Speaker: Janet \, Napolitano, \, President \, of \, the \, University \, of \, California$

Friday, September 30 | 12:15 pm - 1:25 pm | \$49 pp | Event # 114

State Bar Luncheon

Co-Sponsored by the State Bar of California Criminal Law Section Keynote Speaker: Christopher A. Darden, Lawyer, Educator and Legal Commentator

Friday, September 30 \mid 5:00 pm - 6:00 pm \mid Complimentary Happy Hour in the Exhibit Hall

Friday, September 30 \mid 6:45 pm - 9:00 pm \mid Adults \$49 pp \mid Event # 115 \mid Children 12 and under complimentary \mid Event # 116

President's Reception – Hawaiian Luau

Saturday, October 1 | 7:30 am - 9:00 am | \$35 pp | Event # 117

State Bar Breakfast

Co-Sponsored by the State Bar of California Business Law Section Keynote Speaker: Alan Nevin, Director of Economic and Market Research at Xpera Group

Saturday, October 1 | 12:15 pm - 1:25 pm | \$49 pp | Event # 118

State Bar Luncheon and Alexander F. Morrison Address

Sunday, October 2 | 10:15 am - 11:45 am | Session # 111 | 1.5 Hours of Which 1 Hour Applies to Competence Issues

Closing Day Annual Meeting General Session

"Substance Abuse and Behavioral Health Vulnerability in the Legal Profession: Facing the Facts"

Featuring: Patrick Krill, Hon. Catherine Purcell, Dr. Robert A. Simon, and Richard Carlton

For the complete Annual Meeting Preview and full descriptions for all special events go to www.calbar.ca.gov/AnnualMeeting

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Annual Meeting

Program Partners

The following partners are presenting education programs. Full program descriptions can be found online at www.calbar.ca.gov/AnnualMeeting

Access to Justice Commission—AJC

- 10 Taking the Fear and Loathing out of Limited Scope Court Appearances
- 29 Introduction of Social Media into Evidence, including Overcoming Hearsay Objections

Antitrust UCL & Privacy Section—AN

- 52 Antitrust and Unfair Competition Law 101
- 62 Privacy and Cybersecurity Law 101
- 72 Privacy Law: Trends in Government Enforcement and Class Action Practice
- 92 Introduction to Data Protection Technology for Lawyers

Business Law Section—BLS

- 22 Ninth Circuit Bankruptcy Year in Review
- 42 10 Things Not to Do When Insolvent
- 43 The Effective and Ethical Use of Expert Witnesses
- 53 Managing Expectations: Understanding the Roles of the Main Actors in a Bankruptcy Case
- 73 Medical and Health Care Privacy and Data Breach Compliance for Non-Health Care Clients and Their Attorneys
- 82 Cyberspace Law 101: Representing Clients on the Internet
- 102 The Expectation of Privacy: The Roles and Responsibilities of Businesses

California Association of Black Lawyers—CABL

- 2 Kids Kaught Up in the Kourtroom: Trends in Juvenile Delinquency Practices
- 25 Kids Kaught Up in the Kourtroom: Trends in Juvenile Dependency Practices

California Certified Legal Secretaries Association—CCLS

7 Really Interesting Legal Ethics Stuff

California Supreme Court Historical Society—CSCHS

108 Thirty Years After a Hundred-Year Flood: Judicial Elections and the Administration of Justice

California Young Lawyers Association—CYLA

- 54 Privacy and Data Protection: A Year in Review
- 103 Small Business: The First 60 Days

Commission on Judicial Performance—CJP

110 You Be the Judge - 2015 Revisited

Committee on Alternative Dispute Resolution—CADR

- 32 Ethical Issues Surrounding Mediation Confidentiality
- 44 Seeing the Forest Within the Trees: Uncovering Bias in Mediation
- 63 Ten Common Mistakes in Mediation and How to Avoid Them
- 74 Arbitration, Mediation, and Negotiation Clause Drafting for Technology Companies and Technology Issues

Committee on Appellate Courts—CAC

- 45 Effective Use of Amicus Curiae in Appellate Advocacy
- 13 Ways Family Law Appellate Practice is Different
- 75 Making a Murderer and Beyond: Post-Conviction Relief in Today's Judicial System
- 83 The Joys of Solo Appellate Practice
- 93 Last Acts Before Appeal: Post-Trial Motions and Statements of Decision

Committee on Federal Courts—CFC

84 Avoiding Landmines: Navigating Federal Court for State Court Practitioners

Committee on Group Insurance Program—COGIP

- 23 2016 Update on Healthcare Reform
- 33 Finding Coverage: Practical Tips on Locating Insurance for Your Practice
- 104 Cyber Principles for Attorneys

Committee on Mandatory Fee Arbitration—CMFA

- 34 Mandatory Fee Arbitration: The Good, the Bad, There is No Ugly
- 46 Updates on Enforceable and Ethical Fee Agreements, including Alternative Fee Agreements
- 55 Getting Paid: The Relationship Between Your Billing and Attorney Fee Agreements
- **76** Protecting and Collecting Legal Fees

Committee on Professional Liability Insurance—COPLI

- 12 The Formation, Scope and Termination of the Attorney-Client Relationship
- 65 The Digital Dilemma: The Ups and Downs of Electronics and Social Media in the Practice of Family Law
- 77 Interacting with Judges: Do's and Don'ts

Committee on Professional Responsibility and Conduct—COPRAC

- 24 My Lips are Sealed: Client Secrets, Confidences and the Attorney-Client Privilege
- 35 Ethics Update 2016: Significant Developments in the Law of Lawyering
- 47 Huffing, Puffing and Bluffing: The Bounds of Legal Ethics in Negotiations
- 94 Difficult Personalities Confronted by Lawyers

Continuing Education of the Bar—CEB

87 People v. Newton, The Real Trial of the 20th Century?

Council on Access & Fairness—COAF

- 36 22 Lewd Chinese Women: Immigration and the Inherent Underlying Issues of Discrimination
- 56 An "Intelligence Squared" Debate: Considering Race in Higher Education Admissions

Criminal Law Section—CRIM

- 2 Kids Kaught Up in the Kourtroom: Trends in Juvenile Delinquency Practices
- 25 Kids Kaught Up in the Kourtroom: Trends in Juvenile Dependency Practices
- 48 Introduction of Evidence in Court: Exhibits, Foundation and Other Evidentiary Issues
- 57 Introduction of Social Media Evidence in a Courtroom

Environmental Law Section—EL

- 66 Take a Look Around: Conducting Environmental Due Diligence—Why, How and When
- 78 Beneficial Reuse of Oil Field Produced Water: Boon or Bane
- 95 CEQA and the People's Voice: Developer Ballot Measures
- 105 Environmental and Economic Impacts of California's Bold New Cannabis Future

Family Law Section—FL

- 3 Trends and Developments in Grandparent Visitation and Custody Disputes
- 13 Recovering Children Brought to the USA: Hague Convention vs. the UCCJEA
- 37 A Family Lawyer's Guide to Assisted Reproduction Law

- 79 Recent Developments in Family Law Cases and Statutory Law
- 106 Cultural Competency in Family Law Practice: Beyond Basics

Intellectual Property Section—IP

- 14 Ethics: What Every IP Lawyer Must Know Before Playing in the Social Media Sandbox
- **26** Technology Licensing Boot Camp for Attorneys
- 67 Ethical Considerations in Handling Trade Secrets Matters
- 85 Copyright: Shattering Copyright Myths for the Non-IP Lawyer

International Law Section—IL

- 4 Recent Trends and Developments in Foreign Corrupt Practices Act (FCPA) Enforcement
- 15 Overview of Immigration Visa Options for Investors, Innovators & Entrepreneurs
- 19 Federal and State Regulation of Sex and Labor Trafficking
- 27 Recent Developments in Global Trade Compliance: What Every Lawyer in Today's Global Economy Should Know
- 96 Protecting Intellectual Property: Patents, Trademarks and Copyrights Outside the United States

Labor & Employment Law Section—LL

- 5 Getting to Yes: Advanced Tips on Effective Settling/Mediating Your Labor & Employment Cases
- 16 Across the Divide: Building Cultural Competency and Combatting Bias
- 58 The Watch List: Pending U.S. and California Supreme Court Employment Law Cases
- 68 Representative Actions Under the California Labor Code Private Attorneys General Act

Law Practice Management & Technology Section—LPMT

- 6 Emotional Intelligence: A Critical Factor in Your Practice to Prevent Alcohol and Drug Abuse
- 38 Everything an Attorney Ever Wanted to Know About the Cloud
- 97 What Litigators Must Know about E-discovery
- 107 Laying Solid Foundation Stones Early for Career Success

Lawyer Assistance Program—LAP

- 49 Competency Issues: Coping with the Unique Challenges of Legal Practice
- 98 Competency Issues: Coping with the Unique Challenges of Legal Practice
- 111 Substance Abuse and Behavioral Health Vulnerability in the Legal Profession: Facing the Facts

Lawyering Skills Program—LSP

- 1 Fail Better: Continuing Efforts to Eliminate Bias in the Practice of Law
- 7 Really Interesting Legal Ethics Stuff
- 17 Navigating Maritime Personal Injury and Death Cases
- **86** Jury Selection: A Trial Lawyer's Version
- **87** People v. Newton, The Real Trial of the 20th Century?
- 108 Thirty Years After a Hundred-Year Flood: Judicial Elections and the Administration of Justice

- 109 The Rules of Evidence: A Trial Lawyer's Version
- 110 You Be the Judge 2015 Revisited
- 111 Substance Abuse and Behavioral Health Vulnerability in the Legal Profession: Facing the Facts

Legal Services Trust Fund Program—LSTF

8 Understanding Attorney Client Trust Accounts

Litigation Section—LIT

- 69 Litigation Section Trial Lawyer Hall of Fame Series: Winning the Big Trial
- 80 Litigation Section Trial Lawyer Hall of Fame Series: Storytelling at Trial
- 88 Litigation Section Trial Lawyer Hall of Fame Series: Direct and Cross Examination
- 99 Summary Judgment: Recent Developments and the View from the Bench

Public Law Section—PL

- Avoiding Costly Mistakes in Public Agency Hiring and Drug Testing
- 18 Effectively Navigating Adjudicative Hearings Under California's Administrative Procedure Act
- 19 Federal and State Regulation of Sex and Labor Trafficking
- 28 Kicked to the Curb: Tree Root and Sidewalk Liability Made Easy

Real Property Law Section—RP

- 20 New Markets Tax Credits: An Existing Viable Tool for Economic Development
- 39 Drafting and Challenging Eviction Notices
- 70 Insurance Coverage Issues In Real Property Cases
- 89 Cyber Security in Real Property Transactions

Solo & Small Firm Section—SOLO

- 59 Effectively Running Your New Law Practice
- 71 Litigating Disability Discrimination Cases From a Plaintiff and Defense Perspective
- 90 The Basics of Post-Judgment Modification in Permanent Spousal Support
- 100 What? Living Together in the Same Home is Not Living Separately and Apart?

Standing Committee on the Delivery of Legal Services—SCDLS

- 10 Taking the Fear and Loathing out of Limited Scope Court Appearances
- 29 Introduction of Social Media into Evidence, including Overcoming Hearsay Objections

State Bar Court—SBC

- 81 Ethics Idol: Ethics Across Disciplines
- 111 Substance Abuse and Behavioral Health Vulnerability in the Legal Profession: Facing the Facts

Taxation Section—TAX

11 No Strings Attached: The Basics of Tax Gifting

- Everything You NEVER Wanted to Know About Employee Benefit Plans
- 50 Advising Your Business Clients on Avoiding Personal Liability for Employment Taxes
- 60 Avoiding Red Flags That Could Trigger a Tax Audit

Trusts and Estates Section—TE

- 30 Should Your Client Sign That? Helping You Survive Your Clients' Changing Capacity
- 40 Trustees v. Remainder Beneficiaries, and the Struggle to Deal with an Aging Population
- 61 Assessing and Litigating Pre-Death Trust Contests: Perils, Pitfalls and Strategies
- Recent Developments: Trust and Estates
- california's New Revocable Transfer on Death Deed In Depth

Witkin Legal Institute - WLI

108 Thirty Years After a Hundred Year Flood: Judicial Elections and the Administration of Justice

Workers' Compensation Section—WCS

- 31 Substantial Medical Evidence in Workers' Compensation or How to Pass the Sniff Test
- 41 Workers' Compensation and Personal Injury: Liens, Credits, and Other Issues Explained
- 51 Mastering the Mandatory Settlement Conference (MSC)

Register online and review all education program descriptions at www.calbar.ca.gov/AnnualMeeting

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*Fees increase by \$100 after August 30

Education Programs

SCHEDULE AT A GLANCE

Program descriptions can be found online at www.calbar.ca.gov/AnnualMeeting
Programs and speakers are subject to change. The State Bar of California is a State Bar of California MCLE approved provider.

Thursday, September 29 | 11:00 am - 12:30 pm

1 LSP Fail Better: Continuing Efforts to Eliminate Bias in the Practice of Law CLE: 1 Hour of Elimination of Bias

Thursday, September 29 | 2:00 PM - 3:30 PM

2 CRIM/CABL Kids Kaught Up in the Kourtroom: Trends in Juvenile Delinquency Practices

CLE: 1.5 Hours; Legal Specialization: Criminal Law

- 3 FL Trends and Developments in Grandparent Visitation and Custody Disputes CLE: 1.5 Hours; Legal Specialization: Family Law
- 4 IL Recent Trends and Developments in Foreign Corrupt Practices Act (FCPA) Enforcement

CLE: 1.5 Hours of Which .5 Hour Applies to Legal Ethics

5 LL Getting to Yes: Advanced Tips on Effective Settling/Mediating Your Labor & Employment Cases

CLE: 1.5 Hours

6 LPMT Emotional Intelligence: A Critical Factor in Your Practice to Prevent Alcohol and Drug Abuse

CLE: 1.5 Hours of Competence Issues

- 7 LSP/CCLS Really Interesting Legal Ethics Stuff CLE: 1.5 Hours of Legal Ethics
- 8 LSTF Understanding Attorney Client Trust Accounts
 CLE: 1.5 Hours of Legal Ethics
- 9 PL Avoiding Costly Mistakes in Public Agency Hiring and Drug Testing CLE: 1.5 Hours

- 10 SCDLS/AJC Taking the Fear and Loathing Out of Limited Scope Court Appearances
 CLE: 1.5 Hours of Which 1 Hour Applies to Legal Ethics
- 11 TAX No Strings Attached: The Basics of Tax Gifting CLE: 1.5 Hours; Legal Specialization: Taxation Law

Thursday, September 29 | 4:00 PM - 5:30 PM

- 12 COPLI The Formation, Scope and Termination of the Attorney-Client Relationship CLE: 1.5 Hours of Legal Ethics
- 13 FL Recovering Children Brought to the USA: <u>Hague Convention vs. the UCCJEA</u>
 CLE: 1.5 Hours; Legal Specialization: Family Law
- 14 IP Ethics: What Every IP Lawyer Must Know Before Playing in the Social Media Sandbox

CLE: 1.5 Hours of Legal Ethics

- IL Overview of Immigration Visa Options for Investors, Innovators & Entrepreneurs
 CLE: 1.5 Hours; Legal Specialization: Immigration and Nationality Law
- 16 LL Across the Divide: Building Cultural Competency and Combatting Bias CLE: 1.5 Hours of Elimination of Bias
- 17 LSP Navigating Maritime Personal Injury and Death Cases
 CLE: 1.5 Hours
- 18 PL Effectively Navigating Adjudicative Hearings Under California's Administrative Procedure Act

CLE: 1.5 Hours

19 PL/IL Federal and State Regulation of Sex and Labor Trafficking CLE: 1.5 Hours

- 20 RP New Markets Tax Credits: An Existing Viable Tool for Economic Development CLE: 1.5 Hours
- 21 TAX Everything You NEVER Wanted to Know About Employee Benefit Plans
 CLE: 1.5 Hours of Which .5 Hour Applies to Legal Ethics; Legal Specialization:
 Taxation Law

Friday, September 30 | 8:30 AM - 10:00 AM

22 BLS Ninth Circuit Bankruptcy Year in Review

CLE: 1.5 Hours; Legal Specialization: Bankruptcy Law

23 COGIP 2016 Update on Healthcare Reform

CLE: 1.5 Hours

24 COPRAC My Lips are Sealed: Client Secrets, Confidences and the Attorney-Client Privilege

CLE: 1.5 Hours of Legal Ethics

25 CRIM/CABL Kids Kaught Up in the Kourtroom: Trends in Juvenile Dependency Practices

CLE: 1.5 Hours; Legal Specialization: Criminal Law

26 IP Technology Licensing Boot Camp for Attorneys

CLE: 1.5 Hours

27 IL Recent Developments in Global Trade Compliance: What Every Lawyer in Today's Global Economy Should Know

CLE: 1.5 Hours

28 PL Kicked to the Curb: Tree Root and Sidewalk Liability Made Easy CLE: 1.5 Hours

29 SCDLS/AJC Introduction of Social Media into Evidence, including Overcoming Hearsay Objections

CLE: 1.5 Hours of Which .5 Hour Applies to Legal Ethics

- 30 TE Should Your Client Sign That? Helping You Survive Your Clients' Changing Capacity
 CLE: 1.5 Hours of Which .5 Hour Applies to Legal Ethics; Legal Specialization: Estate
 Planning, Trust and Probate Law
- 31 WCS Substantial Medical Evidence in Workers' Compensation or How to Pass the Sniff Test

CLE: 1.5 Hours; Legal Specialization: Workers' Compensation Law

Friday, September 30 | 10:30 AM - 12:00 PM

- 32 CADR Ethical Issues Surrounding Mediation Confidentiality CLE: 1.5 Hours of Legal Ethics
- 33 COGIP Finding Coverage: Practical Tips on Locating Insurance for Your Practice CLE: 1.5 Hours
- 34 CMFA Mandatory Fee Arbitration: The Good, the Bad, There is No Ugly CLE: 1.5 Hours of Legal Ethics; Legal Specialization: Legal Malpractice Law
- 35 COPRAC Ethics Update 2016: Significant Developments in the Law of Lawyering CLE: 1.5 Hours of Legal Ethics
- 36 COAF 22 Lewd Chinese Women: Immigration and the Inherent Underlying Issues of Discrimination

CLE: 1.5 Hours of Elimination of Bias

- 37 FL A Family Lawyer's Guide to Assisted Reproduction Law CLE: 1.5 Hours; Legal Specialization: Family Law
- 38 LPMT Everything an Attorney Ever Wanted to Know About the Cloud CLE: 1.5 Hours of Which 1 Hour Applies to Legal Ethics
- 39 RP Drafting and Challenging Eviction Notices
 CLE: 1.5 Hours
- 40 TE Trustees v. Remainder Beneficiaries, and the Struggle to Deal with an Aging Population

CLE: 1.5 Hours; Legal Specialization: Trust Planning, Trust and Probate Law

41 WCS Workers' Compensation and Personal Injury: Liens, Credits, and Other Issues Explained

CLE: 1.5 Hours; Legal Specialization: Workers' Compensation Law

Friday, September 30 | 1:30 PM - 3:00 PM

42 BLS 10 Things Not to Do When Insolvent CLE: 1.5 Hours; Legal Specialization: Bankruptcy Law

43 BLS The Effective and Ethical Use of Expert Witnesses CLE: 1.5 Hours of Which .5 Hour Applies to Legal Ethics

- **44 CADR Seeing the Forest within the Trees: Uncovering Bias in Mediation** CLE: 1.5 Hours of Elimination of Bias
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 CLE: 1.5 Hours; Legal Specialization: Appellate Law

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CLE: 1.5 Hours; Legal Specialization: Taxation Law

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CLE: 1.5 Hours

53 BLS Managing Expectations: Understanding the Roles of the Main Actors in a Bankruptcy Case

CLE: 1.5 Hours; Legal Specialization: Bankruptcy Law

54 CYLA Privacy and Data Protection: A Year in Review CLE: 1.5 Hours

55 CMFA Getting Paid: The Relationship Between Your Billing and Attorney Fee Agreements

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56 COAF An "Intelligence Squared" Debate: Considering Race in Higher Education Admissions

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59 SOLO Effectively Running Your New Law Practice

CLE: 1.5 Hours

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Saturday, October 1 | 8:30 AM - 10:00 AM

62 AN Privacy and Cybersecurity Law 101

CLE: 1.5 Hours

63 CADR Ten Common Mistakes in Mediation and How to Avoid Them

CLE: 1.5 Hours of Which .5 Hour Applies to Elimination of Bias

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CLE: 1.5 Hours

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CLE: 1.5 Hours

104 COGIP Cyber Principles for Attorneys

CLE: 1.5 Hours of Which .5 Applies to Legal Ethics

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and the Administration of Justice

CLE: 1.5 Hours

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Sunday, October 2 | 10:15 AM - 11:45 AM

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THE STATE BAR OF CALIFORNIA 180 Howard Street San Francisco, CA 94105-1639

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Marriott Marquis San Diego Marina 333 West Harbor Drive San Diego, CA 92101

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