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## High-Speed Pursuit

### A Lawyer and Athlete Tells How to Have It All

By Denise Levin

Daily Journal Staff Writer

Sherman Oaks attorney Jonathan B. Cole said he became a successful lawyer because he is good on his feet. He became a water ski racing champion and record-setter because he is fast on them.

Cole, 46, is a senior and managing partner with the professional defense and commercial litigation firm Nemecek & Cole. He takes pride in his ability to "keep his finger on everything" that is happening at the firm.

His ninth-floor office overlooking the San Fernando Valley is filled with pennants, plaques, platters and pictures — a constant reminder of the wet world he loves far from the firm and the courthouse. One small photograph of Cole being dragged through the water behind a speedboat is framed behind a sticker that reads: "Why I work."

"Ski racing lets me come back to the office to work as hard as I do," Cole said. The combination of looking forward to the race and the stress relief ski racing brings has had a "substantial contribution [on] my success as a lawyer. I'm good at what I do because I have my ski racing outlet," he said.

The practice of law and ski racing have similar and contrasting aspects, he said. "The life of a litigator is fast-paced, high-stress and speed-oriented. Ski racing is everything about speed," Cole explained.

They are distinctly different in the fact that law practice is high pressure and high stress and the race is stress-relieving. There is no better feeling than coming off a ski, winning," Cole added.

Cole began water skiing when he was about 12 years old while visiting Lake Arrowhead in the San Bernardino Mountains. However, from ages 18 to 36, he never skied, opting for other sports instead, such as college football, triathlons and marathons.

When he bought a house at Lake Arrowhead 10 years ago, he taught his sons, Marshall and Graham, how to water ski. Now Graham, 14, is a four-time national champion and will represent the United States at the 1997 Junior World Ski Racing Championships in Australia. Marshall, 12,



HUGH WILLIAMS/Daily Journal  
**JONATHAN B. COLE** — "When you are good or close to being good at something, it spurs you on."

is the 1994 U.S. National Water Ski Champion for boys under 9 years old and the 1994 U.S. Mini Marathon Champion for boys under 12 years old.

In 1990, after watching his kids race and pulling them with his boat for four years, Cole decided to start skiing again. "Having been a good skier before, I decided there is no reason I can't do this," he said.

"Now no one can beat me," he added.

Last month, Cole won the 1996 U.S. National Water Ski Racing Championship for men ages 45 to 50. In August, he set a new speed record for the Expert's Men Division (ages 45 to 55) of the Catalina Water Ski Race. He skied from Long Beach to Catalina Island and back, a 62-mile round-trip, in one hour, 13 minutes and 22 seconds — breaking the old record

by 34 seconds.

Cole called the Catalina race "awesome" because of the more than 100 competitors who participate in the sometimes grueling open-sea competition. Cole said he averages almost 60 miles per hour in that race, skiing behind a big boat in order to cut through the choppy, swelling ocean.

His next challenges await him in Australia, where he will participate next week in two races: the International Challenge Sprint Race and the annual Sydney Bridge to Bridge Water Ski Race. Although this is his first international competition, he expects to return to California in two weeks with new medals for his collection.

In order to juggle competitions and training with practicing law and managing a firm, Cole said he relies heavily on his staff

and his family, noting the tremendous support they have given him over the years.

A typical day for Cole begins around 5:30 a.m. with a 45-minute stair-climber session and 15 minutes of lifting weights. He said he generally works long hours, foregoing lunch unless it is client-related. At the end of the day, if he doesn't work out in the morning or if it is close to a competition, he mountain-bikes in the Santa Monica Mountains for more than an hour. During the summer, he spends as much time water skiing in Lake Arrowhead as possible.

"Training that enables me to ski is not ski training," he said. In fact, his extra hours mountain biking opened another world of competition and he has placed in mountain bike races.

Born in New York, Cole moved to Los Angeles when he was 2. He earned his undergraduate degree from the University of Colorado at Boulder in 1973 and his law degree from Lewis & Clark Law School in Portland in 1976. That same year, he was admitted to the California State Bar.

In January 1977, he joined the law firm of Arnold S. Malter and in September of that year joined Baitaxe, Rutkin, Kaplan & Klein. In 1978, he joined as a principal in the law firm Nemecek, Gonzalez & Linsley. In 1982, he formed his own civil litigation firm; and, in 1983, he merged with Frank W. Nemecek to form Nemecek & Cole.

Cole and his firm are responsible for six reported decisions, including a California Court of Appeal ruling in *Howard v Superior Court*, 2 Cal.App.4th 745 (1992), in

the area of legal malpractice defense and a 9th U.S. Circuit Court of Appeals decision concerning the doctrine of abstention as it relates to parallel and federal proceedings between an insurer and an insured. *Continental Casualty Company v Robsac Industries*, 947 F.2d 1367 (1992).

Nemecek and Cole also served as counsel in two of the longest jury trials in Los Angeles County. One was a 10-month trial in the U.S. District Court for the Central District of California where they represented the defendant in a white-collar criminal case. The client was acquitted of most of the charges. The second lasted nine months, and they represented three tax shelter promoters in a civil suit brought by the California Department of Corporations.

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