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## Real Estate Attorney Lets Audience Decide Outcome of His Play

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WALNUT CREEK - A Bay Area real estate attorney has created an opportunity for an audience to vote on the guilt of a murder suspect. And the verdict can change from evening to evening.

This scene won't take place in a courtroom - at least, not a real one. It'll happen on stage in a fabricated courtroom featuring the work of David E. Harris, litigation shareholder at **Miller Starr Regalia**, who combines his knowledge of the law with his fondness for story telling.

The production of his play "Glorious Sunset," a murder mystery/courtroom drama, will be produced by OnStage Theater at the Dean Leshner Regional Center for the Arts in Walnut Creek from March 5 to March 28.

It tells the story of the most famous murder in a small town's history. The original defendant's trial was never completed because he was shot and killed in his jail cell the night before he was supposed to testify. So now, on the 140th anniversary of the murder, a judge is having the trial reenacted to determine if the defendant would have actually been found guilty.

The audience makes the final decision - allowing the play's ending to change from night to night.

"I never really know exactly where the inspiration comes from," Harris said of the fiction writing he has done for years. "And I have my own view of whether the defendant is guilty or not. But I'm curious to see what other people think."

Tickets go on sale just after New Year's.

While Harris, 52, spends his days handling a real estate practice he says is busier than ever in the wake of the mortgage crisis, he spends his evenings and other free time creating stage plays, screenplays, novels and short stories.

Much of his work incorporates his legal background, but he also has a preference for fantasy tales. His short story "The Mudslinger," about magic beings who control energy and matter, was published in 2007 by the fantasy literature magazine Black Gate, which has since purchased four more of his short stories.

He recently completed the novel "An Appearance of Guilt," a legal thriller about a trial attorney accused of murder, and is now working on his book "The Mediator," which follows a man trying to settle a dispute between two sons of a Mafia don.

His colleague Sidney Fohrman, an associate at Miller Starr Regalia, gave "An Appearance of Guilt" a read and called it an engaging story. "Unquestionably, you can tell he has experience as a lawyer," he said of Harris. "He stays true to the realities of the legal process without making it dry."

While being a lawyer has fed into his work as a writer, writing regularly appears to have helped his work as a lawyer, Fohrman said, adding that he has watched Harris in court and was impressed by his ability to draw a judge and jury into his arguments.

"A lot of lawyers will be standing in front of a judge and it's like they are giving a lecture," Fohrman said. "Dave, he tells a story. He's telling things the way they are without pounding anyone over the head."

Harris' colleagues also express surprise that he actually finds the time to produce so much written work outside the office. He and his wife have three children - ages 16, 15 and 9 - and Harris said he completes most of his writing after everyone goes to bed.

The attorney briefly considered making storytelling a full-time job just after graduating from California State University, Chico in 1980 with a bachelor's in business administration. But at the time, he didn't believe he had the discipline to be a freelancer, so he went into sales and marketing for Pacific Gas & Electric.

About 10 years later, he decided he needed more of an intellectual challenge and attended University of California, Davis, School of Law, graduating in 1992.

He has been at Miller Starr Regalia now for 17 years handling a wide range of real estate and business litigation, which he says is on the upswing after the financial downturn. "When the economy goes bad, people like to blame each other for each other's misfortunes," he said.

Harris suggests to other attorneys interested in fiction writing that they simply take a crack at it and gather as much feedback as possible. He advises them not to be afraid to revise and shop their work around if they want to get it published.

As far as finding the time, he said, one old maxim is true: Write a page a day and you'll have a novel in a year.

"Obviously, time by far is the biggest challenge," Harris said. "I break it up into small pieces. And I sleep less than most people."

Harris is currently collaborating with **Jeffer Mangels Butler & Marmaro** associate Christopher Doyle on an action/adventure "seagoing" screenplay titled "Requiem Shark."

Doyle said they've sent off their modern-day piracy story to an agent in Los Angeles and are getting ready to make some minor revisions.

"I don't care if it's about law or scuba diving - I just like a good story," said Doyle, who worked briefly as a writer in Hollywood before going to law school. "Being a litigator is like telling a story. We often think in narratives. If you are busy, it's hard. But if you care enough about it, you'll find the time."

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