

Law runs deep in the family of California attorney who doubles as an olive farmer

By Brian Cox



Under a brilliant sun and an expansive blue sky, the landscape of green-and-brown hills tiered with olive trees resembles the Tuscan foothills of Italy.

Attorney Scott Toothacre could call the spectacular vista his backyard, but instead he has christened the 10-plus acres of rolling hills at his home in Ramona, Calif., “ToothAcre Ranch.”

“It is beautiful,” says Toothacre. “That’s how I unwind. I like to go out and walk in the grove and check on my trees.”

The grove features more than 750 olive trees that he and his wife, Sharon, have planted on six acres of their property since 2018. They handpick and mill the olives to process and bottle specialty olive oils that they market in the area and online. Toothacre hopes to harvest nearly three tons of olives this year.

When the couple first moved to Ramona, a burgeoning wine and olive region 35 miles northeast of San Diego, they had no



Attorney Scott Toothacre and his wife Susan produce and market a range of olive oils, balsamic vinegars and tapenade from an olive grove of around 750 trees on ToothAcre Ranch.

intention at all of becoming olive farmers. The venture started as a simple landscaping request.

“My wife said she would like a few olive trees along the driveway,” says Toothacre with a laugh. “She’ll never make that mistake again.”

Instead of a line of trees along the driveway, Toothacre planted more than 100 Tuscan variety olive trees that were three to five years old and sourced from clones of an 800-year-old grove in Lucca, Italy.

The couple took classes at the UC Davis Olive Center at the Robert Mondavi Institute for Wine and Food Science, which seeks to foster the fledgling olive industry in California. Toothacre earned his Master Olive Miller certificate. Their first crop in 2019 produced 32 bottles of olive oil.

“We pick them by hand,” says Toothacre. “We go one olive at a time. The untold secret in olive production is the cost of harvesting. We do everything, soup to nuts.”

Another secret to Toothacre’s olive oil is that the olives are harvested early in the season and milled almost immediately after being picked. Among the olive oils Toothacre produces are a variety of flavored oils including Lemon Olive Oil, Garlic Olive Oil, and Black Truffle Oil.



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Only three years after their first trees were planted, ToothAcre Ranch Estate Olive Oil received its first gold medal at the Big Fresno Fair 7th Annual San Joaquin Valley Olive Oil Competition and a bronze medal at the California Mid-State Fair, Central Coast Olive Oil Competition in Paso Robles.

They also started offering a variety of tapenades, three aged balsamic vinegars, and two fruit balsamic vinegars in strawberry and white peach flavors.

Born and raised in San Diego, Toothacre descends from a family replete with careers in the law. His father, Rod Toothacre, was a “dyed-in-the-wool” plaintiffs’ attorney in San Diego for more than 40 years and with whom Toothacre worked for decades. His mother, Karen, and sister worked for the San Diego District Attorney’s Office. He also has an uncle and a cousin who are attorneys in Washington, D.C., and his son, Matthew, is an attorney at a San Diego firm where he concentrates on construction defect cases.

Toothacre’s grandfather, however, was – fittingly enough – a dentist back in Iowa. Harold Toothacre was actually featured in the November 1932 column of “Ripley’s Believe It or Not.”

Growing up in Mount La Jolla, Toothacre recalls days of riding bikes down to the beach with friends before school to light a bonfire and go surfing. He worked through high school at a 7-Eleven store that another uncle owned. When he began college at San Diego State, he already was settled on becoming a lawyer. After earning a degree in physical anthropology, he enrolled at Western State University College of Law, which is now Thomas Jefferson School of Law, graduating in 1989.

Throughout law school, Toothacre clerked at his father’s law firm. The day after he passed the bar, he joined his father in a trial that resulted in a \$7 million verdict. Over the next 20 years,



Scott and Susan have been married for five years. They bought the property that would become ToothAcre Ranch in Ramona, Calif., in 2017.



The olives on ToothAcre Ranch are all handpicked and are milled quickly after they are harvested. Scott holds a Master Olive Miller certificate from the UC Davis Olive Center at the Robert Mondavi Institute for Wine and Food Science.

Toothacre would go on to try more than three-dozen cases with his father at the firm that became Toothacre & Toothacre.

“He was a really good jury trial lawyer. Juries loved him,” says Toothacre of his father’s style. “He was Colombo-esque. He would knock things over, break his glasses. Always something seemed to happen at trial. I used to think he did it on purpose, but I don’t know.”

Toothacre’s father instilled in his son the importance of establishing an authentic connection with a jury.

“Juries can tell if you’re putting on a show or an act,” says Toothacre. “If you don’t believe in your case, you shouldn’t be at trial. They can see right through it.”

Toothacre’s approach to opposing counsel is similar in its directness and forthrightness.

“We are what we are. If we say we’re going to trial, we’re going to trial,” he says. “We never bluffed because that ruins your reputation and credibility.”

His father’s mentoring style was largely to give Toothacre free reign and to learn the profession by the hands-on approach.

“I got my teeth cut on big firms and learned how to do a quality product by what we had to oppose,” he says.

In addition to a sweeping range of plaintiff cases that produced big verdicts, Toothacre earned a particular reputation for representing female police officers in lawsuits concerning sexual harassment. He thrived in the courtroom before a jury.

“I love trial,” he says. “I like the adrenaline, the 16-hour days. You’re up writing motions all night and getting ready for your cross

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exam the next day. I like it. I run on pure adrenaline for as long as it takes.”

Rod Toothacre, ailing in health, retired in 2010 and died the following year. Toothacre tried for a time continuing the firm by himself, but he didn’t enjoy it. He was ready for a change. He had previously teamed up on a complicated antitrust case with Mike Weinstein, a partner at Ferris & Britton in San Diego, and the pair had hit it off, and so when the opportunity arose to join the firm, Toothacre took it.

“Mike’s the smartest attorney I’ve ever met,” says Toothacre. “He’s a helluva an attorney.”

Ferris & Britton is a boutique general business firm established in 1970 that boasts a practice that is diverse, sophisticated, and national. Its clients run a broad spectrum from publicly traded companies to high-income individuals. The firm has five attorneys – three on the litigation team and two on the transactional team.

Al Ferris, a founding principal of the firm, was an early champion of Primerus™. Ferris read about Jack Buchanan and Primerus™ in The Wall Street Journal and embraced Buchanan’s vision of what the practice of law ought to be and the principles



Scott enjoys saltwater fishing when he has the time.

of being a good lawyer. Ferris was among the dozen lawyers who attended the first Primerus™ National Conference in Scottsdale, Ariz.

Once a plaintiffs’ attorney, Toothacre primarily does business defense now, with cases involving age and sex discrimination as well as wage and hour law, which is constantly changing in California. He says he found the transition easier than he thought it would be.

“I can see both sides of most issues,” he says.

When Toothacre isn’t at the firm in downtown San Diego or on his ranch in Ramona, he enjoys saltwater fishing. For a time, before getting into the olive oil business, he was a cowboy with nine horses who competed in team roping and team sorting.

“I used to chase cows around,” he says with a grin. “I don’t seem to do anything small.”



Before becoming an olive farmer, Scott Toothacre was a cowboy with nine horses and competed in team roping and team sorting.