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Register**

Marshalling defenses

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For more than a year, brothers Colin and Kellin Cooper have pored over mounds of transcripts, interviews and other documents collected in the past decade involving the death of Elizabeth Posey.

This week, the Berkeley lawyers will appear before a Napa County Superior Court jury to defend Dr. Michael Posey of charges that he murdered his estranged wife in his north Napa home. Michael Posey's arrest came nine years after the incident.

"We have been thinking and working on the case since the first time my brother and I met with Mike (Posey). We knew from the beginning he is innocent," said Kellin Cooper.

Kellin Cooper said he and his brother have reviewed more than 9,000 pages of documents. "And a lot of it more than once."

The trial is expected to last about six weeks. "We think it will be quicker," Cooper said. At the same time, the defense attorneys have said they will call as many as 200 witnesses.

Cooper said the defense will not request the trial be moved outside of Napa County.

"There are two reasons for that. First, we, including Dr. Posey, are completely confident Napa County jurors will take their job seriously and give our client a fair trial. Secondly, we believe we do not have a legal basis to make that request."

Cooper declined to comment on whether the defense team will put Posey on the stand.

The Cooper brothers, three years apart in age, grew up in Southern California.

Colin Cooper graduated from UC Berkeley in 1984 and continued his education at the university's Boalt Hall School of Law, graduating in 1989.

He joined the law firm of his aunt, well-known Bay Area criminal defense attorney Penny Cooper, in 1989.

Kellin Cooper graduated from UC Berkeley in 1989 and took two years off to race bicycles.

"I realized I couldn't make a living racing bikes, so I enrolled in the University of San Francisco School of Law, graduating in 1994. I worked as a public defender for Solano County until 2000 when I joined my brother at our aunt's law firm," Kellin said.

After their aunt retired, Colin and Kellin formed the Cooper Law Offices in 2001.

Kellin Cooper said Posey interviewed several attorneys before he chose the Coopers.

"We have a very good trial track record," he said. "Of all the cases we have gone to trial, this is the most high profile. Both Colin and I believe this is a tremendous honor to represent Dr. Posey. It's not every day you get a chance to represent an innocent client."

The lead prosecutor in the case is Rob Wade, Napa County deputy district attorney. Wade has tried a murder case in Napa County before, but it was an unusual one.

He was working for the Humboldt County District Attorney's office, and a murder trial from that county was transferred here.

That case resulted in a conviction of Dianna Mae Preston, who shot Eureka acupuncturist Kevin LaPorta six times in the parking lot of his office. Preston killed LaPorta because she believed he had been sexually abusing her granddaughter, who was also LaPorta's daughter.

Preston claimed to be innocent and also entered a plea of not guilty by reason of insanity. She was found guilty and sentenced to life in prison.

Wade later joined the Napa County prosecutors office. In addition to handling People v. Posey, he is also the lead attorney in the case against Eric Copple, accused of killing Adriane Insogna and Leslie Mazzara in west Napa in 2004.