

Supreme Court Review and Judge Barry Russell Federal Practice Awards

By Nicole Ramirez

On October 6, 2016, the Los Angeles Chapter of the Federal Bar Association hosted its annual Supreme Court Review and Judge Barry Russell Federal Practice Award luncheon at the Biltmore Hotel in downtown Los Angeles. During the event, local law students were recognized for their performance in their federal court and practice courses. The event also included Dean Erwin Chemerinsky's review of the United States Supreme Court's October 2015 term.

The event began with Magistrate Judge Michael R. Wilner swearing in the new officers and board members of the Los Angeles Chapter of the Federal Bar Association. Judge Barry Russell then presented the Judge Barry

Russell Federal Practice Award to five local law school students for their achievement in their federal courts and practice courses. The recipients of the award were Lacey Estudillo (Pepperdine University School of Law), Timothy Kolesk (USC Gould School of Law), Aron D. Hier (Southwestern University School of Law), Ryan Azad (UCLA School of Law), and Dean B. Solomon (Loyola Law School). Each award winner was recognized on stage and received a personalized plaque, \$500, and the latest edition of Judge Barry Russell's Bankruptcy Evidence Manual.

Next, Dean Erwin Chemerinsky took the stage to present his review of the Supreme Court's October

2015 term. His review focused on five themes: (1) Antonin Scalia's passing and the resulting deadlock; (2) the Anthony Kennedy Court; (3) the importance of issues concerning race; (4) the number 8; and (5) the future of the Supreme Court.

Deadlock

Dean Chemerinsky first discussed the effect of Justice Antonin Scalia's passing. He noted that, from 1971 until February 13, 2016, there had always been at least five Justices on the Supreme Court appointed by Republican presidents. With only eight Justices on the bench, Chemerinsky pointed out, it was obvious many cases would be deadlocked with a 4-4 decision. When the *(continued on pg. 13)*

UPCOMING EVENTS:

- 13th Annual Bankruptcy Ethics Symposium
November 18, 2016
- FBA Day at the Pro Se Clinic – Every third
Wednesday of the
month

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PRESIDENT'S MESSAGE

MATTHEW CLOSE
FBA CHAPTER PRESIDENT

Welcome to the Los Angeles Chapter of the Federal Bar Association.

Our chapter has over 450 members and is one of the largest in the country. We are committed to serving the needs of federal practitioners, judges, and courts, as well as the Central District of California community as a whole. We were chartered in 1937 and are one of the oldest chapters of the national Federal Bar Association. Our membership reflects all facets of the federal legal community, and includes judges, civil practitioners, criminal defense attorneys, prosecutors, transactional lawyers, attorneys specializing in intellectual property, labor and employment, bankruptcy, environmental, civil rights, class actions, and a broad array of court administrators, administrative agency lawyers and academics.

FBA-Los Angeles organizes and hosts educational programs and social functions to advance federal jurisprudence and provide a networking forum for our members. Many of our events are at the courthouses of the Central District and most feature active participation from judicial officers. Our Board of Directors includes many of the sitting judges in the Central District and we serve a leadership role on issues that impact the federal courts and legal community both locally and nationally. Our Younger

Lawyers Division and mentoring program are dedicated to serving the needs of newer lawyers. We also have a substantial pro-bono program and are proud of our work with the *pro se* clinic in the District.

The new federal courthouse opened in vibrant downtown Los Angeles in October 2016. The state-of-the-art facility at 350 West First Street ensures that the judiciary and community have modern technology to facilitate the business of the court. We hope the impressive new courthouse also serves as a beacon for the federal bar to continue its effort to ensure justice is provided to everyone in the Central District of California.

If you are not already a member of the Federal Bar Association, I hope you will join the Los Angeles Chapter of the FBA here: <http://www.fbala.org/Join.php>. We welcome your participation and involvement in the chapter.

I look forward to seeing you at upcoming events.

Warmest regards,

Matthew W. Close

President, FBA-Los Angeles



**Federal Bar
Association**

SCENES FROM RECENT FBA-LA PROGRAMS



On October 6, 2016, the Los Angeles Chapter of the Federal Bar Association hosted its annual Supreme Court Review and Judge Barry Russell Federal Practice Award luncheon at the Biltmore Hotel in downtown Los Angeles. During the event, local law students were recognized for their performance in their federal court and practice courses. The event also included Dean Erwin Chemerinsky's review of the United States Supreme Court's October 2015 term.



The Younger Lawyers Division of the Federal Bar Association – Los Angeles hosted a Brown Bag Lunch featuring the Hon. Sandra R. Klein and Hon. Erithe A. Smith on April 12, 2016.



FBA Fast Facts

The FBA supports members in 4 critical ways:

Advocacy

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- Advocate on federal issues
- Keep members abreast of current federal issues

Networking

- Connect members to national network of practitioners
- Opportunities for judges and attorneys to professionally and socially interact

Leadership

- Participate in association governance
- Help shape the future of the federal legal profession

Learning

- Local and national education and learning opportunities
- Promote high standards of professional competence and ethical conduct

Judge Pregerson Honored for Service on the Bench

By Eli Alcaraz

"I hope you live to be 120." These words were Judge George H. King's final remarks to Ninth Circuit Judge Harry Pregerson at an event honoring Judge Pregerson's 50 years of service on the bench. Based on the stories told about Judge Pregerson, it is likely that many members of the legal community and greater Los Angeles community have the same hope.

Earlier this year, the Los Angeles Chapter of the Federal Bar Association held its yearly "State of the Circuit/District" luncheon at the Doubletree Hotel in downtown Los Angeles. The luncheon is a marquee event for the FBA where distinguished jurists from all levels of the federal judiciary within the Ninth Circuit speak about the successes and challenges facing their respective courts. This year Ninth Circuit Judge Dorothy W. Nelson, and the Central District's Chief District Judge George H. King, Chief Magistrate Judge Patrick J. Walsh, and Chief Bankruptcy Judge Sheri Bluebond, spoke. While this luncheon regularly draws large crowds for such information and for the opportunity to interact with court leadership, attendance this year was especially large, no doubt in part because this year's event paid a special tribute to Judge Pregerson. Judges, attorneys, and former law clerks to Judge Pregerson filled the audience.

Judge Pregerson was born and raised in East Los Angeles and attended Roosevelt High School and then UCLA, where he served as the student body president. He fought in World War II, was injured at the battle of Okinawa, and earned a Purple Heart. Judge Pregerson received his law degree from U.C. Berkeley before entering private practice in Van Nuys. He served as a Municipal Court Judge, a Superior Court Judge, and a District Court Judge

before being elevated by President Carter in 1979 to the U.S. Court of Appeals for the Ninth Circuit. Impressively, Judge Pregerson took senior status only a few months ago on December 11, 2015.

First to speak about Judge Pregerson was Judge Maria E. Stratton, currently on the Superior Court of Los Angeles County, and formerly Chief Public Defender for the Federal Public Defender's Office for the Central District of California and law clerk to Judge Pregerson. Judge Stratton said that she collaborated with other former clerks and that they created a list of ten things they like about "Harry." The thrust of Judge Stratton's varied list appears to outline what it might be like to become close with Judge Pregerson. His former clerks value his sense of humor. Judge Stratton said that Judge Pregerson sometimes tells advocates who speak too softly and stand too far from the microphone during oral argument to "Speak into the breathalyzer." Judge Pregerson is also an incredible supporter of his clerks, often, it appears, being one of their greatest advocates and cheerleaders. Judge Stratton emphasized that Judge Pregerson supported women in the law long before many others did the same. His approach to opinion writing also made the list. Judge Stratton spoke about "endless editing" and how Judge Pregerson keeps in mind "who we are writing for." She spoke about his kindness and fairness and how the United States Attorney's Office used to send newly minted Assistant United States Attorneys to appear before Judge Pregerson. Indeed, when Judge King spoke later, he mentioned his time in the USAO and how he remembers Judge Pregerson being fair to all litigants.

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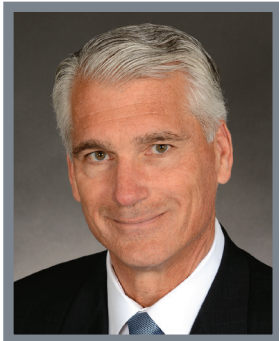
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FBA-LA Hosts General Counsel Forum

By Guianna Henriquez

On February 3, 2016, a packed audience gathered for a General Counsel's Forum featuring "In-House Insight". The Honorable Michael R. Wilner, United States Magistrate Judge, moderated the panel. Four distinguished law department leaders participated in the panel: David Harshman, Vice President, General Counsel, and Secretary of Toshiba America Info Systems; Robert McGahan, Assistant General Counsel of Wells Fargo & Company; John Rogovin, Executive Vice President and General Counsel of Warner Brothers Entertainment; and Sharon Tomkins, Vice President and

General Counsel of the Southern California Gas Company. The General Counsel in these diverse business areas—from energy and entertainment to banking and technology—emphasized that business savvy, collegiality, and integrity are crucial to success as an in-house or outside counsel. Potential hires (both internal and external) would be wise to heed their advice.

The judges and lawyers filled the event room at O'Melveny & Myers LLP, mingling and eating appetizers before sitting down to business. The panelists began by briefly

summarizing their careers. Judge Wilner then asked more direct questions, such as: How do you balance the business and legal sides of your work? What qualities do you look for in hiring talent? How do you decide which outside counsel to hire, and perhaps more importantly, re-hire?

In response to the first question, the panelists indicated that in-house lawyers should understand that although lawyers are keen on finding the correct answer, in-house lawyers know that the best business strategy may require taking certain *(continued on pg. 11)*



Above: A swearing in ceremony for the California Bar was conducted by Hon. Dean P. Pregerson on December 3, 2015 in his courtroom, followed by a reception at the Justice Urban Tavern.



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE *from the* CLERK

Opening of New 1st Street Courthouse

Effective Monday, November 7, 2016, the new federal courthouse located at 350 West 1st Street, Los Angeles, California, will be open for business. Please refer to the court's website at <http://www.cacd.uscourts.gov/judges-schedules-procedures> for up to date locations for court hearings as district judges in the Western Division will be relocating to the new courthouse on a weekly basis through December.

Parties with pending cases will be notified in advance of the judges' new locations through the Case Management/Electronic Case Filing (CM/ECF) System. Once the judge has relocated, mandatory chambers copies must be delivered to the judge's mail box outside the Clerk's Office on the fourth floor.

Locations for filing civil and criminal documents in paper format exempted from electronic filing, Criminal Duty Calendar and viewing case files and other records services are:

Civil Documents	United States Courthouse 312 North Spring Street, Room G-8 Los Angeles, CA 90012
Criminal Documents	Edward R. Roybal Federal Building & U.S. Courthouse 255 East Temple Street, Room 178 Los Angeles, CA 90012
Criminal Duty Calendar	Edward R. Roybal Federal Building & U.S. Courthouse 255 East Temple Street, Courtroom 341 (3 rd Floor) Los Angeles, CA 90012
Viewing Case Files and Other Records Services	United States Courthouse 312 North Spring Street, Room G-8 Los Angeles, CA 90012

Please see attached map for your convenience.

Kiry K. Gray
Clerk of Court

All posted notices are also available on the Court's public website at www.cacd.uscourts.gov.

VIEWS FROM THE NEW 1ST STREET COURTHOUSE



Brown Bag Lunch Hosted by FBA-LA Younger Lawyers Division

By Alastair Gesmundo

On April 12, 2016, the Younger Lawyers Division of the Federal Bar Association – Los Angeles (“FBA-LA”) hosted a Brown Bag Lunch featuring the Hon. Sandra R. Klein and the Hon. Erithe A. Smith, U.S. Bankruptcy Judges for the Central District of California. In attendance were law students and lawyers from the private sector and various government agencies.

After a brief introduction about the FBA-LA and its upcoming events, Sandhya Ramadas, chair of the Younger Lawyers Division Committee, introduced Katie Frank as moderator. Ms. Frank, a 3L at Loyola Law School and former extern to Judge Klein, began by asking the judges about what the audience would be surprised to find out about them. Both judges' answers involved healthful physical activities, as Judge Klein and her chambers are big fans of hula hooping, while Judge Smith is a licensed Zumba instructor who teaches court employees at the Santa Ana Division, among other places.

The judges proceeded to share their unique pathways to the bench. Interestingly, both judges began their legal careers with two judicial clerkships. Judge Smith clerked at the California Court of Appeal before her clerkship with a bankruptcy judge who was on the

Bankruptcy Appellate Panel at the time. Judge Klein clerked for a district court judge and then at the Ninth Circuit Court of Appeals before joining a large Los Angeles law firm.

In a related follow-up question, Ms. Frank asked the judges about the importance of judicial clerkships and their chambers' hiring practices. Judge Smith shared that many of her most recent law clerks have come from a pool of former externs. Similarly, Judge Klein explained that she tends to hire former Central District externs and to contact her colleagues in advance to ask how applicants previously performed in chambers. All is not lost, however, for young lawyers who may not have served as an extern. As pointed out by Judge Klein, it's not uncommon for a judge to hire a law clerk who has been in private practice for a year or so.

The judges shared some valuable lessons they had learned both in and out of the courtroom. Judge Klein expressed her wish that she had started networking earlier in her career by attending bar functions and developing mentor relationships. Judge Smith shared the importance of being the reasonable person in the courtroom by not always engaging if opposing counsel is being difficult or overly aggressive.

As far as best practices, the judges imparted the following:

- If you are planning to argue that you have a case on point that is

dispositive, you should be familiar with the facts of that case, or at the very least have a copy of the case on hand that you can read quickly at the podium. Lawyers should not come to court without legal authorities, or no legal legs to stand on, so to speak.

- Don't make the mistake of missing a filing deadline or worse, blaming your secretary or staff for the lapse. If you do, be prepared to hear Judge Klein remind you, "Counsel, it's your practice, isn't it?" In other words, take responsibility for your actions.

The Brown Bag lunch concluded with questions from the audience and the judges' comments on practitioners and the bankruptcy bar. Judge Smith shared her observation that some practitioners appearing before her tend to be ready to be “in it for the fight.” For the purposes of bankruptcy law, Judge Smith opined, being open to resolution and mediation would be a more productive approach. This is reflective of the “collaborative, cohesive, and collegial bankruptcy bar,” described by Judge Klein.

Without a doubt, the judges gave the audience worthwhile career advice and an informative introduction to bankruptcy practice.

Author Alastair Gesmundo is a law clerk for the Honorable Neil W. Bason in the Central District of California.



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FBA-LA Hosts General Counsel Forum

By *Guianna Henriquez* | (continued from page 6)

risks. Alternatively, the business may not want to take certain litigation risks in an effort to secure a judicial decision establishing the “correct” legal rule. In-house lawyers must therefore learn to balance competing interests while being faithful to their responsibilities to their clients and the courts.

In response to the second question, the panelists generally agreed that collegiality is an important quality for employees and outside counsel. In some cases, it may be just as important to know *how* to communicate legal advice as it is to obtain the correct legal answer. Also, while understanding how a business runs is key, business *culture* plays a role too. People skills are fundamental.

In addition to people skills, the panelists explained that diversity, intelligence, and collaboration are desirable traits in new talent. Sharon Tomkins, for example, explained that she has sought to hire diverse employees throughout her career. In her experience, talented diverse lawyers have the necessary smarts and people skills to succeed.

Besides hiring talent, one of the key responsibilities for a General Counsel is to hire outside counsel. The panelists explained that their “pet peeves” include the failure to provide a yes or no answer and surprises of any kind, but especially relating to the bill. Integrity is important too. Panelists remarked that they are impressed when a lawyer acknowledges limitations or lack of expertise and even more impressed when a lawyer proposes another law firm that actually has the expertise the client needs. This type of honesty can make all the difference to General Counsel who are looking for trustworthy advisors.

Sharon Tomkins made the same point, but from a different perspective. She explained that a potential hire ruins his chances of winning a matter when he exaggerates his expertise. In one case, the outside counsel grossly overstated his understanding of a key regulatory scheme. Tomkins could not help but notice the lawyer’s inexperience in the regulatory field and his lack of candor. Unsurprisingly, Tomkins did not hire the law firm.

The Forum panelists successfully conveyed three principles for in-house practitioners and their outside counsel: 1) business savvy requires getting the law right, but also allowing room for risk; 2) collegiality is a requirement, not an afterthought; and 3) while integrity is its own reward, it can also cement long-term relationships. They all added that in-house lawyering is an exciting and challenging practice area for those who are constantly seeking to learn. This desire to learn contributes to mastery of the practice of law, and ultimately to success in law and business.



Author Guianna Henriquez is an attorney at O’Melveny & Myers LLP.



Chapter President Matthew Close and Board Member Robert Kohn receive the Los Angeles Chapter’s Presidential Excellence Award at the FBA National Annual Meeting in Cleveland on September 17, 2016.

FBA-LA Young Lawyers Division Hosts Members Lunch with the Magistrate Judge Bench

By Jinny M. Campbell

This summer, 25 young law professionals squeezed into Courtroom F to eat their lunch with the Honorable Jacqueline Choolijan, Honorable Rozella A. Oliver, and Honorable Karen L. Stevenson. Judge Oliver opened her courtroom and even brought homemade cupcakes for the ongoing brown bag lunch series sponsored by the FBA-LA Younger Lawyers Division. The free event allowed law clerks and newer attorneys to meet members of the Magistrate Judge Bench and gain valuable insights from the esteemed panel. Sandhya Ramadas, co-chair of the Younger Lawyers Division, was a fantastic moderator.

The judges shared their unique paths to the judiciary and noted

that while balancing life and law practice may be extremely tough, the work-life juggling act is absolutely doable and worth the effort. For example, when Judge Stevenson was in private practice at a large firm, she smartly chose to live within close proximity to work and her children's school in case of an emergency. She also made a deal with her son that she would attend every home game, but not the away games. And guess what? Her son is still talking to her.

The judges agreed that the best part of being on the bench was the ability to give back to their community and encouraged the audience to do the same. As lunchtime was coming to a close, the final piece of advice was to

safeguard your reputation because even though Los Angeles is large, the legal community is small. And in case you were wondering, Judge Oliver's cupcakes were delicious.



Author Jinny M. Campbell is an attorney at Holland & Knight.

FBA Update on Government Relations and Public Policy Developments

- **Judicial Vacancies.** On September 19, the National Federal Bar Association, in a letter to Senate leaders, urged the scheduling of up-or-down floor votes before the end of the current session on the 20 district court nominees pending on the Senate calendar. These nominees are noncontroversial and have waited significant periods of time for the Senate to act upon their nominations.
- **Federal Judiciary Funding.** Congress approved a 10-week government funding stopgap bill on September 28 that will fund the federal courts and the rest of the federal government at current FY 2016 levels through December 9, 2016. The Continuing Resolution, H.R. 5325, punts on final decisions about FY 2017 appropriations until after the November elections.
- **Holocaust Expropriated Art Recovery Act.** On September 14, the National FBA sent a letter to the Senate Judiciary Committee urging prompt Senate approval of legislation that would replace the current state statutes of limitations for prosecuting Nazi-looted art thefts with a federal six-year statute of limitations starting from the time the theft is identified. On September 29, the Committee unanimously approved and sent to the Senate the Holocaust Expropriated Art Recovery Act.

FBA-LA board member Robert E. Kohn, Esq. convened the annual Federal Litigation Conference, jointly with the *Qui Tam* Section of the FBA, in Washington, D.C. on October 18, 2016. From left: Kohn, Hon. Joel F. Dubina (11th Cir.), Hon. Frank Maas, ret. (S.D.N.Y.), Hon. Liam O'Grady (E.D. Va.).



Supreme Court Review and Judge Barry Russell Federal Practice Awards

By Nicole Ramirez | (continued from page 1)

Supreme Court is deadlocked, Chemerinsky explained, it has three options: Affirm the lower court's decision, find a compromise, or put the case over for re-argument the next year.

Chemerinsky examined two cases from the October 2015 term in which an evenly-divided Supreme Court affirmed the lower courts' decision: *Friedrichs v. California Teachers Association* and *United States v. Texas*.

Friedrichs involved the issue of whether *Abood v. Detroit Board of Education* should be overruled and public employees who do not join a union can be charged an "agency" or "fair share" fee to pay for costs that the union incurs, such as collective bargaining costs. The Supreme Court issued a 4-4 decision. Deadlocked, it affirmed the lower court decision upholding such fees.

United States v. Texas involved the constitutionality of the Deferred Action for Parents of Americans ("DAPA") program. Under DAPA, illegal immigrants who are parents of a U.S. citizen are granted

deferred deportation status. The state of Texas challenged the program. The district court issued a preliminary injunction blocking implementation of DAPA and the Court of Appeals for the Fifth Circuit affirmed the preliminary injunction. Upon review, an evenly divided Supreme Court affirmed the lower court opinion, which left in place the injunction blocking implementation of DAPA.

Chemerinsky next discussed a case in which a deadlocked Supreme Court exercised the second option and posed a compromise to the parties: *Zubik v. Burwell*. The issue in *Zubik* was whether religious non-profits should be exempt from the contraceptive-coverage mandate. After its review, the Court issued an order posing a compromise and asked the parties to brief that compromise. The compromise was that religious non-profits would obtain insurance without contraceptive coverage, but the insurance companies would separately notify the religious non-profits' employees that the insurance company would provide cost-free contraceptive coverage. Ultimately, after the parties briefed

the posed compromise, the Court issued an opinion remanding the case back to the Court of Appeals for a possible settlement of the issue, since both sides proposed viable compromises in their briefing.

Chemerinsky noted that the Court did not exercise the third option of putting the case over for re-argument the next year which was probably because the Justices knew that they would not likely gain a ninth Justice by the October 2016 term.

The Anthony Kennedy Court

Dean Chemerinsky then shifted his focus to the second theme: The Anthony Kennedy Court. He explained that last year, the Court decided 63 cases—the fewest number since at least 1932—and Justice Kennedy voted in the majority in 98% of those cases. The significance of Justice Kennedy's role, Chemerinsky noted, is illustrated in two high profile cases reviewed last term involving abortion rights and affirmative action.

(continued on pg. 15)



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Supreme Court Review and Judge Barry Russell Federal Practice Awards

By Nicole Ramirez | (continued from page 13)

Whole Women's Health v. Cole involved a Texas law that restricted access to abortion by requiring doctors to have admitting privileges at a hospital within 30 miles of where an abortion is performed and requiring facilities to have surgical level facilities. In a 5-3 decision, the Texas law was declared unconstitutional. Justice Kennedy's vote for the majority was significant, Chemerinsky noted, as it avoided a deadlock.

Fisher v. University of Texas, Austin dealt with the constitutionality of the University of Texas' affirmative action program, which uses race as a factor in admission decisions. In a 4-3 decision, the Supreme Court held that the affirmative action program was lawful. Justice Kennedy wrote the majority opinion. Chemerinsky pointed out that since Justice Kennedy took the bench in 1988, he has never previously written an opinion to uphold an affirmative action program. In this opinion, Justice Kennedy reiterated that while colleges and universities must show a compelling need for diversity, deference must be given to academic institutions.

The Importance of Issues Concerning Race

Moving on to his third theme, Dean Chemerinsky recognized that the Court reviewed a significant number of cases touching on the issue of race during a time when the country is facing significant racial issues. One such case was *Utah v. Streiff*, which involved the Fourth Amendment's search and seizure doctrine. In a 5-3 decision, the Court held that evidence seized incident to a lawful arrest on an outstanding warrant should not be suppressed when the warrant was discovered during an investigatory stop later found to be unlawful. In

her dissenting opinion, Justice Sotomayor emphasized the large number of outstanding warrants in this country and cautioned that this ruling would encourage police to engage in stops and disproportionately affect racial minorities.

Chemerinsky also noted that a variety of cases concerning race will be reviewed in the October 2016 term. Two such cases are *Pena-Rodriguez v. Colorado* and *Buck v. Davis*.

Pena-Rodriguez v. Colorado involved a defendant who was convicted of sexual assault. After trial, defense counsel submitted an affidavit from a juror that stated that another juror said the defendant was likely guilty because he was Mexican. The Court will review whether such evidence of racial bias is a basis for overturning the jury verdict as a violation of the Sixth Amendment right to an impartial jury.

In *Buck v. Davis*, a defendant was prosecuted for capital murder. During the penalty phase, the defense introduced an expert witness who testified that the defendant was more likely to be dangerous in the future because he was black. The Court will review this case to determine whether the Fifth Circuit properly denied the defendant's motion to reopen the judgment and obtain a merits review of his claim that his counsel was ineffective for presenting an expert that testified in that manner.

The Number 8

Dean Chemerinsky then moved on to his fourth theme: The Number 8. He explained how the number of Justices on the bench has greatly influenced the number of cases reviewed. In fact, just 36 cases are on the docket for the October 2016

term. Chemerinsky also noted that the number of Justices on the bench has influenced the types of cases reviewed, in that the Court has avoided high-profile, controversial cases. He finally noted that the number has influenced scheduling, in that the Court has delayed review of cases likely to produce a 4-4 tie.

The Future of the Supreme Court

Dean Chemerinsky closed his review with remarks on the future of the Supreme Court. Since 1960, Chemerinsky pointed out, the average age of Supreme Court Justices was 78. Currently, three Justices on the bench—Justices Ginsburg, Breyer, and Kennedy—are 78 or older. If the next president serves two terms, Chemerinsky explained, there may well be three vacancies on the Court, which will affect every area of the law and the most intimate aspects of our lives. There is no issue more important in the upcoming election, Chemerinsky concluded, than who will fill the potential vacancies on the Supreme Court.



Author Nicole Ramirez is an attorney at Kiesel Law LLP.

Judge Pregerson Honored for Service on the Bench

By Eli Alcaraz | (continued from page 4)

In her final point, Judge Stratton said that Judge Pregerson has a passion for humanity and for the underdog. This theme in Judge Pregerson's life of service and commitment to the community also took center stage when Judge Nelson and Judge King spoke about his efforts to establish and maintain the Salvation Army Bell Shelter. Without a doubt, Judge Pregerson has spent countless hours working to better the lives of those experiencing homelessness in Los Angeles.

Judge Nelson took the stage after Judge Stratton. She said that in the 1980s, it got so cold at night that people suffering from homelessness and sleeping on the steps of the courthouse froze to death. Judge Pregerson wanted to open the courthouse on these freezing nights so that people could stay warm and have somewhere to sleep. His efforts to open the courthouse were stymied but, as Judge Nelson put it, "once he starts something, it doesn't stop." Judge Pregerson eventually located other government owned property to host the Bell shelter. Judge Nelson

reminisced about Judge Pregerson excitedly stopping by her chambers and asking her if she would like to see the new offerings in the Bell Shelter, including things like new washing machines. Judge Nelson, who practices the Bahá'í Faith, closed her tribute with a saying from the same. "Be generous in prosperity, and thankful in adversity. Be worthy of the trust of thy neighbor, and look upon him with a bright and friendly face." She finished, "Such a man is my friend Harry Pregerson."

Jude King spoke next. He too talked about the Bell shelter and how he served food with Judge Pregerson at the shelter during its first Thanksgiving. Judge King said that when Judge Pregerson saw injustice he had the vision and dedication to make a difference. As Judge King finished offering his sentiments, he said that the hallmark of Judge Pregerson's life is service. After hearing the stories shared during the luncheon, there is ample support for this conclusion.

Finally, Judge Pregerson took center stage. Judge Pregerson, saying that

the tribute was overwhelming, asked, "is this a dream?" Acting in a way that appears to be true to form, Judge Pregerson took the opportunity at the podium to encourage the audience to help their communities. He also said that if someone wants to meet wonderful people, go to a homeless shelter. His final remark was that this is a great journey and it is not finished. Indeed, it does not appear that Judge Pregerson's commitment to humanity and the underdog will slow and that is why many likely share Judge King's hope for Judge Pregerson—"I hope you live to be 120."



Author Eli Alcaraz is an attorney at Caldwell Leslie & Proctor, PC.

FBA Fast Facts

FBA National Membership By The Numbers:

- 17,000+ Members nationwide
- Over 90 chapters
- 23 Sections
- 6 Divisions
- Retention rate of 82%*

*Excluding law students and honorary members