



### FIFTH CIRCUIT

#### Southern District of Texas

##### *Chapter's Year Thus Far*

The Southern District of Texas Chapter is off to a rip-roaring start in 2013, hosting 14 different events that have drawn more than 900 attendees to become one of the fastest-growing FBA chapters in the country.

At the heart of the chapter's programming is its monthly CLE luncheons, which each provide one hour of credit and have attracted triple the number of attendees in 2012. To date, six different federal judges have presented to audiences totaling more than 600 attorneys. As an added benefit to every FBA member, the chapter waives the luncheon fee at a CLE of the member's choosing.

The chapter also launched two new programs that have been well received by judges and lawyers throughout the district. "Chamber Chats" offer members a unique opportunity for federal court practitioners to meet informally in a small group setting with a federal judge in chambers. The judiciary has enthusiastically embraced the program, with judges from across the district graciously hosting local attorneys in their chambers. The chapter has hosted six different Chamber Chats in the Houston and Laredo divisions—with such high demand that each has had a waitlist—and has plans to host additional

Chamber Chats in the Corpus Christi and McAllen divisions.

The chapter works closely with the judges to organize each chat. Along the way, we've learned that not all chambers are created equal, and thus the chats have ranged in size from 8 to 20 lawyers. While the environment is decidedly informal, serious discussions have taken place on topics as diverse as arguing effectively at Markman hearings, how and when a judge can encourage settlement, when to opt for a bench trial, and the persuasiveness of a *per curiam* opinion. (It turns out they are a binding precedent in the Fifth Circuit). Attendees often earn CLE credit.

The chapter has been pleased with the positive feedback from judges and participants alike and plans to continue organizing Chamber Chats to encourage productive interactions between the bar and the bench.

Equally successful has been the chapter's first-ever Fifth Circuit Reception, which coincided with two Fifth Circuit panels hearing oral arguments in Houston in February. The reception, held at the federal courthouse, was jam-packed with more than 110 practitioners and judges. Co-sponsored by the Houston Bar Association, the reception was so successful that the chapter plans to co-host more events when the Fifth Circuit hears oral arguments in the future.

After proactively reaching out to the

federal judiciary to see how it can assist them, several judges suggested the chapter recruit FBA members to volunteer on select pro bono cases. In response, the chapter launched its Pro Bono Program, which matches FBA members with clients seeking pro bono representation in pro se matters that have survived summary judgment. The first case went to trial in June, and the chapter has lined up two additional cases that are scheduled for trial later this year. It now has a waitlist of willing volunteers.

The chapter's strong outreach to law students continues through its unique Blask Fellowship Program. Named in honor of the late U.S. Magistrate Judge and FBA member Ronnie Blask, the chapter established the fellowship to promote public service by helping law students offset costs associated with interning for a federal employer within the Southern District of Texas. The chapter awards \$2,000 grants to each fellow and hosts receptions for them at federal courthouses across the district. Thanks to the generosity of its membership, this year, the chapter awarded fellowships to 11 law students attending nine different law schools and interning in five different divisions. This represents a 40 percent increase in the number of fellowships awarded since last year.

Great programming and great public service efforts have led to increased interest in



**Southern District of Texas Chapter:** At the chapter's CLE presentation on "The History of the Southern District of Texas"—speaker U.S. District Court Judge Gregg Costa; At one of the chapter's Chamber Chats—U.S. District Court Judge Lee H. Rosenthal meets with attendees.

*Chapter Exchange is compiled by Jane Zaretskie, FBA manager of chapters and circuits. Send your information to [jzaretskie@fedbar.org](mailto:jzaretskie@fedbar.org). Visit [www.fedbar.org](http://www.fedbar.org) for the latest chapter news and events.*

membership. The chapter is fortunate to be one of the fastest-growing in the country. With more than 300 members, it has grown approximately 15 percent in the first six months of the year and is now the 15<sup>th</sup> largest FBA chapter. It hopes to push its membership number past 350 before its annual Dinner Honoring the Judiciary. The dinner, which will be held in Houston in November, will feature Hon. Kenneth Starr, president of Baylor University, as the keynote speaker. Last year's dinner had more than 400 attendees, including nearly three dozen federal judges.

## SIXTH CIRCUIT

### *Sixth Circuit Chapters Leadership Conference*

On July 24, 2013, representatives from 10 of the 11 Sixth Circuit FBA chapters, along with Sixth Circuit Vice President James Satola, gathered in Cincinnati, Ohio, the seat of the Sixth Circuit Court of Appeals, for the second annual Federal Bar Association Sixth Circuit Chapters Leadership Conference. The purpose of the all-day conference was to create a forum for the leadership of each chapter to share their experiences and ideas and to assist each other in the strengthening and expansion of the respective Sixth Circuit chapters. Thirteen chapter leaders plus Satola participated in the event.

The conference, which started in July

2012, originally grew out of a breakfast meeting organized by then-incoming Eastern District of Michigan Chapter President Thomas McNeill. A number of the incoming Sixth Circuit chapter presidents and Satola attended the event prior to the 2012 FBA New Chapter Leadership Training Seminar.

As in 2012, this year's conference was hosted by Cincinnati/Northern Kentucky Chapter President Gregory Ahrens at the offices of Wood, Herron & Evans LLP. The evening before the conference, attendees gathered for dinner on the outside patio of Cincinnati's Christian Moerlein Brewery and Restaurant.

The conference opened with a continental breakfast and presentations by chapter representatives. Satola followed up these introductions with a presentation on FBA national topics. Each presentation was designed to be an open discussion guided by a facilitator.

Topics addressed included educational programming (led by David Butler of the Columbus Chapter); community and civic outreach, pro bono activities, and law schools (led by Craig Cowart of the Memphis/Mid-South Chapter); speakers programs and special events (led by Katharine Gardner of the Chattanooga Chapter); building membership, diversity, and younger lawyer initiatives (co-led by Michael Lee of the Eastern District of Michigan Chapter and Glen McMurry of the Dayton Chapter and Sixth Circuit YLD liaison); and membership communications, newsletters, websites, social media, and blogs (led by Jason Hill of the Northern District of Ohio Chapter).

The event also included a discussion on the effects of sequestration on local courts and federal defender programs, led by Dennis Terez of the Northern District of Ohio Chapter, who is also the federal public defender for the Northern District of Ohio and acting federal public defender for the Southern District of Ohio.

The conference concluded with a presentation on additional national topics, the upcoming FBA Annual Meeting in Puerto Rico, and the 2016 FBA Annual Meeting (which will be hosted by the Northern District of Ohio Chapter in Cleveland), by U.S. Magistrate Judge Michael Newman of the U.S. District Court for the Southern District of Ohio, who is also the incoming president of the Dayton Chapter and a member of the national FBA Board of Directors.

Following the all-day conference, attendees gathered at the Queen City Club in downtown Cincinnati for a dinner and conversation with Chief Judge Alice M. Batchelder of the Sixth Circuit Court of Appeals.

## NINTH CIRCUIT

### **Alaska Chapter**

#### *Summer in Alaska*

The Alaska Chapter of the Federal Bar Association remained very active throughout the summer months with several well-attended events. The chapter has approximately 50

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**Sixth Circuit Chapters:** Attendees at the Sixth Circuit Chapters Leadership Conference (left photo, beginning with foreground left, continuing clockwise)—Michael Lee, Eastern District of Michigan Chapter; James Satola, FBA vice president for the Sixth Circuit VP; U.S. Magistrate Judge Michael Newman, Dayton Chapter and FBA National Board of Directors member; Martin Holmes, Nashville Chapter; David Butler, Columbus Chapter; Craig Cowart, Memphis/Mid-South Chapter; Mark Dessauer, Northeast Tennessee Chapter; Gregory Ahrens, Cincinnati/Northern Kentucky Chapter (partial view); and Jason Hill, Northern District of Ohio Chapter. Not pictured in photo but attending: Glen McMurry, Dayton Chapter; Jeffrey Cox, Dayton Chapter; Dennis Terez, Northern District of Ohio Chapter; Katharine Gardner, Chattanooga Chapter; and Robert Duncan, Kentucky Chapter (attending by telephone); Conference attendees at Queen City Club with Sixth Circuit Chief Judge Alice Batchelder: (right photo, l to r)—U.S. Magistrate Judge Michael Newman, Dennis Terez, Jeffrey Cox, Mark Dessauer, Jason Hill, Michael Lee, Katharine Gardner, Chief Judge Alice Batchelder of the U.S. Court of Appeals for the Sixth Circuit, Craig Cowart, Martin Holmes, and James Satola.



### GOVERNMENT CONTRACTS SECTION

On July 18, the Government Contracts Section co-sponsored a program along with the Boards of Contract Appeals Bar Association and the District of Columbia Bar's Government Contracts and Litigation Section entitled, "A Summer Social in Honor of the Judges of the Board of Contract Appeals." Held in Washington, D.C., the program featured practical advice from the government contracts bench. Panelists included Chair Judge Paul Williams, ASBCA; Judge Candida S. Steel, CBCA; Chief Judge Marc Loud, DCCAB; Chair Anthony N. Palladino, FAA ODRA CAB; Chair Louis

Chiarella; Judge Sharon Larkin, GAO CAB; and Vice Chair Gary E. Shapiro, PSBCA. The program was moderated by Susan Warshaw, Ebner, Asmar, Schor & McKenna, PLLC.

### TRANSPORTATION AND TRANSPORTATION SECURITY LAW SECTION

On July 16, the Transportation and Transportation Security Law Section held the program entitled, "How Will the Expansion of the Panama Canal Impact the Transportation Modes?" at the U.S. Department of Transportation Headquarters in Washington, D.C. The program featured discussions on

potential impacts that the expansion of the Panama Canal will have on transportation modes—shipping, rail, and trucking—in the United States. Panelists included Randolph Resor, Office of the Undersecretary for Transportation Policy, U.S. Department of Transportation; Robert Ledoux, senior vice president and general counsel, Florida East Coast Railway; and Shawn Kiernan, strategic planner, Maryland Port Administration. The program was moderated by Kathryn Gainey, Steptoe & Johnson LLP. ☉

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members involved in various fields of federal practice in Alaska.

On May 21, the chapter hosted an informal meet and greet with the visiting three-judge panel of the Ninth Circuit Court of Appeals. The Ninth Circuit hears argument in Alaska once or twice a year. The noontime meeting took place in the courtroom at the Anchorage Historic Federal Building.

Alaska's own Ninth Circuit Appellate Judge Morgan Christen moderated the panel, which included Senior Judge A. Wallace Tashima (Pasadena, CA), Judge Richard Tallman (Seattle, WA), and Judge N. Randy Smith (Pocatello, ID). The judges described in detail their personal backgrounds and unique paths to the bench.

Members of the bar enthusiastically participated in a very conversational exchange with the judges. Judge Tallman in particular noted how pleased he was with the opportunity to speak so informally with individual members of the Alaska bar. He described how hundreds of attorneys attend similar events in other Ninth Circuit cities, making such personal interaction almost impossible. Judge Smith spoke effusively about the gen-

eral high level of practice, collegiality, and professionalism in Alaska.

Several weeks after the meeting, the Alaska Chapter received a letter from Judge Smith, who graciously wrote:

"What a great bar association to which you belong! What a beautiful place you live! 'You are very welcome' to the time our

panel spent with you and the association. We particularly enjoyed the opportunity to 'meet you and greet you.' We enjoy letting you know that we consider ourselves to be lawyers trying to do the best job we can (just as you are). Thank you for making us feel so welcome. Best wishes to you and to the members of the bar association (professionals—every one)." ☉



**Alaska Chapter:** At the meet and greet (L to R)—Ninth Circuit panel judges: Judge N. Randy Smith, Senior Judge A. Wallace Tashima, Judge Morgan Christen, and Judge Richard C. Tallman.