



Bar Talk

December 18, 2013

www.fedbar.org/Chapters/Minnesota-Chapter.aspx

Chapter earns national recognition

By Adine S. Momoh

The 2013 FBA Annual Meeting and Convention was held from September 26-28, 2013, in beautiful San Juan, Puerto Rico. Attendees had the opportunity to stroll down the streets of the historic Old San Juan, sample a variety of foods in authentic local restaurants, hike in the national El Yunque rainforest, kayak in the magical bioluminescent bays, and relax on warm beaches. Attendees also had access to a wide selection of CLEs and social activities, which allowed attendees to connect with FBA members from across the United States. As in past years, the Minnesota Chapter had one of the largest Chapter representations at the Convention and was recognized as the second largest FBA Chapter in the country. The support, dedication, and stewardship of federal judges, attorneys and law students in the District of Minnesota continue to make the Minnesota Chapter outstanding. It is no surprise that the FBA continues to recognize the Minnesota Chapter for its excellence.

In 2013, the Minnesota Chapter received the following awards:

Presidential Excellence Award

The FBA recognizes the diligent work and accomplishments that outstanding Chapters have made throughout the year. Two levels of recognition are awarded annually: (1) Presidential Achievement Awards and (2) Presidential Excellence Awards. All Chapters achieving objective criteria set by the FBA Awards Com-



The Minnesota Chapter earned a Presidential Excellence Award at the FBA National Convention in Puerto Rico. Accepting the award on behalf of the Minnesota Chapter were: Dan Hedlund, Tara Norgaard, Jeannette Bazis, Anh Le Kremer, and Adine Momoh. Representatives from other chapters are also pictured. (Photo courtesy of Adine S. Momoh)

mittee receive the Presidential Achievement Award. However, those Chapters that have done a superior job in exceeding the objective criteria receive the Presidential Excellence Award.

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Vildan Teske receives achievement award

By Adine S. Momoh

On September 26, 2013, Vildan Teske, a partner at Crowder, Teske, Katz & Micko PLLP, received the inaugural Robyn J. Spalter Outstanding Achievement Award.

By way of background, the FBA's Younger Lawyers Division wanted to present an award that honors FBA members who (i) began their involvement with the FBA as "younger attorneys," (ii) achieved success in the FBA and in their legal career, and (iii) distinguished themselves in participating in FBA-related activities, especially those that mostly pertain to younger or newly admitted attorneys. One of the biggest challenges of the YLD Outstanding Achievement Award Committee was finding a namesake for the award. But when the Committee received word of past-FBA National President Robyn Spalter's untimely passing in May 2012, the choice was obvious.

Robyn was an active member in several Chapters of the FBA throughout her career including the New Orleans, Broward County and South Florida Chapters. Robyn also served as national chair of the YLD, and then made her way to Vice President for the Fifth Circuit, and eventually became a National FBA President from 2005 to 2006. Robyn embodied the essence of the YLD Outstanding Achievement Award because as she climbed the national FBA leadership ladder to become President, she "always focused on the importance of new and younger lawyers and the role that they would play in the future growth of the FBA." Robyn's extensive service exemplified the high standard of dedicated service to the FBA and the community at large that the YLD wants to both recognize and inspire of others.

Given this backdrop, Vildan was quite deserving of the award. Vildan has always looked for ways to encourage younger lawyers to join the FBA and enhance their experience and involvement both locally and nationally once they are members. The majority of Vildan's practice has centered around complex consumer financial litigation. In recent years, she has represented thousands of service members in class action and individual litigation against some of the largest financial institutions in the country. She is a graduate of the University of Minnesota Law School and University of Minnesota Carlson School of Management.

Vildan has been an active member of the FBA for over eighteen years. During this time, Vildan has been a committed and active member of the FBA on the national level, in the Minnesota Chapter and for a short time, the Atlanta Chapter. With regard to her national involvement, Vildan was a board member of the YLD



Minnesota Chapter member Vildan Teske (center), received the Robyn J. Spalter Outstanding Achievement Award at the FBA Convention in Puerto Rico. She is pictured with Adine S. Momoh, chair of the YLD Robyn J. Spalter Outstanding Achievement Award Committee, and Amy Schartz, sister of Robyn J. Spalter and guest speaker. (photo courtesy of Adine S. Momoh)

and held various positions in the YLD's leadership ladder, eventually serving as Chair of the YLD from 2003 to 2004. In that role, she and the YLD board encouraged the FBA Chapters to have sections or committees for their younger and newer attorney members, if they did not already. Vildan also served on the national Executive Committee, a three-year term on the Editorial Board of *The Federal Lawyer*, and was appointed to national FBA committees and task force positions, including the Constitution and Bylaws Committee, Membership Committee, and Special Committee on Diversity, among others.

With regard to her local involvement, Vildan founded the Minnesota Chapter's Newer Lawyers Committee and its Monthly Brown Bag Lunches program with the federal bench in Minnesota (now known as the Newer Lawyers Lunch program).

- **Adine S. Momoh** is a member of the Communications Committee and a trial attorney at Leonard, Street and Deinard, P.A., where her practice consists of complex business and commercial litigation, securities litigation, estates and trusts litigation, and banking and financial services representation in the firm's Business and Commercial Litigation group, with a focus on creditors' rights and bankruptcy.

District hosts judges from around the world

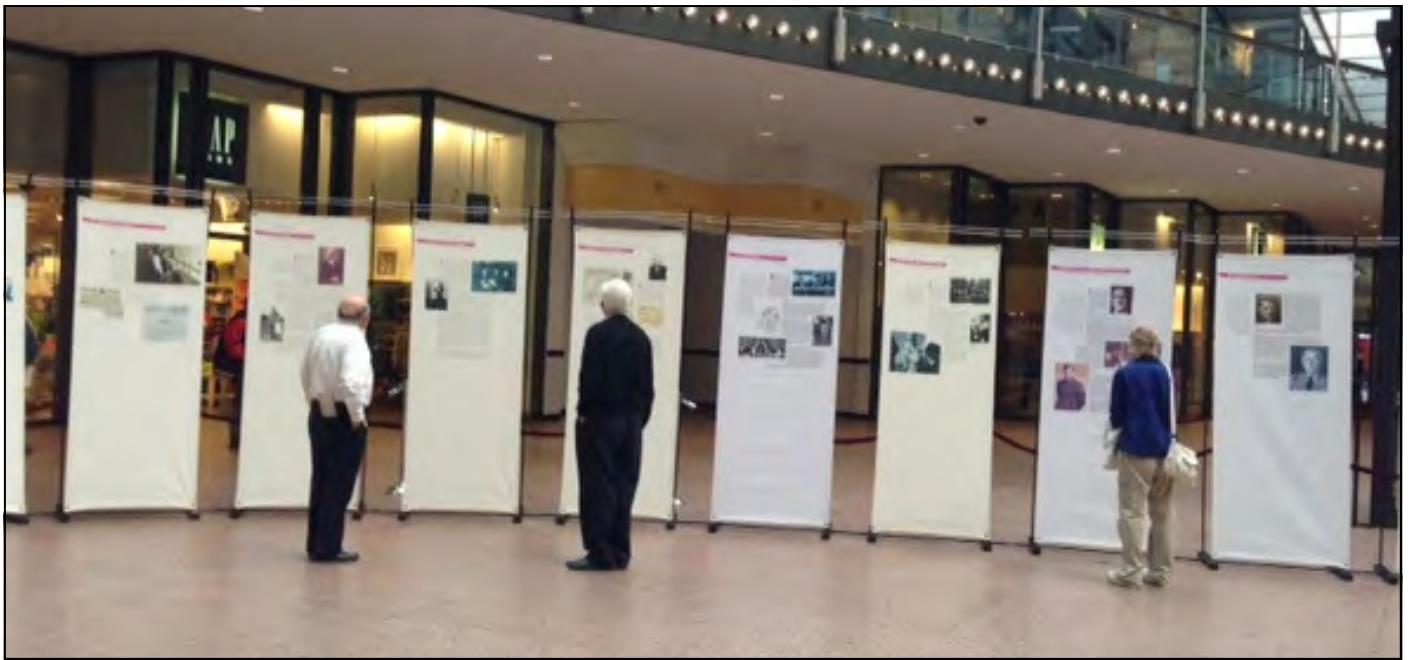
Judges from Uzbekistan and Kyrgyzstan visited the District of Minnesota this fall



Members of the Uzbek Judicial delegation visited the District of Minnesota on November 4 and 5, as part of the Department of State's International Visitor Leadership Program. They are shown with the Hon. Paul A. Magnuson, the Hon. John R. Tunheim, and the Hon. Tony N. Leung. (Photo courtesy of Courtney White, United States District Court.)



Members of the Kyrgyzstan judicial delegation visited the District of Minnesota from September 28 through October 5, 2013 as part of the Open World Program. The week-long program promote mutual understanding between Minnesota judges and their Kyrgyz counterparts. They are shown with the Hon. Michael J. Davis, and the Hon. John R. Tunheim, and with members of their host families and District Court staff. (Photo courtesy of Deborah Lutjens, World Services of La Crosse.)



The Lawyers Without Rights Exhibit was displayed at the IDS Center in November. (Photo by Paige Stradley)

“A Vivid Reminder”

By Paige Stradley

As I walked through the lobby of the IDS Center on my typical caffeine run, I smiled to myself as I saw several people standing and reading placards. There was a steady stream of contemplative individuals and small groups either reading silently or immersed in avid discussion. It had been like this yesterday, and it would be the same tomorrow. The placards were part of the traveling Lawyers Without Rights Exhibit, brought to Minnesota by the United States District Court for the District of Minnesota as part of its community outreach regarding the rule of law and, by any definition of the word, was a huge success. Each placard consisted of text and images exploring the exclusion of Jewish judges, prosecutors, and lawyers from the German justice system, and the resulting impact of that exclusion during the Nazi era. The exhibit begins by explaining the role of Jewish lawyers* in Germany toward the end of the Weimar Republic, a time when approximately half of the 3,400 lawyers in Berlin were of Jewish descent and a time when anti-Semitism and

propaganda against Jewish lawyers were beginning to gain steam.

As the Exhibit explains, it was March 31, 1933 when the Kerrl Decree was published, serving as an official basis to refuse Jewish judges, public prosecutors, and lawyers access to the Prussian court system. And it was September 1938 when all Jewish lawyers were banned from practicing their profession. The Lawyers Without Rights Exhibit lays out the succession of laws that eventually led to the complete exclusion of Jewish lawyers from the legal system and German society. But the exhibit does more than simply provide a timeline of laws; peppered throughout the exhibit are the stories of individual Jewish lawyers. For instance, the exhibit tells the story of Dr. Julius Magnus, a renowned industrial and intellectual property attorney and editor of *Juristische Wochenschrift*, who was captured in Holland, transported to Westerbork concentration camp, and died in Theresienstadt (Terezin). These stories of individual Jewish lawyers fit in perfectly with the discussion of the German legal society as a

(Continued on next page)

whole, allowing exhibit goers to gain a greater understanding of both the overall rule of law in Germany at this time as well as how the perversion of the rule of law impacted individuals.

In conjunction with the Exhibit, several events were planned throughout the months of October and November, starting with the Opening Ceremony on October 24th. The Opening Ceremony was held at the Federal Courthouse in Minneapolis and included remarks by many notables in the community – Chief Judge Michael J. Davis, Judge Susan Richard Nelson, Justice David R. Stras, Professor Oren Gross, Steve Hunegs, and Honorary German Consul Christa Tiefenbacher-Hudson. A presentation of The Butterfly Songs, based on poetry written by children in the Terezin concentration camp, was presented by Momoko Tanno.

In addition to the Opening Ceremony, a commemoration of the 75th Anniversary of the Kristallnacht (Night of the Broken Glass) took place on November 7th at the Rotunda of the Capital Building. As Steve Hunegs recently explained in his article “Lawyers Without Rights: Jewish Lawyers in Germany Under the Third Reich,” Kristallnacht refers to:



Momoko Tanno and Tom Pletscher performed The Butterfly Songs, based on poetry written by children in the Terezin concentration camp, at the Lawyers Without Rights opening ceremony. (Photo courtesy of Courtney White, United States District Court)

[T]he night of November 9 - 10, 1938, in Germany and Austria which, within the course of just a few hours, 815 shops, 171 homes, and 76 synagogues were destroyed; an additional 191 synagogues were set on fire; 36 Jews were murdered, another 36 seriously injured, and some 20,000 were arrested and sent to concentration camps. The Kristallnacht marked Germany's final descent into the abyss of its barbarity which would precipitate the Second World War and Holocaust and result in tens of millions of deaths in Europe.

The universality and import of the message gleaned from Kristallnacht and the Lawyers Without Rights Exhibit is evidenced by the variety of those who attended the Commemoration: judges, members of the legal community, politicians, Rabbis, citizens, and, significantly, four Holocaust survivors.

The Lawyers Without Rights inspired events continued with a sold-out symposium on the Nuremberg trials and the world's response to genocide held at the University of Minnesota Law School. The symposium included distinguished scholars, law professors, Holocaust survivors, and Sandra Schulberg, who edited and created a moving documentary from video footage taken during the

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Minnesota Chapter Board Member Dulce Foster of Fredrikson & Byron presented at the Nuremberg Symposium, hosted by the University of Minnesota Law School on Nov. 15. (Photo by Tony Nelson, courtesy of the University of Minnesota Law School)

Federal Practice Committee Nears Completion of Restyling Process

By Jeff Justman

Imagine it is 2010 and you are an out-of-state practitioner tasked with understanding how to navigate a civil case filed in the United States District Court for the District of Minnesota. You are, for better or worse, without the help of sophisticated local counsel to help comply with the Court's local rules. Being erudite yourself, you consult the Local Rules of the United States District Court for the District of Minnesota (the "Local Rules"). And you find, much to your dismay, that the Local Rules are out of date. They include cross-references to rules that no longer exist. They include outmoded language inconsistent with restyled Federal Rules. You have a quandary on your hands.

Such was the dilemma posed to members of the Federal Practice Committee for the District of Minnesota. Dubbed the Style Council, this group spent years of time and effort

restyling the Local Rules, updating cross-references thereto, and, as member Jeannette Bazis of Greene Espel PLLP explained, making "everything make sense."

The committee solicited input from all of the key decision makers: judges, court staff, and practitioners. It asked for rules deemed inaccurate or irrelevant. For each Local Rule, it posed the questions: "Does it still make sense?" "What does this really mean?" "Do practitioners and judges actually follow this rule in practice?" Over nearly three years, the committee undertook all linguistic challenges, including debating commas, periods, and semi-colons. It proposed updates to the broader Federal Practice Committee, and ultimately, to the bench and bar of the District.

At the end of 2013, that process is nearly complete. With the exception of Local Rules regarding at-

torney discipline (83.6) and "free press/ fair trial" (83.2), all Local Rules have been updated, approved by the Federal Practice Committee, been made available for public comment, and been published in an updated, restyled format. The process owes its success to countless committee members, court staff, and judges. And as any out-of-state practitioner can conclude, the newly restyled Local Rules avoid the linguistic traps for the unwary.

- **Jeff Justman** is an attorney at Faegre Baker Daniels, specializing in trade secret and securities litigation, and has been a member of the Communications Committee since 2009.

Clerk's Corner: Upgrades to CM/ECF, changes in fees

CM/ECF Upgrade

In October, the Clerk's Office upgraded ECF to version 6.1. While most of the features of this upgrade affect internal court users, there are some enhancements that attorneys e-filers will notice. These enhancements include a mobile query interface that offers a simplified user experienced optimized for display on mobile devices. In addition, users can now access other court PACER links directly from the Utilities menu in ECF. For more information on how CM/ECF version 6.1 affects attorney e-filers and PACER users, visit the Court's website at www.mnd.uscourts.gov and click on the CM/ECF

tab, Reference Guides and User's Manuals.

Fee Changes

As of December 1, 2013, it will cost \$505 to file an appeal, \$64 to retrieve a box of records from the Federal Records Center or National Archives, and \$39 to retrieve any additional box of records. You will be instructed to pay the correct appellate filing fee through Pay.gov when filing a notice of appeal in CM/ECF.

Clerk's Corner is provided by **Tricia Pepin**, Chief Deputy Clerk, and **Lou Jean Gleason**, Operations Manager.



The Hon. James M. Rosenbaum (Ret.) spoke recently at a panel discussion hosted by William Mitchell College of Law. Also on the panel were University of Virginia Law School Professor Robert Turner and former FBI agent Coleen Rowley. (Photo submitted by Karin Ciano)

WMCL Chapter hosts national security panel

By Casey Stanley

It seems that nearly every day there is a new headline about a recently revealed National Security Agency surveillance program. On November 12th, the William Mitchell Federal Bar Association, in partnership with the National Security & Law Society, Federalist Society, and Criminal Law Society, hosted the panel discussion "National Security & Civil Liberties in the 21st Century." The speakers included former U.S. District of Minnesota Chief Judge James M. Rosenbaum, Professor Robert Turner of the Center for National Security Law at the University of Virginia Law School, and former FBI agent and

9/11 whistleblower Coleen Rowley. The panelists engaged in an extremely spirited discussion about the need to protect against terrorism while safeguarding American citizens' privacy. They also debated what the Fourth Amendment and a reasonable expectation of privacy should mean in the digital age. The room was nearly filled to capacity with 80 students in attendance. Prof. Turner and Ms. Rowley are eager to participate in a follow-up event spring semester.

- **Casey Stanley** is a third-year law student at William Mitchell and is President of the William Mitchell College of Law Federal Bar Association.

Law Student Reception—February 4

This year the eighth annual Law Student Reception will be hosted by Merchant & Gould on February 4, 2014 from 5:00 – 7:00 p.m. Each year the FBA hosts the Law Student Reception with the goal of introducing law students to those active in the federal legal community. This reception provides students with the opportunity to learn more about the FBA and its activities and to meet those who serve and practice in federal court. The event will include brief remarks by FBA President the Honorable Joan N. Ericksen and Law School Outreach Committee Co-Chair Adine Momoh.

Kremer elected to FBA National Board

By Paul A. Sand

Minneapolis attorney Anh Le Kremer recently started her three-year term on the national FBA's board of directors. Kremer, a shareholder at Leonard, Street and Deinard, was selected by the national Nominations and Elections Committee and elected to the position by a vote of members last summer. She said she will share and highlight the local chapter's successes in programs, initiatives, and engaging new members in her new role on the national board.

"I'm very excited to be able to contribute at a national level and to be able to showcase what we've done here in Minnesota," she said.

Kremer said the *Pro Se* Project, which matches volunteer attorneys from the local chapter with *pro se* litigants, and efforts to involve more law students in the chapter are examples in which the local chapter could be the template for other chapters looking to accomplish similar goals. The local chapter's large number of members, high-quality programming, and track record of close collaboration between attorneys and judges could serve as a national model, she said.

"Our Chapter's rich history, and the things that it has accomplished over the years, serves as a wonderful example of how the FBA can successfully serve the needs of the federal court and the federal practitioners through the work of a robust local chapter," Kremer said.

Kremer, whose three-year term began on October 1, joins the board of directors as one of twelve elected members. The board, which also includes three officers and four ex officio members, oversees the national organization. Kremer also serves as the chair for the International Law Section and previously served two terms as Vice President for the Eighth Circuit.

Although Kremer is actively involved in leading the national organization, she remains engaged in the local chapter. Kremer said she became involved in the local chapter in 2001 because she wanted to practice law in federal court. Since then she has held a number of leadership positions – secretary, membership chair, and overseeing law school awards. Kremer now serves on the executive committee and as co-chair with Judge Jeanne J. Graham of the special events committee, which plans the annual judges' dinner dance.

"We have a wonderful history and tradition in Minnesota," Kremer said. "Our experience here could be valuable in other circuits."

- Paul A. Sand is an attorney at Larson King and a member of the Communications Committee.



Anh Le Kremer

"Our Chapter's rich history, and the things that it has accomplished over the years, serves as a wonderful example of how the FBA can successfully serve the needs of the federal court and the federal practitioners through the work of a robust local chapter."

- Anh Le Kremer



The Minnesota Chapter of the Federal Bar Association earned the Presidential Excellence Award, the Outstanding Newsletter Award, and the Ilene and Michael Shaw Younger Lawyer Public Service Grant. (Photos by Adine S. Momoh)

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For the second year in a row, the Minnesota Chapter received the 2013 Presidential Excellence Award, the highest award that a Chapter can receive from the FBA.

Outstanding Newsletter Recognition Award

The FBA Newsletter Recognition Awards recognize the best newsletters published by Chapters, as well as those published by sections, divisions, and committees to stimulate and encourage continued production of these valuable communication tools. Judging of the newsletters focuses on overall sustained quality of the publication and emphasizes service to the membership. Judges also consider content, creativity, and design of the publication.

For the third year in a row, the Minnesota Chapter received the 2013 Outstanding Newsletter Recognition Award for its exceptional publication *Bar Talk*. The Minnesota Chapter's Communication Committee publishes *Bar Talk* quarterly.

Ilene and Michael Shaw Younger Lawyer Public Service Grant

The Ilene and Michael Shaw

Younger Lawyer Public Service Grants, made possible by the generous contributions of Ilene and Michael Shaw, enable Chapters to provide service to the public through the development and implementation of public service projects and pro bono law related services. To encourage an increased and continued commitment to public service responsibility by young lawyers, these projects are to be administered under the auspices of a chapter Younger Lawyer Committee.

The Minnesota Chapter (through its Newer Lawyers Committee and *Pro Se* Project) received a \$2,500 grant for its inaugural program "Newer Lawyer Training: Tools to be a Successful *Pro Se* Project Volunteer." Through a series of three-panel CLE discussions on December 11, 2013, Magistrate Judges of the United States District Court for the District of Minnesota and experienced *Pro Se* Project volunteer attorneys provided concrete techniques and tools that newer lawyers can use to efficiently and effectively manage settlement negotiations and the litigation process of pro bono cases.

Additional Awards Received by Minnesota Chapter Members

Also of note, Tara Norgard, the Minnesota Chapter Vice President for the Eighth Circuit, received a Vice President for the Circuits Outstanding

Service Award. This award is presented to those circuit vice presidents who exemplify outstanding service and leadership both within their circuit and nationwide.

Additionally, Vildan Teske received the 2013 Robyn J. Spalter Outstanding Achievement Award, which honors FBA members who began their involvement with the FBA as "younger attorneys" and achieved success in the FBA (i.e., through developing programming, etc.) and in their legal career.

- **Adine S. Momoh** is a member of the Communications Committee and a trial attorney at Leonard, Street and Deinard, P.A., where her practice consists of complex business and commercial litigation, securities litigation, estates and trusts litigation, and banking and financial services representation in the firm's Business and Commercial Litigation group, with a focus on creditors' rights and bankruptcy. Ms. Momoh is also a board member of the National Board of Directors for the FBA Younger Lawyers Division, a board member of the Minnesota Chapter's Board of Directors and a former law clerk to the Honorable Jeanne J. Graham, United States District Court for the District of Minnesota.

Pro Se Project conducts training for new lawyers

By Tiffany Sanders

Pro Se Project's Outreach and Training for Newer Lawyers

The *Pro Se* Project, in conjunction with the Newer Lawyers Committee, conducted its third

CLE this year with a successful seminar titled, "Techniques and Tools for the Efficient Volunteer Lawyer." In the December 11, 2013 half-day session, Magistrate Judges and experienced *Pro Se* Project volunteer attorneys educated newer lawyers on efficiently and effectively managing the litigation process and early settlement negotiations of cases through the *Pro Se* Project. The panelists provided practical tips and pointers and shared their own experiences to allay newer lawyers' concerns about taking on a *pro bono* case due to lack of experience, limited time and resources, and general uncertainty in handling and managing challenging or difficult clients. The presenters included: The Honorable Franklin L. Noel, U.S. Magistrate Judge; The Honorable Jeanne J. Graham, U.S. Magistrate Judge; The Honorable

Jeffrey J. Keyes, U.S. Magistrate Judge; The Honorable Steven E. Rau, U.S. Magistrate Judge; Lora M. Friedemann, Fredrikson & Byron, P.A.; Patrick R. Martin, Ogletree Deakins Nash Smoak & Stewart, P.C.; Elsa Bullard, Faegre Baker Daniels; Adam A. Gillette, Fruth Jamison & Elsass, PLLC;

Scott M. Flaherty, Briggs and Morgan, P.A.; Nicholas G.B. May, Fabian May & Anderson, PLLP; Joseph D. Weiner, Littler Mendelson, P.C.; and Tiffany Sanders, *Pro Se* Project Coordinator.

[T]hank you for your exceptional assistance to Bryan Mudrich in helping resolve his case against WalMart. Magistrate Judge Keyes told me how helpful you were. Not that we don't like to try cases in federal court, but trials can be challenging with pro se plaintiffs. This is a great example of how the Pro Se Project should work, and I thank you for demonstrating the effectiveness of the program.

- Letter from the Hon. John R. Tunheim to attorney Nicolas G.B. May

The seminar was made possible by the 2013 Ilene and Michael Shaw Younger Lawyer Public Service Grant the Chapter received from FBA National.

Pilot Early Settlement Conference Project Luncheon

The Honorable Arthur J. Boylan, Chief U.S. Magistrate Judge, Magistrate Judge Noel, and Tiffany Sanders presented on the Pilot Early Settlement Conference Project (ESCP) and the *Pro Se* Project at the FBA Newer Lawyer Monthly Luncheon on September 27. Chief Magistrate Judge Boylan and Magistrate Judge Noel provided the newer lawyers in attendance with excellent negotiation and settlement conference tips, client management techniques, and examples of effective (and ineffective) strategies in early settlement conferences. The Judges graciously answered questions from the newer lawyers and encouraged their participation in the *Pro Se* Project and the ESCP.

Pro Se Project's Presentation to the National Employment Lawyers Association

Employment discrimination cases continue to be the type of case the Court most frequently refers to the *Pro Se* Project. In an effort to increase the number of volunteer (continued on Page 13)



Business Solutions

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noun phrase

- 1 a. the act or process of partnering with a nationally trusted company that possesses the unique ability to provide agnostic, world-class, integrated and innovative technologies, professional document management expertise, and efficient, accuracy-driven best practices to create a seamless and integrated operation
- 2 a. a holistic approach to analysis, providing custom solutions that add value, reduce cost and streamline services



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The Lawyers Without Rights Exhibit was displayed at the University of Minnesota Law School from November 14 through 16. (Photo by Tony Nelson, courtesy of University of Minnesota Law School.)

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Nuremberg trials. Throughout the symposium, the role of Minnesotans at the Nuremberg trials was illustrated, including comments from the last living typist at the Nuremberg trials— Larry Tillemans of St. Joseph, Minnesota. The symposium ended with a panel discussion by Justice David Stras, Dean David Wippman (Dean at the University of Minnesota Law School), Professor Kathryn Sikkink (Professor at the University of Minnesota Law School), and Dulce Foster (Attorney at Fredrikson & Byron).

As part of the last week of the Exhibit, the FBA monthly luncheon focused on the Lawyers Without Rights Exhibit, holding a panel discussion on “Anti-semitism and the Practice of Law in Minnesota.” And the month-long Exhibit and events concluded with a closing reception at the Twin Cities Cardozo Society Dinner. The Exhibit and each of the various events inspired by the Exhibit serve as a tool educating people about the past and pushing them to think about the relationship

between human rights, the rule of law, and the tragedy that can unfold when the rule of law is undermined. Chief Judge Michael J. Davis summed it up well in his letter to Exhibit goers:

[t]he lesson to be learned from this assault on the rule of law is its fragility, even in a civilized nation, and the ease with which a popular ruler can employ fear to achieve an oppressive, totalitarian state. It is a vivid reminder that we must vigilantly guard against any threat to a fair and just legal system and preserve the independence of our judiciary.

- **Paige Stradley** is an associate at Merchant & Gould and a member of the Communications Committee.

* Interestingly, the exhibit points out that “Jewish lawyers” would have never described themselves as such. Instead, “they were German, lawyers and Jews.”

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attorneys to accept employment discrimination cases, Magistrate Judge Noel and Tiffany Sanders presented

before the National Employment Lawyers Association (NELA) on October 8, 2013 on the *Pro Se* Project and the ESCP. Magistrate Judge Noel generously gave his time to answer lawyers' questions about the *Pro Se* Project and employment discrimination cases of which the lawyers in attendance were extremely grateful.

Nicholas G.B. May, Fabian May & Anderson, and Beth Bertelson, Bertelson Law Offices, joined Magistrate Judge Noel and Ms. Sanders for part of the presentation to share their

experiences through the ESCP and *Pro Se* Project respectively, and encouraged other plaintiff-side employment lawyers to participate in the *Pro Se* Project. Mr. May discussed his experience in representing a *pro se* litigant as Special Settlement Conference Counsel through the ESCP and successfully resolving the case just prior to trial. To show the Court's appreciation, the Honorable John R. Tunheim wrote Mr. May regarding his work through the *Pro Se* Project, stating:

[T]hank you for your exceptional assistance to Bryan Mudrich in helping resolve his case against WalMart.

Magistrate Judge Keyes told me how helpful you were. Not that we don't like to try cases in federal court, but trials can be challenging with *pro se* plaintiffs. This is a great example of how the *Pro Se* Project should work, and I thank you for demonstrating the effectiveness of the program.

Letter from the Honorable John R. Tunheim, U.S. District Judge, to Nicholas G.B. May, Fabian May & Anderson (September 3, 2013).

- **Tiffany Sanders** is the *Pro Se* Project Coordinator.

Do you want to participate in the Pro Se Project?

The *Pro Se* Project is a collaboration between the Minnesota District Court and the Minnesota Chapter of the Federal Bar Association to improve access to justice in our Federal Courts and to address the growing challenges civil *pro se* litigants pose to our Federal Judicial System. The goal of the *Pro Se* Project is to provide civil *pro se* litigants with an opportunity to have a meaningful consultation with a volunteer lawyer.

Volunteer attorneys who participate in the *Pro Se* Project are a tremendous help to *pro se* litigants, to our District Court, and to all Federal practitioners with paying clients. Each and every volunteer attorney's efforts collectively help unclog our Federal Court System and make justice more accessible to those with limited means.

To volunteer, contact Tiffany Sanders

at proseproject@q.com.

Calendar of Upcoming Events

January 22, 2014 | 12:00 p.m.

Monthly Luncheon

Minneapolis Club, Minneapolis

February 4, 2014 | 5:00 p.m.

Law Student Reception

Merchant & Gould, Minneapolis

February 26, 2014 | 12:00 p.m.

Monthly Luncheon

Minneapolis Club, Minneapolis

March 26, 2014 | 12:00 p.m.

Monthly Luncheon

Minneapolis Club, Minneapolis

April 23, 2014 | 12:00 p.m.

Monthly Luncheon

Minneapolis Club, Minneapolis

May 3, 2014 | 12:00 p.m.

Dinner Dance

Minnikahda Club, Minneapolis

May 28, 2014 | 12:00 p.m.

Monthly Luncheon

Minneapolis Club, Minneapolis

We want to communicate with you!

If you are not receiving email announcements, including luncheon notices, from the Minnesota Chapter, please ask your IT provider to

"white list" our domain name:
"communications@mnfedbar.org."

If that does not work, please email Tammy Schemmel at tschemmel@bgs.com and she will assist you.

Communications Committee

Ashlee Bekish

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

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Tara Adams

Seaton, Peters & Revnew, P.A.

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Michael Goodwin (Co-Chair)

Jardine, Logan & O'Brien, P.L.L.P.

Vicki Hruby

Jardine, Logan & O'Brien, P.L.L.P.

Jeff Justman

Faegre Baker Daniels, L.L.P.

Steve Katras

Law Clerk to the Honorable Janie S. Mayeron

Katherine Kelly

Heins, Mills & Olson, P.L.C.

Jon Marquet

Bassford Remele, P.A.

Adine S. Momoh

Leonard, Street and Deinard, P.A.

Kerri Nelson

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Timothy O'Shea

Fredrikson & Byron, P.A.

Paul Sand

Larson King, L.L.P.

Paige Stradley

Merchant & Gould, P.C.

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Bridget Sullivan

Shepherd Data Services

Ryan Schultz

Robins, Kaplan, Miller & Ciresi L.L.P.

Vildan Teske

Crowder, Teske, Katz & Micko P.L.L.C.

Kathryn Uline

United States District Court, Clerk of Court's Office

A special thank you to **Rebecca Baertsch**, Judicial Assistant to the Honorable Donovan W. Frank, for her proofreading expertise.

Bar Talk is the official newsletter of the Minnesota Chapter of the FBA. It is published quarterly by the Communications Committee. For any inquiries or article suggestions, please contact: Michael Goodwin (michael.p.goodwin@comcast.net) or Tammy Schemmel (tschemmel@bgs.com).

connect

through the Federal Bar Association



The Federal Bar Association offers an unmatched array of opportunities and services to enhance your connections to the judiciary, the legal profession, and your peers within the legal community. Our mission is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary, and the public they serve.

Advocacy

The opportunity to make a change and improve the federal legal system through grassroots work in over 80 FBA chapters and a strong national advocacy.

Networking

Connect with a network of federal practitioners extending across all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands.

Leadership

Governance positions within the association help shape the FBA's future and make an impact on the growth of the federal legal community.

Learning

Explore best practices and new ideas at the many Continuing Legal Education programs offered throughout the year—at both the national and chapter levels.

expand your connections, expand your career

THREE WAYS TO APPLY TODAY: ① Join online at www.fedbar.org; ② Fax application to (571) 481-9090; or ③ Mail application to FBA, 1220 North Fillmore St., Suite 444, Arlington, VA 22201. For more information, contact the FBA membership department at (571) 481-9100 or membership@fedbar.org.

FEDERAL BAR ASSOCIATION APPLICATION FOR MEMBERSHIP (CONTINUES ON REVERSE)

Applicant Information

First Name _____ M.I. _____ Last Name _____ Suffix (e.g. Jr.) _____ Title (e.g. Attorney At Law, Partner, Assistant U.S. Attorney) _____

☐ Male ☐ Female

Have you been an FBA member in the past? ☐ yes ☐ no

Which do you prefer as your primary address? ☐ business ☐ home

Firm/Company/Agency		Number of Attorneys	
Address		Suite/Floor	
City	State	Zip	Country
()	()		
Phone	Fax	E-mail	

Address			Apt. #
City	State	Zip	Country
()	()		
Phone	Fax		
/ /			
Date of Birth	E-mail		

Bar Admission and Law School Information (required)

U.S.	Court of Record: _____
	State/District: _____ Original Admission: / /
Tribal	Court of Record: _____
	State: _____ Original Admission: / /
Foreign	Court/Tribunal of Record: _____
	Country: _____ Original Admission: / /
Students	Law School: _____
	State/District: _____ Expected Graduation: / /

Practice Information

PRACTICE TYPE

- Private Sector: ☐ Private Practice ☐ Corporate/In-House
Public Sector: ☐ Government ☐ Association Counsel
☐ Nonprofit ☐ University/College
☐ Military ☐ Judiciary

PRIMARY PRACTICE AREAS

- | | |
|----------------------------------------------|----------------------------------------------|
| <input type="radio"/> Administrative | <input type="radio"/> Health |
| <input type="radio"/> Admiralty/Maritime | <input type="radio"/> Immigration |
| <input type="radio"/> ADR/Arbitration | <input type="radio"/> Indian |
| <input type="radio"/> Antitrust/Trade | <input type="radio"/> Intellectual Property |
| <input type="radio"/> Bankruptcy | <input type="radio"/> International |
| <input type="radio"/> Communications | <input type="radio"/> Labor/Employment |
| <input type="radio"/> Criminal | <input type="radio"/> Military |
| <input type="radio"/> Environment/Energy | <input type="radio"/> Social Security |
| <input type="radio"/> Federal Litigation | <input type="radio"/> State/Local Government |
| <input type="radio"/> Financial Institutions | <input type="radio"/> Taxation |
| <input type="radio"/> General Counsel | <input type="radio"/> Transportation |
| <input type="radio"/> Government Contracts | <input type="radio"/> Veterans |
| <input type="radio"/> Other: _____ | |

Membership Levels

SUSTAINING MEMBERSHIP

Members of the association distinguish themselves when becoming sustaining members of the FBA. Sixty dollars of the sustaining dues are used to support educational programs and publications of the FBA. Sustaining members receive a 5% discount on the registration fees for all national meetings and national CLE events.

	Private Sector	Public Sector
Member Admitted to Practice 0-5 Years	<input type="radio"/> \$155	<input type="radio"/> \$135
Member Admitted to Practice 6-10 Years	<input type="radio"/> \$215	<input type="radio"/> \$190
Member Admitted to Practice 11+ Years	<input type="radio"/> \$255	<input type="radio"/> \$220
Retired (Fully Retired from the Practice of Law)	<input type="radio"/> \$155	<input type="radio"/> \$155

ACTIVE MEMBERSHIP

Open to any person admitted to the practice of law before a federal court or a court of record in any of the several states, commonwealths, territories, or possessions of the United States or in the District of Columbia.

	Private Sector	Public Sector
Member Admitted to Practice 0-5 Years	<input type="radio"/> \$95	<input type="radio"/> \$75
Member Admitted to Practice 6-10 Years	<input type="radio"/> \$155	<input type="radio"/> \$130
Member Admitted to Practice 11+ Years	<input type="radio"/> \$195	<input type="radio"/> \$160
Retired (Fully Retired from the Practice of Law)	<input type="radio"/> \$95	<input type="radio"/> \$95

ASSOCIATE MEMBERSHIP

Foreign Associate Admitted to practice law outside the U.S.	<input type="radio"/> \$195
Law Student Associate Currently enrolled in law school	<input type="radio"/> \$30

Dues Total: \$ _____

Practice Area Sections

<input type="radio"/> Alternative Dispute Resolution	<input type="radio"/> Intellectual Property & Communications Law
<input type="radio"/> Antitrust and Trade Regulation	<input type="radio"/> International Law
<input type="radio"/> Bankruptcy Law	<input type="radio"/> Labor and Employment Law
<input type="radio"/> Criminal Law	<input type="radio"/> Social Security
<input type="radio"/> Environment, Energy, and Natural Resources	<input type="radio"/> State and Local Government Relations
<input type="radio"/> Federal Litigation	<input type="radio"/> Taxation
<input type="radio"/> Government Contracts	<input type="radio"/> Transportation & Transportation Security Law
<input type="radio"/> Health Law	<input type="radio"/> Veterans Law
<input type="radio"/> Immigration Law	
<input type="radio"/> Indian Law	

Career Divisions

<input type="radio"/> Federal Career Service (past/present employee of federal government)	N/C
<input type="radio"/> Judiciary (past/present member or staff of a judiciary)	N/C
<input type="radio"/> Corporate & Association Counsels (past/present member of corporate/association counsel's staff)	\$10
<input type="radio"/> Senior Lawyers* (age 55 or over)	\$10
<input type="radio"/> Younger Lawyers* (age 36 or younger or admitted less than 3 years)	N/C

*For eligibility, date of birth must be provided

Sections and Divisions Total: \$ _____

Chapter Affiliation

Your FBA membership entitles you to a chapter membership. Local chapter dues are indicated next to the chapter name (if applicable). If no chapter is selected, you will be assigned a chapter based on geographic location. No chapter currently located in this state or location.

Alabama <input type="radio"/> Birmingham <input type="radio"/> Mobile <input type="radio"/> Montgomery <input type="radio"/> North Alabama Alaska <input type="radio"/> Alaska Arizona <input type="radio"/> Phoenix <input type="radio"/> William D. Browning/ Tucson-\$10 Arkansas* <input type="radio"/> At Large California <input type="radio"/> Central Coast <input type="radio"/> Inland Empire <input type="radio"/> Los Angeles <input type="radio"/> Northern District of California <input type="radio"/> Orange County <input type="radio"/> Sacramento <input type="radio"/> San Diego <input type="radio"/> San Joaquin Valley Colorado <input type="radio"/> Colorado Connecticut <input type="radio"/> District of Connecticut Delaware <input type="radio"/> Delaware District of Columbia <input type="radio"/> Capitol Hill <input type="radio"/> D.C. <input type="radio"/> Pentagon Florida <input type="radio"/> Broward County <input type="radio"/> Jacksonville <input type="radio"/> North Central Florida <input type="radio"/> Orlando <input type="radio"/> Palm Beach County <input type="radio"/> South Florida <input type="radio"/> Southwest Florida <input type="radio"/> Tallahassee-\$25 <input type="radio"/> Tampa Bay	Georgia <input type="radio"/> Atlanta-\$10 Hawaii <input type="radio"/> Hawaii Idaho <input type="radio"/> Idaho Illinois <input type="radio"/> Chicago Indiana <input type="radio"/> Indianapolis Iowa <input type="radio"/> Iowa-\$10 Kansas* <input type="radio"/> At Large Kentucky <input type="radio"/> Kentucky Louisiana <input type="radio"/> Baton Rouge <input type="radio"/> Lafayette/Acadiana <input type="radio"/> New Orleans <input type="radio"/> North Louisiana Maine* <input type="radio"/> At Large Maryland <input type="radio"/> Maryland Massachusetts <input type="radio"/> Massachusetts-\$10 Michigan <input type="radio"/> Eastern District of Michigan <input type="radio"/> Western District of Michigan Minnesota <input type="radio"/> Minnesota Mississippi <input type="radio"/> Mississippi Missouri* <input type="radio"/> At Large Montana <input type="radio"/> Montana Nebraska* <input type="radio"/> At Large Nevada <input type="radio"/> Nevada New Hampshire* <input type="radio"/> At Large	New Jersey <input type="radio"/> New Jersey New Mexico* <input type="radio"/> At Large New York <input type="radio"/> Eastern District of New York <input type="radio"/> Southern District of New York North Carolina <input type="radio"/> Middle District of North Carolina <input type="radio"/> Western District of North Carolina North Dakota* <input type="radio"/> At Large Ohio <input type="radio"/> John W. Peck/Cincinnati/ Northern Kentucky <input type="radio"/> Columbus <input type="radio"/> Dayton <input type="radio"/> Northern District of Ohio-\$10 Oklahoma <input type="radio"/> Oklahoma City <input type="radio"/> Northern/Eastern Oklahoma Oregon <input type="radio"/> Oregon Pennsylvania <input type="radio"/> Eastern District of Pennsylvania <input type="radio"/> Middle District of Pennsylvania <input type="radio"/> Western District of Pennsylvania Puerto Rico <input type="radio"/> Hon. Raymond L. Acosta/ Puerto Rico-\$10 Rhode Island <input type="radio"/> Rhode Island	South Carolina <input type="radio"/> South Carolina South Dakota* <input type="radio"/> At Large Tennessee <input type="radio"/> Chattanooga <input type="radio"/> Memphis Mid-South <input type="radio"/> Nashville <input type="radio"/> Northeast Tennessee Texas <input type="radio"/> Austin <input type="radio"/> Dallas-\$10 <input type="radio"/> Del Rio-\$25 <input type="radio"/> El Paso <input type="radio"/> Fort Worth <input type="radio"/> San Antonio <input type="radio"/> Southern District of Texas-\$25 <input type="radio"/> Waco Utah <input type="radio"/> Utah Vermont* <input type="radio"/> At Large Virgin Islands <input type="radio"/> Virgin Islands Virginia <input type="radio"/> Northern Virginia <input type="radio"/> Richmond <input type="radio"/> Tidewater Washington* <input type="radio"/> At Large West Virginia* <input type="radio"/> At Large Wisconsin* <input type="radio"/> At Large Wyoming <input type="radio"/> Wyoming
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Chapter Total: \$ _____

Payment Information and Authorization Statement

TOTAL DUES TO BE CHARGED

(membership, section/division, and chapter dues): \$ _____

☐ Check enclosed, payable to Federal Bar Association
Credit: ☐ American Express ☐ MasterCard ☐ Visa

Name on card (please print) _____

Card No. _____ Exp. Date _____

Signature _____ Date _____

By signing this application, I hereby apply for membership in the Federal Bar Association and agree to conform to its Constitution and Bylaws and to the rules and regulations prescribed by its Board of Directors. I declare that the information contained herein is true and complete. I understand that any false statements made on this application will lead to rejection of my application and/or the immediate termination of my membership. I also understand that by providing my fax number and e-mail address, I hereby consent to receive faxes and e-mail messages sent by or on behalf of the Federal Bar Association, the Foundation of the Federal Bar Association, and the Federal Bar Building Corporation.

Signature of Applicant _____

Date _____

(Signature must be included for membership to be activated)

*Contributions and dues to the FBA may be deductible by members under provisions of the IRS Code, such as an ordinary and necessary business expense, except 4.5% which is used for congressional lobbying and is not deductible. Your FBA dues include \$14 for a yearly subscription to the FBA's professional magazine.