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Inside This Issue:

Clerk of Court Kate Fogarty	3
Bearing Witness and Seeking Justice	5
Clerk's Corner	5
Law Student Awards	7
Insight from Corporate Trailblazers of Color	9



Federal Bar Association
Minnesota Chapter

Bar Talk

Judge David Stras Takes Seat on Eighth Circuit Bench

By Jeff Justman



Judge Stras

On January 30, 2018, the U.S. Senate confirmed Minnesota Supreme Court Justice David R. Stras to a seat on the United States Court of Appeals for the Eighth Circuit. Judge Stras joins Judges James B. Loken and Diana E. Murphy as Minnesota judges currently serving on the Eighth Circuit. Judge Stras sat down with *Bar Talk* to share information about his background, path to the bench, and approach to judging.

Judge Stras's Upbringing Instills Value of Service

Judge Stras grew up in Wichita, Kansas. Throughout his life, Judge Stras has been influenced by family, including his paternal grandparents who were Holocaust survivors. He remembers learning bits and pieces about their time in concentration camps over the course of his childhood. They endured terrible living conditions, including being forced to scavenge and hoard food. They were frequently tortured and beaten. His grandmother, Malvina, once described the origin of her bad eyesight: a prison guard's spiked whip had caught her eye socket, causing a lifetime of glaucoma and cataracts. His grandfather described the number tattooed on his arm as "the number that makes me unique," for Judge Stras to only later find out that a fellow prisoner

Judge Stras, continued on page 2.

Eighth Annual Disability Justice Seminar Examines How Bar Can Increase Access to Justice for Individuals with Disabilities

By Christopher Pinahs

On March 29, Robins Kaplan LLP, in conjunction with the Diversity Committee of the Minnesota Chapter, hosted the Eighth Annual Disability Justice Seminar. The panel included U.S. District Court Judge Donovan W. Frank; Ana H. Voss, Civil Chief, United States Attorney's Office; James C. Backstrom, Dakota County Attorney; and Katie McDermott, The Arc Minnesota, Self-Advocate; and was moderated by Christopher Pinahs, an attorney at Robins Kaplan LLP.

Numerous studies have shown that the risk of criminal victimization for persons with a disability is much higher than for persons without a disability:

- Individuals with disabilities are four to ten times more likely to be abused than those without disabilities.
- The number of women with disabilities who will be sexually assaulted in their lifetime ranges from 68 to 83 percent.
- Children with disabilities are three times more likely to be abused than children without disabilities.
- Persons with disabilities experience violent crimes at more than twice the rate of persons without disabilities.

Disability Justice Seminar, continued on page 2.

Judge Stras, continued from page 1.

had tattooed the number on his arm when he arrived at Auschwitz. Despite unimaginable suffering, his grandfather was optimistic, telling Judge Stras to “make sure something good comes out of something horrible.” Thus, Judge Stras remembers, his grandparents instilled in him at an early age the values of service and standing up for what you believe in. “No single thing has had a greater impact on my life than thinking about that history and learning from it,” Judge Stras explained.

Judge Stras Puts Down Roots in Minnesota and Begins to Serve

Judge Stras attended the University of Kansas and received both an MBA and his law degree in 1999. He then clerked for two federal court of appeals judges, Melvin Brunetti (of the Ninth Circuit) and J. Michael Luttig (of the Fourth Circuit), before clerking for Justice Clarence Thomas of the Supreme Court of the United States for the term beginning in October 2002. Judge Stras married his wife, Heather, in 1997, and they have since had two sons: Brandon, now 17, and Benjamin, now 11.

Following his clerkship with Justice Thomas, Judge Stras’s commitment to service led him to teaching. He joined the University of Minnesota Law School in 2004 and taught there until 2010. His courses included constitutional law, criminal law, and federal courts—all areas that will be the focus of cases he will decide on the Eighth Circuit. In 2006, he was named tenure-track teacher of the year. He also served as faculty adviser to the *Minnesota Law Review* and took pride in assisting students with clerkships.

Judge Stras Joins the Minnesota Supreme Court as the Youngest Justice Ever in the History of the State

In 2010, then-Minnesota Governor Tim Pawlenty appointed Judge Stras to a position on the Minnesota Supreme Court. At age 35, Judge Stras was the youngest justice ever appointed to the Supreme Court in state history. (Judge Stras is quick to point out, however, that there was one younger justice appointed during Minnesota’s days as a territory). Judge Stras

Judge Stras, continued on page 4.

Disability Justice Seminar, continued from page 1.

These crimes often go unreported, mostly due to fear of retaliation or loss of care if the victim were to report the crime. In addition, there are limited advocacy resources available for these vulnerable victims, including a lack of access to lawyers.

This session called to light the need for action within the legal community to better understand the needs of these individuals and the steps attorneys can take to help victims and eliminate biases that individuals with disabilities face inside and outside the courtroom.

In particular, Backstrom discussed steps that attorneys and law enforcement agencies can take to encourage the reporting of crimes against individuals with disabilities and improve the criminal prosecution process. Meanwhile, Voss discussed the civil and criminal cases that the U.S. Attorney’s Office is prosecuting on behalf of individuals with disabilities, including the steps taken during the 2018 Super Bowl to curb human trafficking. The seminar concluded with a discussion between Judge Frank and McDermott, who discussed her experience as a self-advocate for individuals with disabilities. ■

Christopher Pinahs is an attorney with Robins Kaplan, LLP.



Katie McDermott, Judge Frank, Ana Voss, and James Backstrom present at the disability justice seminar.



Katie McDermott and Judge Frank.



Front, left to right: Katie McDermott and Judge Frank. Rear, left to right: James Backstrom and Ana Voss.

Kate Fogarty Sworn In as New Clerk of Court for the District of Minnesota

By Janet Westenberg



Clerk of Court Kate Fogarty.
Photo Courtesy of
Rebecca Parks.

Kate Fogarty was sworn in as the new Clerk of Court for the United States District Court for the District of Minnesota, effective January 1, 2018. She replaces Richard Sletten, who retired December 31, 2017, after having served as Minnesota District Clerk since 1999.

Fogarty will be the fourteenth Clerk for the District of Minnesota since

Minnesota became a state in 1858 and only the third clerk since 1984.

As the previous District Administrator for the Fourth Judicial District Court, Hennepin County, Fogarty brings a wealth of court administration experience to the federal judiciary. Fogarty held the top administrator position in Minnesota's highest-volume judicial district since her appointment in August 2014. However, Fogarty's service with Hennepin County spans eighteen years, as she began her Hennepin County career in 2000 working in such positions as the Education and Organizational Development Manager, Hearing and Fines Office Manager, Human Resources Manager, Senior Criminal Division Manager, and Deputy District Administrator.

During her time with Hennepin County, Fogarty didn't just work her way up the organizational ladder; she collected several accolades along the way. Fogarty was presented the "Outstanding Early Career Professional" award in 2015 by the National Association for Court Management ("NACM") after having been nominated by her colleagues. She also received the National Association of Counties Achievement Award, the 2009 Minnesota Association of Court Management Excellence in Savings and Innovation Award, the Anne V. Simonett Employee of the Year Award, and the Hennepin County Champion of Change and Innovation Star Award.

Colleagues of Fogarty were quoted in the NACM newsletter as not being surprised by her recognition based on her incredible work ethic and the respect for her "down-to-earth demeanor and the level of sincerity she shows others."

Fogarty's work ethic came to her early, having been raised on a dairy farm in Belle Plaine, Minnesota. Fogarty describes having to milk cows before and after school for eight hours a day while young. "I couldn't wait to get away from the farm. So I left to join a good friend in Las Vegas a week after my high school graduation," recalls Fogarty. She laughs at the question about having culture shock when moving to Las Vegas, Nevada from Belle Plaine. "We did not have a lock on our door when I was growing up. In my hometown of 4,000 people, I'd never locked the door in my life, so this was definitely a shock for a farm girl." She points out that the excess of it all was also a shock for someone who had grown up with modest means.

After earning a degree in psychology from the University of Nevada, Las Vegas, Fogarty took a position working in juvenile mediation in Clark County, Nevada. She also worked as a domestic abuse advocate and had originally considered going into social work.

She reveals that she felt drawn to public service very early in life when one of her good friends was killed in a car accident, just a block away from where he dropped her off, when she was sixteen years old. "I always felt like there was some reason that I survived when I could have been in the car. I feel an obligation to make sure whatever I do with my life is meaningful. It's my way of paying tribute to my friend."

When asked what drew her back to Minnesota, Fogarty recalls missing her family and friends as well as the four seasons.

Fogarty achieved a certificate of court management while working for Hennepin County and is currently enrolled at Saint Mary's University of Minnesota, hoping to complete a graduate degree in organizational leadership this December.

Fogarty identifies the highlight of her career working for Hennepin County as planning the Restorative Justice event. She describes the event as a "logistical nightmare" of 1,300 walk-ins at Sabathani Community Center, little time for planning, the entire bench involved, and with eighty buses picking up people involved in community service. But the goal was to break the cycle for low-level offenders and give them a fresh start. "I felt like I was doing something for the community. It was also a good outreach event for the community to see the court trying to give people a second chance."

Fogarty hopes the legacy she left behind at Hennepin County was promoting a positive, healthy, and efficient working environment. "I didn't tolerate unkindness in the workplace, and I believe I brought a level of accessibility to those who might not have otherwise had access to the court." She is proud of several of the initiatives she started to improve court access, such as night court, and to improve court efficiency.

When she's not working on new ways to improve court operations and enhance employee engagement, Fogarty likes to do something physical. She explains that one of the biggest challenges for her, having grown up on a farm, is the lack of physical movement in the workplace. While she's not one to go run on a treadmill, she used to renovate homes and has "flipped" six houses in the past. Currently, Fogarty is building a multi-generational home with her parents so that they can grow old on the farm that has been in their family for generations, making half the house handicap accessible while she lives on the other side of the house. Fogarty also enjoys paddle boarding and traveling.

Fogarty Sworn In, continued on page 6.

Judge Stras, continued from page 2.

remembers wondering if, at that age, he was ready for such an important role. “I remember during my first argument, my hand was shaking when I was preparing to press the button so I could ask my first question from the bench,” Judge Stras recalled.

Judge Stras quickly thrived on the court, aided by the court’s well-known collegiality. Judge Stras appreciated how his colleagues were bright, thoughtful, and focused on deciding the cases as collaboratively as possible. Judge Stras recalls that during his first year or two on the bench, one of his most challenging tasks was learning when to write separately. He ultimately learned to author concurring or dissenting opinions when his views on an issue were particularly strong or when he could contribute to legal discourse by introducing a different way to look at an issue. He also became more adept at cutting to the core of an issue as his time on the bench went on.

Later on in his tenure on the Minnesota Supreme Court, Judge Stras became the liaison to the Office of Lawyers Professional Responsibility and the Lawyers Professional Responsibility Board, which required him to serve as the court’s ethics expert and to sign the orders imposing discipline on attorneys. Judge Stras took that role seriously, and believes it was one of his most important contributions to the court. At the time of his nomination to the Eighth Circuit, he was the third-most senior justice on the Minnesota Supreme Court.

Judge Stras Joins the Eighth Circuit Bench

When Judge Diana Murphy took senior status, President Trump nominated then-Justice Stras for the vacancy. Though he had authored articles on the politics of the federal judicial-selection process when he was a law professor, that was academic; he experienced the ups and downs of the nomination and confirmation process first-hand when then-Senator Al Franken withheld his “blue slip,” the blue form used by senators to signal their assent to a nomination. Ultimately, Judge Stras persevered and became the first federal appellate judge in more than 30 years to win confirmation despite the objection of a home-state senator.

In his first few months on the job, Judge Stras has noted both similarities and differences from his former position on the Minnesota Supreme Court. Some areas of administrative law are quite similar, for example, while other areas of the law—including criminal sentencing—are strikingly different. “In some ways, you have to forget what you learned” while on the state bench, Judge Stras commented. Still, both roles focus on the same fundamental task: deciding cases fairly and impartially, based on the law and not on Judge Stras’s personal views.

Advice for Practitioners Who Appear Before Judge Stras

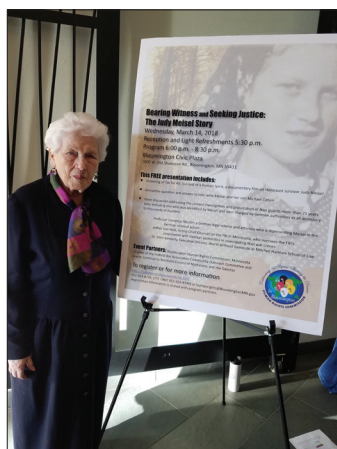
Judge Stras values good advocacy and provided a few tips for appellate lawyers who might appear before him:

1. At oral argument, the “best thing you can do is answer the question,” Judge Stras advised. “Don’t obfuscate. Don’t play fast and loose with the law.” Judge Stras remarked that the lawyers he remembered best were the ones who conceded ground when they had to, which made their arguments more effective.
2. Minimize string cites and footnotes in briefs. Judge Stras reads briefs on his iPad, using a special app for federal judges. It’s an “absolute nightmare” to read lengthy footnotes or string cites in briefs, Judge Stras explained, because it breaks the flow. “Pick your best case or two,” and explain those, Judge Stras suggested.
3. Draft briefs to mirror the writing of the judges who will decide the case. Most Eighth Circuit judges write in short, clear prose, without needless asides, metaphors, or footnotes. “It’s wise to take a cue from the people to whom you’re arguing your case,” Judge Stras commented.

Judge Stras sat on his first panel hearing cases in April 2018 and looks forward to many more in the years to come. ■

Jeff Justman is an associate at Faegre Baker Daniels LLP specializing in appeals and shareholder and securities litigation. He previously clerked for Judges Loken and Murphy on the Eighth Circuit, and also served as a research assistant to then-Professor Stras as a student at the University of Minnesota Law School.

“Bearing Witness and Seeking Justice” Brings Judy Meisel’s Story of Hope and Survival to Community



Judy Meisel.
Photo courtesy of Soni Cohen.

“We have to care for one another. One person can do a lot.” These themes, spoken by Holocaust survivor Judy Meisel, resonated to a packed house at the March 14 event “Bearing Witness and Seeking Justice: The Judy Meisel Story,” which brought Meisel’s story to the Bloomington City Plaza. Meisel, a retired teacher who regularly shares her inspiring story with schoolchildren and adults, is currently a co-plaintiff in a German criminal action against one of the Nazi guards who patrolled the Stutthof concentration camp, where she was imprisoned during World War II. The event, sponsored by the Minnesota Chapter, the City of Bloomington, and the Jewish Community Relations Council of Minnesota and the Dakotas, told Meisel’s amazing story of survival and hope and discussed the tools the legal system has to provide justice to those who have been wronged.

The program began with a screening of *Tak for Alt: Survival of a Human Spirit*, a film that chronicles Meisel’s return to significant places from her early life. Born into a Jewish family in a Jewish community in Lithuania, Meisel and her family were forced into the Kovna ghetto after Germany invaded Lithuania in 1941. There, as a child, she was forced to work in a rubber factory making books for the German army and subsisted on about 300 calories per day. In June 1944, her family was “relocated” to Stutthof concentration

camp in Poland, where she narrowly escaped the gas chamber after a guard ordered her back to the barracks. She and her sister escaped when Allied forces bombed the area around Stutthof as camp prisoners were driven on a death march. They eventually survived the remainder of the war by pretending to be Catholics while working as servants for a German family that ran a German munitions supply. When the Allies invaded, the family took Meisel and her sister with them on a boat to Nazi-occupied Denmark. Meisel and her sister survived the torpedoing of the boat and were taken in as refugees in Denmark. It was only after Denmark was liberated that they could outwardly identify as Jewish. Meisel later moved to Canada to reunite with her brother, who had been imprisoned at the Dachau concentration camp. She became involved with the civil rights movement after seeing the way an African-American family in Philadelphia was treated when they moved into a white neighborhood and has since shared her story with many as a teacher, speaker, and activist.

Bearing Witness, continued on page 6.

Clerk’s Corner

By Kate M. Fogarty

As your new Clerk of Court for the U.S. District Court for the District of Minnesota, I consider it a great honor to be an honorary member of the Minnesota Chapter of the Federal Bar Association. I am beyond impressed with the amazing partnership that exists between this bar and the U.S. District Court for the District of Minnesota.

It is clear that the years of innovation, strategic thinking, and tireless effort by Chapter membership and judges have benefited not only the legal community but also our community in its entirety. Thank you for the opportunity to share court announcements, updates, and notices in your publication.

In March, the District of Minnesota approved amendments to Local Rule 9.1, Social Security Number in Social Security cases. Former Local Rule 9.1 required that a plaintiff suing the Commissioner of Social Security under 42 U.S.C. § 405(g) serve and file both the complaint and the plaintiff’s Social Security number. The rule now directs that the complaint be served and filed, but that the plaintiff’s Social Security number be served but not filed. For additional information, please visit www.mnd.uscourts.gov/Notices/2018/2018-0313-Public-Notice-LocalRule.pdf.

The Court is pleased to announce that attorneys Ann Anaya and Andy Luger have been appointed by Chief Judge John R. Tunheim to co-chair a fourteen-member merit selection panel. The panel will advise the Court on the selection of a new magistrate judge to serve in Minneapolis or St. Paul upon the retirement of U.S. Magistrate Judge Franklin L. Noel. The panel will recommend the five candidates they deem best qualified for the position to the district court judges. The judges will conduct interviews in mid-June.

Clerk’s Corner, continued on page 8.

Fogarty Sworn In, continued from page 3.

Fogarty describes her position as Clerk for the District of Minnesota as her “dream job.” “I’m proud of the contributions I’ve made at the county and state level, and now I want to contribute at the federal level.” The fact that there have only been two clerks before her since 1984 tells her that the District of Minnesota is a great place to work.

She believes her leadership strengths focus on collaboration and transparency in management. “I think the best ideas come from the people who do the work every day. The level of professionalism and pride in those who work here was immediately apparent, and that is really exciting to me to work with people who care about what they do.”

Fogarty indicates a quality that makes a good leader as being a good listener. “All the answers I need are here; I just have to listen to discover them.” What she would like the federal judiciary community to know about her is that she’s open to feedback. “If there’s a more efficient way to do something, I want to hear about it.” She is also keeping a list of things she has seen and ideas that people have given to her about how things can be improved that she continually references.

Fogarty identifies her future goals for the District of Minnesota as to make improvements for the “customers.” She defines her customers as the bench, the public, and all the people working in the court. She characterizes her job as helping others to find the resources they need and eliminating obstacles keeping them from accomplishing their goals. “I want to make this the best federal court in the country,” she proclaims enthusiastically. ■

Janet Westenberg is a Deputy Clerk for the U.S. District Court, District of Minnesota.

Bearing Witness, continued from page 5.



Judge Susan Richard Nelson, Judy Meisel,
and Michael Cohen after the event.
Photo courtesy of Soni Cohen.

Following the film, Steven Hunegs, Executive Director of the Jewish Community Relations Council of Minnesota & the Dakotas, moderated a question-and-answer session with Meisel and her son Michael Cohen, an attorney at the Minneapolis office of Gray Plant Mooty. Audience members submitted questions, and Meisel shared her thoughts about what it was like to meet Dr. Martin Luther King, Jr. (“I told my kids, ‘This is what I want you to grow up like.’”) and how it felt when two German investigators showed up at her apartment last summer to interview her about what she experienced at the Stutthof concentration camp. Cohen emphasized how fortunate he felt that his mother shared her story with him because the transfer of memory—from mother to child and from generation to generation—is so important.

The event concluded with a panel moderated by Adam Hansen and featuring Professor Cornelius Nestler, a legal scholar at the University of Cologne and the attorney representing Meisel in the upcoming trial of the Stutthof guard; Jeffrey Van Nest, Acting Chief Counsel for the FBI in Minnesota, who oversees the FBI’s cooperation with German authorities in investigating Nazi war crimes; and Dr. Ellen Kennedy, the Executive Director of World Without Genocide at Mitchell Hamline School of Law. Professor Nestler provided an overview of the development of the legal theory of prosecuting war crimes since Nuremberg and explained how Meisel could be a co-plaintiff in a criminal action. Unlike in the United States, courts in the German legal system are inquisitorial. Although the state plays a role and is represented by a prosecutor, victims can also be parties

and be represented by counsel as a co-plaintiff. Dr. Kennedy discussed the role of the trial as an element of transitional justice, an event that allows society to move from the heinous crimes that occurred back to the rule of law. Van Nest explained the international treaties developed after World War II that allow the United States to assist foreign governments in searching for perpetrators of war crimes throughout the world and bringing them to justice. The panelists emphasized the important role that witnesses play at war crimes trials because they provide a face for the victims and show how the crimes have impacted them. In short, they tell more than what has already been made part of the historical record.

In spite of the difficult subject matter at the core of this event, the program ended on a hopeful note. As Meisel said, “One person can do a lot.” To learn more about Meisel’s story, visit judymeisel.com. ■

Minnesota Chapter Hosts 36th Annual Law Student Scholarship Award Ceremony and Reception

By Ellen Hunt



Chief Judge Tunheim, Andrew Hanson, Lisa Montpetit Bratton, Judge Ericksen, Devin Driscoll, Garry Jenkins, Judge Frank, Hannah Holloran, Mark Gordon.

Photo courtesy of Ellen Hunt.

On April 5, 2018, the Minnesota Chapter hosted the annual law student scholarship award ceremony and reception at the University of Minnesota Law School. The ceremony celebrated the accomplishments of one graduating student from each local law school who has demonstrated excellence in the study and practice of federal law. Each award is named in honor of a person who significantly contributed to the federal legal system in Minnesota. Award recipients receive \$2,000 and an engraved wooden plaque.

This year the Judge Edward J. Devitt Award was presented by U.S. District Judge Joan N. Ericksen to Devin Driscoll from the University of Minnesota Law School. U.S. Chief District Judge John R. Tunheim presented the Judge Earl R. Larson Award to Andrew Hanson from the University of St. Thomas School of Law. Senior United States District Judge Donovan W. Frank presented the Harry A. Sieben Award to Hannah Holloran from Mitchell Hamline School of Law.

The Minnesota Chapter has recognized outstanding achievement by law students from local law schools for thirty-six years. The program furthers the Chapter's mission of encouraging and maintaining high standards of learning and competence in the legal profession. The Chapter thanks the students, judges, law school deans, professors, and supporters for making the wonderful event a success. ■

Ellen Hunt is a second-year law student at the University of Minnesota Law School.

Chapter Hosts CLE Addressing Hate Crimes Based on Gender and Sexual Orientation

By Cassandra Doran

On April 11, 2018, the Diversity Committee of the Minnesota Chapter of the Federal Bar Association presented the second installment of its four Hate Crime CLEs at Mitchell Hamline School of Law, "Hate Crimes Based on Gender and Sexual Orientation." The panel and reception that followed was co-sponsored by the Minnesota State Bar Association, the Minnesota Lavender Bar Association, the LGBT Law Section of the Federal Bar Association, and the Mitchell Hamline School of Law Student Chapter of the Federal Bar Association. The panel was comprised of Anthony Winer, Professor of Law at Mitchell Hamline School of Law; Jess Braverman, Hennepin County Public Defender's Office; Cheryl Thomas, Founding Director of Global Rights for

Women; and Eva Wood, Anti-Violence Program Director at Outfront Minnesota.

The panel provided valuable insight on current legislation regarding hate crimes and the disparate impact hate crime legislation can have on minorities. The panel also highlighted the importance of early education encouraging empathy and celebration, not just acceptance, of non-gender conforming and LGBTQ individuals.

Please mark your calendars for the final CLE session in the series, "The Rising Tide of Hate Crime and What Can Be Done About It," on May 24 at Windows on Minnesota as part of the Federal Practice Seminar. ■

Cassandra Doran is a law student at Mitchell Hamline School of Law and a law clerk at Cozen O'Connor.

Clerk's Corner, continued from page 5.

The Court now offers an expedited three-day transcript delivery rate. The new per-page rate for an expedited three-day transcript will be \$5.45 per page for the original transcript, \$1.05 per page for the first copy, and \$0.75 per page for additional copies to the same party. A detailed list of all updated transcript rates, order forms, filing instructions, and other important information regarding transcripts, court reporters, and digital audio recordings may be found by visiting www.mnd.uscourts.gov/cmecf/tr-index.shtml.

The Court is proud to partner with the District of Minnesota Bankruptcy Court and local schools to celebrate the naturalization of our new citizens. Four dozen fifth graders from Epiphany School in Coon Rapids attended a March naturalization ceremony in the Judge Edward J. Devitt Courtroom of the St. Paul courthouse. The students led the ceremony in the Pledge of Allegiance and sang the Star Spangled Banner. U.S. Bankruptcy Judge William J. Fisher presided over the ceremony and addressed questions after the ceremony. The Court is looking forward to sponsoring additional schools in the upcoming months and years.

In March, a delegation from the African nations of Burkina Faso, Congo, Djibouti, Mali, Nigeria, Somalia, Togo, Tunisia, and Uganda visited the District of Minnesota at the St. Paul courthouse to learn about the U.S. federal court system and best practices in court administration. Delegates listened to presentations and were able to ask questions of U.S. Magistrate Judge Becky R. Thorson, Chief Deputy Clerk Tricia

Pepin, Assistant Operations Manager Michael Vicklund, and Courtroom Deputy Terianne Bender.

The Court held its second annual News Media Luncheon on February 20 in the Minneapolis courthouse jury assembly room. Chief Judge Tunheim, along with Judge Joan N. Ericksen, Judge Michael J. Davis, Judge Donovan W. Frank, and Magistrate Judge Leo J. Brisbois welcomed two dozen members of the local news media to hear about current events in the District of Minnesota as well as listen to feedback on how the Court can be accessible to the media.

Lastly, the Court, in collaboration with the District of Minnesota History Committee and the family of the judge, is pleased to announce the portrait unveiling ceremony of Judge Gunnar H. Nordbye. Judge Nordbye was born in 1888 in Urskog, Norway, and immigrated to the United States while quite young. His Norwegian heritage later attracted attention due to his habitual Norwegian toast to the sun at the annual Eighth Circuit Judicial Conference. Judge Nordbye was appointed to the District of Minnesota by President Herbert Hoover and was confirmed by the Senate in 1932. He served as the chief judge of the District of Minnesota from 1948 to 1959. Judge Nordbye served on the bench for thirty-five years, earning the title of "Grand Seignor" of the District Court. He passed away in 1977. Please join us in celebrating Judge Nordbye's contributions to the judiciary at his portrait unveiling on Monday, July 9 at 3:00 p.m. on the fifteenth floor of the Minneapolis courthouse. ■

Kate M. Fogarty is the Clerk of Court for the District of Minnesota.

Dar Al-Farooq Islamic Center Hosts CLE Addressing Hate Crimes Against Immigrants

By Alia Abdi and Nadia Anguiano-Wehde

The Diversity Committee of the Minnesota Chapter presented the third CLE in its four-part hate crime CLE series on April 24 at the Dar Al-Farooq Islamic Center in Bloomington. The CLE, titled “Hate Crimes Against Immigrants: A Discussion,” focused on the history, legal framework, and current state of hate crimes against immigrant communities. The location of this CLE was of particular significance: last year, Dar Al-Farooq was the target of a bias-based bombing.

To kick off the event, Mohamed Omar, the executive director of Dar Al-Farooq, described the bombing and the resilience and strength exhibited by the community in the aftermath. Next, an expert panel engaged in a thought-provoking discussion. The panel featured Cynthia Deitle, programs and operations director at Matthew Shepard Foundation and former supervisory special agent of the FBI’s Hate Crimes, Color of Law, Human Trafficking and Abortion Extremism Programs;

Hate Crimes Against Immigrants, continued on page 11.

Newer Lawyers Group Hosts Forum Addressing “Insights from Corporate Trailblazers of Color”

By Sahr A.M. Brima

On April 5, 2018, the Chapter’s Newer Lawyers Program held a panel conversation on the opportunities and challenges encountered by three Twin Cities business leaders of color as they advanced in their respective careers. The event featured Kevin Warren, Chief Operating Officer of the Minnesota Vikings; Gaye Adams-Massey, Chief Executive Officer of the YWCA; and Ben Omorogbe, Vice President and Associate Group General Counsel of the Travelers Companies.

Warm introductions by Professor Ruth L. Okediji, the Jeremiah Smith Jr. Professor of Law at Harvard Law School and co-director of the Berkman Klein Center, were followed by a sobering review of the current state of racial, ethnic, and gender diversity in the law, both nationally and locally.

The panelists spoke to the statistics, providing stories of their professional journeys and practical wisdom on navigating challenges and creating opportunities to beat the odds. Adams-Massey remarked on the importance of doing work that reflects one’s values and developing mentors and sponsors. She stated, “I came up in the Civil Rights era, so I learned the importance of living your values no matter the risk. [At the same time] you will need people to advocate on your behalf, especially when you’re not in the room.”

Omorogbe recounted the challenges of immigrating to the United States from Africa with only a hundred dollars in his pocket. Through hard work, he found opportunity in Minnesota and has since created opportunities for other attorneys of color. He stated, “I have deep respect for Robins Kaplan. This is the room where the inaugural meeting of the Minnesota Association of Black Lawyers was held.”

Warren told a tremendously inspiring story of overcoming significant obstacles, including a near-fatal car accident. He emphasized the need for resilience, hard work, and helping others along the way, stating, “Remember to send the elevator back down to get others as you ascend.”

The panelists also advised current law firm and corporate leaders about effective strategies for cultivating the talents of attorneys of color and underrepresented groups more generally.

The goal of the event was to provide aspiring leaders of color the perspective and advice the panelists had gained through highly successful careers. The event was attended by partners, associates, judges, in-house counsel, and corporate officials. It was hosted by Robins Kaplan LLP and moderated by Sahr A. M. Brima. ■

Sahr A. M. Brima is an associate at Robins Kaplan LLP.



Ben Omorogbe, Gaye Adams-Massey, and Kevin Warren share insights from their careers.

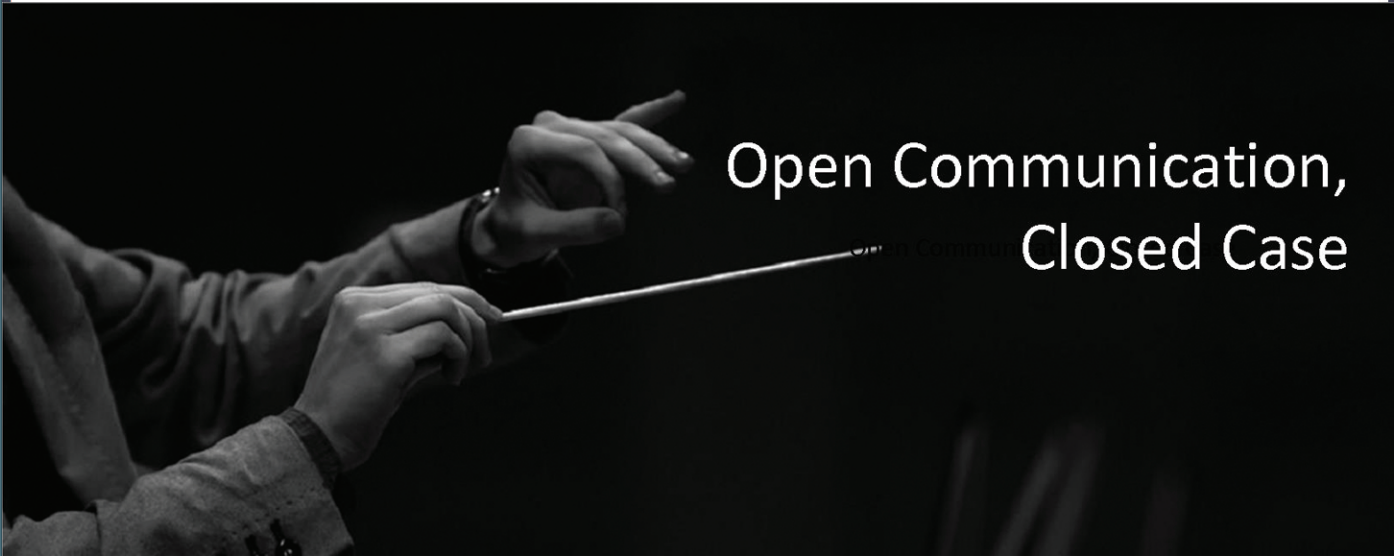


Attendees enjoyed the event.



Kevin Warren.

Photos courtesy of Robins Kaplan LLP.



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Hate Crimes Against Immigrants, continued from page 9.

Deepinder Singh Mayell, director of the James H. Binger Center for New Americans' Education and Outreach Program at the University of Minnesota Law School; Robin Phillips, executive director of The Advocates for Human Rights; and Imam Asad Zaman, executive director of the Muslim American Society of Minnesota, who served as the moderator.

Deitle began by explaining that hate crimes are about power and control, and generally are accompanied by the conviction that the crime will be validated by other people with similar views. Phillips explained that hate crimes often start with small acts and build up until perpetrators feel empowered to put their bias on full display. Turning to the current state of hate crimes, the panel commented that trends are difficult to ascertain due to underreporting. Nevertheless, Mayell and Phillips pointed to recent Minnesota-based studies where immigrants reported feeling fear from experiencing significant discrimination.

In responding to what victims of hate crime can do, Mayell encouraged victims to stand up for themselves and "reclaim their voices." Victims of hate crime are strongly advised to report incidents to officials in their county and city, as well as to the FBI. The panel reminded the audience that hate crimes do not occur in a vacuum, and that positive change can occur when people advocate for those who are different from them.

The event was co-sponsored by Lockridge Grindal Nauen P.L.L.P.; the Minnesota State Bar Association; the Minnesota Association of Black Lawyers; the Somali American Bar Association; the American Constitution Society, Minnesota-St. Paul Lawyer Chapter; the Minnesota Hispanic Bar Association; and the Minnesota Asian Pacific Bar Association.

Please mark your calendars for the final CLE in the series, "The Rising Tide of Hate Crime and What Can Be Done About It," to be held on May 24 as be part of the 44th Annual Federal Practice Seminar at the Windows on Minnesota IDS Center. ■

Alia Abdi is an associate at Zimmerman Reed practicing in consumer protection and securities fraud. Nadia Anguiano-Wehde is a law clerk at the U.S. District Court for the District of Minnesota.

Minority Judges Reception

Members of the bench and bar gathered on March 8 for a reception honoring minority judges on the state and federal bench.

Photos courtesy of Kenyon Starks.



U.S. District Court Judge David S. Doty, U.S. Magistrate Judge Leo I. Brisbois, and Doug Olson, Assistant Federal Defender.



Hennepin County District Court Judge Pamela J. Alexander and U.S. District Court Judge Michael J. Davis.



U.S. District Court Judge Joan N. Ericksen, Minnesota Supreme Court Justice Margaret H. Chutich, Ramsey County Judge Jeffrey M. Bryan, and Minnesota Supreme Court Justice Natalie E. Hudson.



The judges in attendance.



Hennepin County District Court Judge Pamela J. Alexander and Amran Farah, law clerk to Magistrate Judge Franklin L. Noel.

Upcoming Events:

May 24, 2018

Federal Practice Seminar
8:00 a.m.
Windows on Minnesota,
IDS Center, Mpls

August 27, 2018

Golf Tournament
Midland Hills Country
Club, Falcon Heights

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A special thank you to **Rebecca Baertsch**, Judicial Assistant to Judge Donovan W. Frank, for her proofreading expertise, and **Taya Swenson Schmid**, Dorsey & Whitney LLP, for her layout assistance.

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Want to get involved in the Minnesota Chapter of the Federal Bar Association? Visit <http://www.fedbar.org/Chapters/Minnesota-Chapter/Chapter-Initiatives.aspx> for a full list of committees and information about how to get involved.

Online Registration:

The Minnesota Chapter of the FBA utilizes an online registration system for the monthly Minneapolis Club luncheons. A registration link will be sent to you via e-mail for each luncheon. One feature of the system is the automatic calendar entry; just click "Add to Calendar" from the registration system or your confirmation e-mail. Registration coordinators have the option to register multiple attendees in a single registration. Also, Season Pass Holders must register for each luncheon online to select their meal choice and confirm their attendance.

If you have any questions about the registration system, please e-mail Liz Cowan Wright at liz.wright@faegrebd.com.



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