

## MINNESOTA CHAPTER OF THE FEDERAL BAR ASSOCIATION

# Bar Talk



## JUDGE DIANA E. MURPHY: MEMORIES FROM THE DISTRICT COURT



Here's the inside scoop on **Judge Diana E. Murphy**.

She was a Fulbright Scholar, speaks German, and has a passion for

German history. She regularly has cases of Tab® delivered to her Chambers in the dead of night. She is a matchmaker. Among other things, she performed the marriage ceremony of **Judge Jonathan Lebedoff**, and she introduced the authors (co-clerks in 2003-04), who are now married. Her favorite movie? *Kill Bill I*.

Judge Murphy was appointed to the district court in 1980 (serving as the chief judge from 1992-94) and to the Eighth Circuit in 1994. She is the first woman to serve on each of those courts. Before she took the federal bench, Judge Murphy was a state court judge. She earned that position just two years after graduating from the University of Minnesota Law School in 1974. How did she pull that off? She has judicial superpowers.

In addition, "she is the hardest working person that I've ever known," Judge Lebedoff declares. Judge Lebedoff, who served as her magistrate judge on the district court, recalls that Judge Murphy was always instantly on top of every case. "She would not need a reminder, and she knew every detail and every nuance of the case," Judge Lebedoff said. Judge Murphy would come to the right decision—"and quickly."

Judge Murphy recalls particular cases as highlights from her tenure on the district court. After a three-week trial, Judge Murphy upheld hunting and fishing rights granted to the Mille Lacs Band of Chippewa by an 1837 treaty. Judge Murphy reasoned that treaties are to be interpreted in accordance with the understanding of the individuals who signed those treaties. Her reasoning was substantially adopted by the Supreme Court. *Mille Lacs Band of Chippewa Indians v. Minnesota*, 861 F. Supp. 784 (D. Minn. 1989), *aff'd* 124 F.3d 904 (8th Cir. 1997), *aff'd* 526 U.S. 172 (1999).

Another key case Judge Murphy decided was *United States Jaycees v.*

*McClure*, 534 F. Supp. 766 (D. Minn. 1982). There, Judge Murphy ruled that the Minnesota public accommodations law required that the Jaycees accept women as members, rejecting the organization's claim that its "men-only" rule was protected by the First Amendment. The Eighth Circuit reversed, 709 F.2d 1560 (8th Cir. 1983), but the Supreme Court reinstated Judge Murphy's original ruling, 468 U.S. 609 (1984).

Judge Murphy's time on the district court continues to inform her philosophy as an appellate judge. She knows that to understand a case

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and to reach a just decision on appeal, there is no substitute for a fair study of the district court record. Even so, the record on review may not convey everything that a district court judge observes of a defendant at a sentencing hearing. It might obscure the full context of the difficult evidentiary calls made in the heat of trial. Judge Murphy understands first-hand the importance of respecting discretionary decisions made by district court judges and the need to provide clear guidance to district courts.

In addition to her work as a judge (and matchmaker), Judge Murphy has served in a distinguished capacity on the boards of the Bush Foundation (1982-2007), Minneapolis United Way (1986-2001), University of Minnesota Foundation (1990-present), Minnesota Opera (1998-2003, 2005-present), and the University of St. Thomas School of Law (2001-present). She also served as chair of the U.S. Sentencing Commission from 1999-2004—a position Judge Lebedoff describes as a second, full-time, non-paying job, which she

balanced while serving as an active appellate judge.

"I have never known anyone to make fuller use of her time," says Judge Lebedoff. Maybe it's all that Tab®.



**Laura Provinzino** is an attorney at Robins, Kaplan, Miller & Ciresi L.L.P.

**Mark Johnson** is an attorney at Greene Espel P.L.L.P. They clerked for Judge Murphy in 2003-2004. And they really are married.



## LAWYERS CONCERNED FOR LAWYERS (LCL)



In a few weeks, most of us (or our law firms) will be writing out a check for Minnesota's yearly bar license fee. If you're like me, you may wonder where all that money goes. The partial answer is that some of the money goes to help fund Minnesota's Lawyer Assistance Program, which is run by Lawyers Concerned for Lawyers, or LCL. Founded in 1976, LCL provides confidential assistance to judges, lawyers, and law students on issues such as chemical dependency and other addictions, depression and other mental health issues, and other personal and professional issues.

As one of LCL's founders, **Jerry Freeman**, said, "It takes another lawyer to crack through [a lawyer's] well-honed arguments for not doing something about a problem."

**Judge Donovan W. Frank** has been on the Board of LCL since 2005. Coincidentally, the year LCL was founded was the same year that Judge Frank, then a third-year law student at Hamline University, began to face his own alcohol and drug problem. As a young lawyer and then a state-court judge in the Sixth District, Judge Frank became involved with the Range Mental Health Center because of his personal experience with chemical dependency. He notes that, especially as a state judge, "my background proved not to be a liability, but an asset" in dealing with offenders, many of whom had chemical dependency issues.

Judge Frank's service to the Range Mental Health Center culminated

in the dedication of the Judge Donovan Frank Detox Service/Range Treatment Center building in January of 2000. Known as the "Frank Tank" to residents and employees alike, the building is a source of well-deserved pride for Judge Frank, who keeps a photo in his office of the building and of the ribbon-cutting ceremony, which included the late **Senator Paul Wellstone** and his wife, **Sheila**.

Judge Frank is the first federal judge to serve on LCL's Board, and his inclusion on the Board is not accidental. He was asked to serve on the Board not only because of his personal background and his record in state court, but also to get the word out about LCL to members of the federal bar.

LCL's services are free and confidential. They offer 24-hour-a-day telephone counseling, up to four free individual counseling

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sessions, referrals to other counseling or treatment options, support and therapy groups, and a mentor program. In the mentor program, volunteers serve as mentors to lawyers, judges, or law students who seek LCL's help. Mentors offer one-on-one support to supplement ongoing treatment or to provide support if treatment is delayed. LCL attempts to

connect a client with a volunteer mentor who has a similar profile, including similar mental health or dependency issues.

In each of the past two years, LCL has seen a 15% increase in calls for help. Approximately 40% of those seeking help have chemical or other addiction issues, 40% have a mental health concern, and the rest are dealing with issues such as

relationship or family problems, grief, financial or job concerns, or general stress. While the number of lawyers, judges, and law students

needing help is increasing, funding for LCL is not. LCL welcomes all donations, whether from individual lawyers or from organizations. LCL also maintains a fund in honor of its founders, which provides assistance with the costs of treatment for those who cannot otherwise afford it.

LCL offers CLE programs and presentations to educate the legal community about the services they offer. If you want more information about LCL, visit [www.mnlcl.org](http://www.mnlcl.org).

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**Anita Terry** is a member of the Communications Committee for the Minnesota Chapter of the Federal Bar Association and a law clerk to the Honorable Paul A. Magnuson.

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## JUDGE RICHARD H. KYLE — “HE’S HIGH GRADE”

“He’s high grade.” These words of **Judge Edward J. Devitt**, along with Judge Devitt’s spirit, were invoked frequently during the May 7, 2009, presentation ceremony for the portrait of **Judge Richard H. Kyle**, a former Devitt law clerk. **Judge Donald D. Alsop** began his remarks at the ceremony with this quote, noting that Judge Devitt used it to describe people he thought of highly. This phrase aptly describes Judge Kyle and his seventeen years on the bench. Judge Kyle’s portrait was presented to a special session of the United States District Court for the District of Minnesota in the Edward J. Devitt Ceremonial Courtroom in the newly renovated St. Paul Federal Courthouse. **Chief**

**Judge Michael J. Davis** presided over the session that included remarks by Judge Alsop, **Judge Paul A. Magnuson**, and former Judge Kyle law clerks **Jim Zappa** and **Tom Schumacher**. The ceremony was a celebration of Judge Kyle’s legal career, both past and present.

In the opening remarks, Judge Alsop reminisced about the fact that he had administered the oath of office to “Sarge” Kyle on June 19, 1992. As Judge Alsop explained, **Judge Robert Renner** had taken senior status in January of 1992. Between January and Judge Kyle’s confirmation, the Clerk’s Office started assigning cases to “Judge X” in Judge Renner’s absence. As the story

goes, “Judge X” closed 90 cases between January and June of 1992. Judge Alsop jokingly asked if Judge Kyle managed to close that

many cases in his first six months on the bench. Joking aside, Judge Alsop had high praise for Judge Kyle and his work on the bench, noting that Judge Kyle was faithful to the oath that Judge Alsop gave him seventeen years earlier; that Judge Kyle was quiet, dignified, superb, and not a showboat; and that Judge Kyle displayed Judge Devitt’s quality of



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civility—civility to everyone he came into contact with throughout the day.

Judge Magnuson was up next. He talked about Judge Kyle's distinguished career as a trial lawyer at Briggs and Morgan in St. Paul, and reminisced about 7:30 a.m. breakfast meetings with Judge Kyle, joking that, by 7:30 a.m., Judge Kyle had already been up for hours (a reference to Judge Kyle's well-known proclivity for early mornings). Judge Magnuson referenced Judge Devitt's "Ten Commandments for the New Judge," an article that has become standard reading for lawyers and judges alike, and said that no judge has lived the ten commandments as Judge Kyle has. Finally, Judge Magnuson said that one of the best things he did as Chief Judge was to ask Judge Kyle to head up the renovation of the St. Paul Courthouse. Judge Magnuson noted that the renovated building is what it is thanks to the hard work and attention to detail put into the project by Judge Kyle.

The remarks were rounded out by former law clerks Jim Zappa and Tom Schumacher. Jim noted that, as one of Judge Kyle's first law clerks, he has never worked harder and had more fun at a job; and that Judge Kyle was with his clerks every day, seven days a week (a nod to Judge Kyle's famous work ethic—both for himself and his clerks). Jim remembered that Judge Kyle showed Devitt's "Ten Commandments" to his clerks and, consistent with those ideals, issued straightforward opinions, without pretense, in a prompt manner, clearly explaining the reasoning behind his decisions. Jim also touched off the most emotional moment of the ceremony by speaking about Judge Kyle's deeply committed friendship with his former law clerk **Liz Cumming**, who lost her battle with cancer in July 2008. As Jim said, he's "Our Judge," and Tom's comments echoed these sentiments.

In closing, Judge Kyle addressed the attendees and speakers, by thanking all for their kind words. He said that Liz was with him and his federal family in spirit. For

those who know Judge Kyle's wife, **Jane**, it is no surprise that she received praise and applause several times

throughout the ceremony, and so too during Judge Kyle's portion of the remarks. The special occasion was attended by Judge Kyle's family, judges from the U.S. District Court and Eighth Circuit, Judge Kyle's current and former law clerks and staff, and other members of the federal bar. After the special session of court was adjourned, all retired into the new jury assembly room for snacks and refreshments, and Judge Kyle was surrounded by family, friends, and colleagues, some of whom lifted a glass of Dewar's in his honor.



**Leah Chalmers Janus** is a member of the Communications Committee for the Minnesota Chapter of the Federal Bar Association and an attorney at Fredrickson & Byron, P.A.

## OPEN DOORS TO JUSTICE

*A well-informed populace is vital to the operation of a democracy.* — Noam Chomsky

Just as an informed populace is vital to our democracy, so is a willing and qualified jury pool vital to our system of justice. A program sponsored by the Administrative Office of the United States Courts gives young people a positive introduction to the federal courts, to ensure that future generations

understand the importance of jury service and thereby safeguard this fundamental pillar of American justice.

This program, Open Doors to Justice, is shepherded in Minnesota by **Judge Donovan W. Frank**, ably assisted by his judicial assistant, **Becky Baertsch**, and by **Charlie Cree** of the Clerk's Office. Every spring, Judge Frank and attorneys from the United States Attorney's

Office and the Federal Defender's Office visit two or three area high schools to present a case scenario to the students. As they have in years past, this year **Assistant U.S. Attorney Ann Anaya** and **Assistant Federal Defender Manny Atwal** volunteered to be the students' attorney mentors. The students, along with the attorneys, then prepare a lawsuit based on the

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scenario, in the process learning about opening statements, direct and cross examination, closing arguments, evidentiary issues, and the role of the jury.

This year's lawsuit, *Young v. Gardner*, presented a situation of interest to any parent of a teenager or future teenager. The plaintiff in the case, an 18-year-old played by gum-chewing **AUSA LeeAnn Bell**, was injured in a car accident. She contended that the driver/defendant, a/k/a **AFD Reggie Aligada**, negligently caused the accident by sending text messages while he was driving. The plaintiff also sought to hold the defendant's mother, **AFD Caroline Durham** in her best hostile-witness mode, partially responsible for the accident, alleging that the mother had not done enough to discourage her son from driving while texting.

During the mock trial of this civil lawsuit, students acted as lawyers, judges, and even as courtroom deputies and U.S. Marshals (because one witness, **Federal Defender investigator Tim Trebil**, had to be brought into court in handcuffs). After the

relieved to learn that only one of the six juries found the mother responsible for her son's negligence.

The District of Minnesota's Open Doors program has been ongoing since 2000, and has been hosted annually by Judge Frank. Since that time, hundreds of high school students have experienced justice firsthand. The program here is not merely an introduction to a "real" (as opposed to a made-for-TV) courtroom drama, but it also introduces the students to every facet of the federal justice system in a career showcase held after the mock trial. This year, the students learned about the Secret Service and the Violent Offenders Task Force, among others. They met a bomb-sniffing dog who works for treats from the U.S. Marshals, and participated in a sobriety testing demonstration. In keeping with the theme of this year's program, "Reality Check: Sometimes There are no Do-Overs," the students

presentation of the evidence, the decisionmakers, retiring to jury rooms to decide the issues of negligence, causation, and apportionment of fault. Their verdicts reflected the complexity of the case, although you may be filled out a questionnaire regarding the consequences of some stereotypical teenage conduct. **Senior Pretrial Services Officer Penny Wickenheiser** and **U.S. Probation Officer Michael Alberts** provided the "reality check" in the form of the correct answers to the questions, teaching the students that decisions they make today can have long-term consequences.

The Open Doors program showcases what we all can be proud of in Minnesota's federal courts. From the court agencies that enthusiastically teach the students about our court system to the multitude of courthouse volunteers who greet the students, guide them in jury deliberations, and just generally make the day run smoothly, our court embodies the principle that we are all members of the federal family.

One of the AO's goals for the Open Doors program is to provide a positive introduction to the federal courts. If the enthusiastic response of the students and their teachers to this year's program is any indication, Open Doors 2009 certainly reached that goal.

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**Anita Terry** is a member of the Communications Committee for the Minnesota Chapter of the Federal Bar Association and a law clerk to the Honorable Paul A. Magnuson.



## 35TH ANNUAL FEDERAL COURT PRACTICE SEMINAR (JUNE 24, 2009) - MINNEAPOLIS MARRIOTT CITY CENTER

**Register online** at <http://www.fedbar.org/minnesota.html> (under calendar of events, click on "Registration" link). Please contact Peter Carter at [Carter.Peter@dorsey.com](mailto:Carter.Peter@dorsey.com) for additional information.

### Plenary

8:00 a.m. Registration

8:20 a.m. Welcome/Introduction

- **Steven E. Rau**, Flynn, Gaskins & Bennett, LLP President, Minnesota Chapter, Federal Bar Association

8:30 a.m. – 9:30 a.m. - Supreme Court Year in Review

- **Professor Guy-Uriel E. Charles**, University of Minnesota, Russell M. And Elizabeth M. Bennett Professor of Law

9:35 a.m. – 10:35 a.m. - After *Wyeth v. Levine* and *Reigel v. Medtronic* – the Policy and Practice Behind Preemption: Where Do We Go From Here?

### Moderator ~

- **Daniel E. Gustafson**, Gustafson Gluck PLLC

### Panel ~

- **The Honorable James M. Rosenbaum**, U.S. District Court
- **Richard J. Arsenault**, Neblett, Beard & Arsenault
- **Thomas Mengler**, Dean, University of St. Thomas School of Law

10:35 a.m. – 10:50 a.m. — Break

10:50 a.m. – 11:50 a.m. — A Plague on Both of Your Houses: The Appropriate Role of Sanctions and Overcoming Judicial Reluctance to Consider Them

### Moderators ~

- **Clifford M. Greene**, Greene Espel P.L.L.P.
- **Antone M. Melton-Meaux**, Greene Espel P.L.L.P.

### Panel ~

- **The Honorable Paul A. Magnuson**, U.S. District Court
- **The Honorable Raymond L. Erickson**, U.S. District Court

- **William J. Wernz**, Dorsey & Whitney LLP

### Jack Mason Memorial Lunch

11:50 a.m. – 1:00 p.m.

**Greeting ~ Senator Amy Klobuchar**

**Introduction ~ The Honorable Michael J. Davis**, Chief Judge, U.S. District Court

**Keynote Address ~ Juanita Sales Lee**, President, Federal Bar Association

### Afternoon Breakouts

1:10 p.m. – 2:10 p.m. - OOOPS--You Won Your Patent Infringement Case, but the Defendant Is Broke: Collection Strategies for the IP Lawyer

### Moderator ~

- **Rachel K. Zimmerman**, Merchant & Gould P.C.

### Panel ~

- **The Honorable Nancy C. Dreher**, Chief Judge, U.S. Bankruptcy Court
- **William L. Roberts**, Faegre & Benson LLP
- **Andrew D. Sorensen**, Chief Patent Counsel, Ecolab Inc.

### OR

The Unraveling of a Ponzi Scheme: A Minnesota Perspective

### Moderator ~

- **Carolyn Glass Anderson**, Zimmerman Reed, P.L.L.P.

### Panel ~

- **Douglas A. Kelley**, Kelley & Wolter, P.A.
- **James A. Lodoen**, Lindquist & Venum PLLP

2:10 p.m. – 2:20 p.m. - Break

2:20 p.m. – 3:20 p.m. - Class Certification: Offense, Defense and a View From the Bench

### Moderator ~

- **Peter W. Carter**, Dorsey & Whitney LLP

### Panel ~

- **The Honorable John R. Tunheim**, U.S. District Court

- **Charles S. Zimmerman**, Zimmerman Reed, P.L.L.P.

- **Karl L. Cambronne**, Chestnut & Cambronne, P.A.

- **Wendy J. Wildung**, Faegre & Benson LLP

- **Mark G. Schroeder**, Briggs & Morgan, PA

### OR

Bankruptcy for The Non-bankruptcy Practitioner

### Moderator ~

- **Catherine A. McEnroe**, Leonard, Street and Deinard

### Panel ~

- **The Honorable Gregory F. Kishel**, U.S. Bankruptcy Court
- **Robert T. Kugler**, Leonard, Street and Deinard
- **Michael F. McGrath**, Ravich, Meyer, Kirkman, McGrath, Nauman & Tansey, P.A.

3:20 p.m. – 4:20 p.m. - Eighth Circuit Year in Review

- **Diane B. Bratvold**, Briggs and Morgan, PA

- **Charles F. Webber**, Faegre & Benson LLP

### OR

Minnesota's Local Rules: "What is Black and White but Not Read All Over?"

### Moderator ~

- **Douglas L. Elsass**, Fruth, Jamison & Elsass PLLC

### Panel ~

- **The Honorable Joan N. Erickson**, U.S. District Court
- **The Honorable Franklin L. Noel**, U.S. District Court
- **Joseph T. Dixon, Jr.**, Henson & Efron, PA
- **Jeannine L. Lee**, Flynn, Gaskins & Bennett, LLP

**Cocktail Reception**



## REFER A COLLEAGUE: HELP US INCREASE MEMBERSHIP!

The Minnesota Chapter of the FBA is already one of the most strong, vibrant, and active chapters in the country. This is clear from the crowds that fill the Minneapolis Club each month for lunch, the newer lawyers who gather in a federal judge's chambers to discuss the do's and don'ts of practice, and the national recognition that the national FBA awards our chapter for its continued collegiality and vitality.

Now we have set out to add one more badge for our chapter. We want to be the largest chapter in the

FBA. With your help, we can do this. Particularly at this time when new associates have passed the bar and are eligible to join the FBA, please explain the benefits and rewards of the FBA and recommend that your new associates join.

Joining the FBA is easy to do. Non-members can join by signing up online at <http://www.fedbar.org/join.html> or by filling out the application attached at the end of the newsletter. If anyone has any questions about joining the FBA, please do not hesitate to contact me

at [BTJones@rkmc.com](mailto:BTJones@rkmc.com) or **Patrick Arenz** at [PMArenz@rkmc.com](mailto:PMArenz@rkmc.com). We are both eager to answer any questions about the advantages that FBA membership has to offer. The Minnesota Chapter of the FBA is truly a unique opportunity for the bench and bar to get together outside the courtroom.



B. Todd Jones is Vice President of Membership for the Minnesota Chapter of the Federal Bar Association and an attorney at Robins, Kaplan, Miller & Ciresi L.L.P.

## CALL FOR PAPERS – *EIGHTH CIRCUIT SPLIT*

### *WILLIAM MITCHELL LAW REVIEW*, VOL. 36, ISSUE IV (SPRING 2010)

The *William Mitchell Law Review* is proud to dedicate its fourth issue to ***Eighth Circuit Splits*** in its upcoming Volume 36 (Spring 2010). We are currently seeking papers that examine areas where the Eighth Circuit Court of Appeals has decided an issue differently from the other Circuit Courts of Appeals. These may be areas where the Eighth Circuit stands alone in its decision, or with a minority of other courts. Submissions may either take the form of shorter commentaries or longer law review articles. We are also accepting submission proposals at this time.

The *William Mitchell Law Review* is highly regarded both regionally and nationally. Our Law Review recently ranked twenty-second in

citations by judges and ranked fifty-seventh in citations by other law journals, culminating in an overall ranking of seventieth. Over the years, the William Mitchell Law Review has featured the works of various scholars and practitioners such as Congressman Tim Penny, and former Vice President Walter Mondale. The *William Mitchell Law Review* has also published nationally known legal experts ranging from **Philip Bruner**, to **Supreme Court Justices Sandra Day O'Connor, Byron White, and Harry Blackmun**. Now, we would like to invite you to join us to publish in our upcoming volume.

Please direct inquiries to Executive Editor **Ellen M. Ahrens** at [ellen.ahrens@wmitchell.edu](mailto:ellen.ahrens@wmitchell.edu). Please send submissions to

[review@wmitchell.edu](mailto:review@wmitchell.edu) or mail them to our Editorial Office. Please note that the Law Review prefers electronic submissions.

*William Mitchell Law Review*  
William Mitchell College of Law  
875 Summit Avenue, Suite 159  
St. Paul, Minnesota 55105

Thank you for your interest.

Ellen M. Ahrens  
Executive Editor

*The William Mitchell Law Review*,  
Vol. 36  
[ellen.ahrens@wmitchell.edu](mailto:ellen.ahrens@wmitchell.edu)



The Minnesota Chapter of the Federal Bar Association proudly presents:

**“The Little Rock School Desegregation Case:  
*Cooper v. Aaron*”**

This engaging multimedia presentation centers on the events surrounding the 1957 integration of Central High School in Little Rock, Arkansas, leading to a U.S. Supreme Court decision in 1958. The presentation follows the lawsuit from 1956—when Little Rock parents were prevented from registering their children for public school—to 1972 when all Little Rock schools were finally integrated. The program will incorporate video, audio, and original documents from that era, along with live narration from Drake Mann, a Little Rock attorney, and Minnesota attorney Michael Winston. The hour-long program will incorporate video footage, still photos, archival Supreme Court oral argument recordings, and popular music from the 1950s, all giving context to the events of that time. The show's live narration and original graphics also guide the audience chronologically through the actions of state and federal officials who were either directly and peripherally involved, and provides an inspirational vehicle for highlighting the importance of the rule of law in America as established by the seminal *Marbury v. Madison* decision in 1803.

“The Little Rock School Desegregation Case: *Cooper v. Aaron*” has been well-received by many groups and organizations across the legal community, and comes highly-recommended after its presentation at the 2008 Eighth Circuit Judicial Conference.

**Date and Time**

3 - 4 p.m. on Friday, June 19, 2009, with hors d'oeuvres to follow.

**Location**

W Minneapolis – The Foshay  
821 Marquette Ave., Minneapolis, MN 55402

1.0 Hour Elimination of Bias CLE credit has been applied for. Cost is \$45 per person.

RSVP or purchase tickets by June 10, 2009. Please contact:

Allen Slaughter

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

2800 LaSalle Plaza

800 LaSalle Avenue

Minneapolis, MN 55402

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aaslaughter@rkmc.com

Checks payable to: MN Chapter of the Federal Bar Association



## MEMBERS ON THE MOVE

*Are you a member of the FBA? Have you recently made a career change? Authored an interesting article? Received an appointment or award? Submit your news, publications, and updates to Bar Talk at [PM.Arenz@rkmc.com](mailto:PM.Arenz@rkmc.com).*

### CALENDAR OF UPCOMING EVENTS

- **June 19, 2009**  
"The Little Rock School Desegregation Case: Cooper v. Aaron"  
Location: W Minneapolis - The Foshay, 821 Marquette Ave, Minneapolis MN  
Time: 3:00 - 4:00 p.m., with hors d'oeuvres to follow  
Cost: \$45 per person (checks payable to: MN Chapter of the Federal Bar Association)  
Contact: For more information or to RSVP, please contact Allen Slaughter at [aaslaughter@rkmc.com](mailto:aaslaughter@rkmc.com) or 612-349-0926
- **June 12 and 29, 2009**  
The Annual Summer Associate Luncheon with Chief Judge Davis  
Time: Noon  
Location: Chief Judge Davis' Courtroom  
Contact Tammy J. Schemmel at [tschemmel@bgs.com](mailto:tschemmel@bgs.com) for more information or to RSVP
- **June 24, 2009**  
The Annual Federal Court Practice Seminar  
Location: Marriot (Minneapolis)  
To register or view the program agenda, please visit <http://www.fedbar.org/minnesota.html>  
For more information, please contact Peter Carter at [Carter.Peter@dorsey.com](mailto:Carter.Peter@dorsey.com)
- **August 31, 2009**  
The Annual FBA Golf Outing  
Contact: Vincent D. Louwagie at [VLouwagie@aobl.com](mailto:VLouwagie@aobl.com) for more information

## NEXT ISSUE . . .

Will arrive to you in your inbox next Fall.

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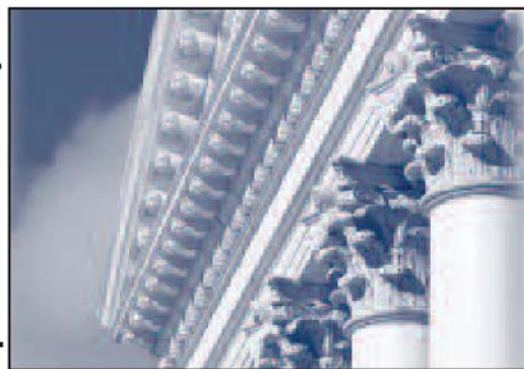
*Special thanks to **Rebecca L. Baertsch**, Judicial Assistant to United States District Court Judge Donovan W. Frank, for her proofreading expertise.*

# Federal Bar Association

## Raising the Bar to New Heights



## Membership Application



### 1. MEMBERSHIP INFORMATION (Please Print Clearly.)

First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Last Name \_\_\_\_\_ Suffix (e.g. Jr.) \_\_\_\_\_

Title \_\_\_\_\_

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

**Mailing Address** ☐ Home ☐ Business

Firm/Agency \_\_\_\_\_

Address \_\_\_\_\_

Suite/Floor \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

( ) ( )

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

☐ Male ☐ Female Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_

**Practice Type** (based on primary employment)

<b>Private Sector</b>	<b>Public Sector</b>
<input type="radio"/> Private Practice	<input type="radio"/> Government
<input type="radio"/> Corporate/In-House	<input type="radio"/> Military
	<input type="radio"/> Association Counsel
	<input type="radio"/> Non-profit
	<input type="radio"/> Judiciary
	<input type="radio"/> University/College

Number of attorneys in your firm/agency/office: \_\_\_\_\_

### 2. REQUIRED MEMBERSHIP ADMISSION INFORMATION

**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 U.S. or in the District of Columbia, provided you are or have been an officer or employee of the U.S. or the District of Columbia, or you have a substantial interest or participate in the area of federal law.

Court of Record for Admission: \_\_\_\_\_

Original Admission Date: \_\_\_\_\_ (MM/DD/YYYY) State: \_\_\_\_\_

**If you practice before a tribal court, please complete.**

Tribal Court of Record \_\_\_\_\_

State \_\_\_\_\_ Admission Date \_\_\_\_\_

### ☐ Associate membership

**Foreign Associate** Open to persons admitted to practice law before a court or administrative tribunal of a country other than the U.S. (Please provide proof of admission.)

Country \_\_\_\_\_

Court/Administrative Tribunal \_\_\_\_\_

**Law Student Associate** Open to any law student currently enrolled in law school who is not currently admitted to practice law.

Law School: \_\_\_\_\_ State: \_\_\_\_\_

Expected Date of Graduation: \_\_\_\_\_

**\*Note** 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 3.1% 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.

### 3. MEMBERSHIP DUES

#### 3A. ACTIVE MEMBERSHIP Please choose one.

	Private Sector	Public Sector
<input type="radio"/> <b>Member</b> Admitted to practice <b>0-5 years</b>	\$75	\$60
<input type="radio"/> <b>Member</b> Admitted to practice <b>6-10 years</b>	\$125	\$100
<input type="radio"/> <b>Member</b> Admitted to practice <b>11 years or more</b>	\$150	\$115
<input type="radio"/> <b>Retired</b> (fully retired from the practice of law)	\$75	\$75

#### 3B. SUSTAINING MEMBERSHIP

<input type="radio"/> <b>Become a sustaining member today!</b> This optional category is <b>in addition to regular dues</b> . It is used to support CLE programs & publications.	\$60	\$60
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#### 3C. ASSOCIATE MEMBERSHIP

<input type="radio"/> <b>Foreign Associate</b> Admitted to practice law outside the U.S.	\$150	\$150
<input type="radio"/> <b>Law Student Associate</b> Currently enrolled in law school	\$25	\$25

**Dues Total** .....\$ \_\_\_\_\_

Please enter amount in line 5A of the Dues Worksheet on reverse side.

**4. LOCAL CHAPTER AFFILIATION, SECTIONS AND DIVISIONS** You will be assigned to your local chapter. (Unless you belong to the following chapters—Atlanta \$10, Tallahassee \$25, Northern Dist. of Ohio \$10, Iowa \$10, Dallas \$10, Del Rio \$25, Southern Dist. of Texas \$25, Iowa \$10, Puerto Rico \$10, and Tucson \$10—your chapter does not have dues.) For a complete listing of chapters, sections and divisions, visit [www.fedbar.org](http://www.fedbar.org). Write in chapter, section(s) or division(s), and dues if applicable.

☐ Indian Law Section .....\$15

**Dues Total** .....\$ \_\_\_\_\_

Please enter amount in line 5B of the Dues Worksheet.

### 5. DUES WORKSHEET

FBA Dues .....5A \$ \_\_\_\_\_

Local Chapter, Section or Division Dues .....5B \$ \_\_\_\_\_

**Total Amount Enclosed** (Add 5A, 5B) .....\$ \_\_\_\_\_

### 6. PAYMENT INFORMATION

☐ Check payable to Federal Bar Association

☐ VISA ☐ MasterCard ☐ Diners Club ☐ American Express

Card No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

X  
Signature \_\_\_\_\_ Date \_\_\_\_\_

The undersigned hereby applies for membership in the Federal Bar Association and agrees to conform to its Constitution and Bylaws and to the rules and regulations prescribed by its National Council.

X  
Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

#### Please complete and return to:

FBA Membership Department, 2011 Crystal Drive, Ste. 400, Arlington, VA 22202  
(703) 682-7000, (703) 682-7001 (fax), [membership@fedbar.org](mailto:membership@fedbar.org), [www.fedbar.org](http://www.fedbar.org)