

**Minnesota Chapter, Federal Bar Association**  
**Diversity Committee Events and Initiatives (Fall 2017 – Summer 2019)**

- [9/20/2017](#) Getting Gritty CLE: Using Grit and Growth Mindset to Encourage, Support, and Build Diversity Within Your Legal Practice
- [10/12/2017](#) Economic Espionage & National Security: Bias in the Criminal Justice System?
- [1/23/2018](#) 4<sup>th</sup> Annual Diversity Bar Meet & Greet
- [2/27/2018](#) Hate Crime CLE Series
- [3/8/2018](#) Minority Judges Reception
- [3/29/2018](#) Disability Justice Seminar
- [4/6/2018](#) A Conversation on Bias and Juries
- [6/18/2018](#) Inaugural Court Camp for High School Students
- [9/25/2018](#) Challenges of Statelessness Today and German Citizenship for Holocaust Survivors
- [10/23/2018](#) CLE on Implicit Bias
- [11/1/2018](#) Leadership Summit on Gender Equity in the Law
- [11/8/2018](#) Implicit Bias in the Legal Profession: Mental Health and Double Stigma
- [11/12/2018](#) Task Force Meeting with Law School Deans Regarding Law Schools Diversity Pipeline Initiative
- [1/17/2019](#) 5<sup>th</sup> Annual Affinity Bar Meet-and Greet
- [3/14/2019](#) Minority Judges Reception
- [4/4/2019](#) Pitfalls for All STEM Professionals in a New Era of US-China Relations: National Security, Economic Espionage, Racial Bias?
- [4/4/2019](#) Justice After Genocide Series
- [4/16/2019](#) The Unseen Barrier, Preparing for and Overcoming Stress: How to manage stress on the road to becoming a successful lawyer
- [4/30/2019](#) Disability Justice Seminar
- [6/24/2019](#) 2<sup>nd</sup> Annual Court Camp



**Federal Bar  
Association**  
Minnesota Chapter



**MINNESOTA  
WOMEN  
LAWYERS**

## **Getting Gritty CLE**

# **Using Grit and Growth Mindset to Encourage, Support, and Build Diversity Within Your Legal Practice**

**September 20, 2017**

Dear

You are invited to the engaging and interactive CLE "Getting Gritty - Using Grit and Growth Mindset to Encourage, Support and Build Diversity Within Your Legal Practice" on September 20, 2017, from 3:30 pm - 5:00 pm at Robins Kaplan LLP in downtown Minneapolis.

Explore the science of Grit and Growth Mindset. Through interactive examples and table discussions, learn how certain characteristics play an important role in career growth. And more importantly, learn how to develop

and foster those characteristics in yourself and others to promote diversity within your practice.

The program and group discussions will be led and facilitated by Sarah Rohne, Employer Relations Director, Career Center Associate Director at the Minnesota Law School. She serves on the Commission on Women in the Profession that developed the Grit Project to educate women lawyers about the science behind grit and growth mindset.

This CLE is sponsored by the FBA-Minnesota Chapter's Diversity Committee and Minnesota Women Lawyers and is being provided at no cost. 1.5 Elimination of Bias CLE Credits to be applied for.

To register, please email your RSVP to Cheryl Evans at [ctevans@locklaw.com](mailto:ctevans@locklaw.com)

Please register by Friday, September 15, 2017.

Not already a member of FBA? [Click here to join!](#)

For details on upcoming events [click here to go to the Chapter's Calendar](#)

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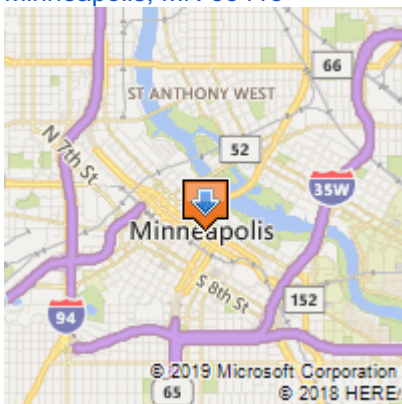
## **Economic Espionage & National Security: Bias in the Criminal Justice System?**

### **When**

Thursday, October 12, 2017 from  
11:30 AM to 12:45 PM CDT  
[Add to Calendar](#)

### **Where**

**Courtroom of the Honorable  
John R. Tunheim**  
[300 South Fourth Street](#)  
[Minneapolis, MN 55415](#)



[Driving Directions](#)

Dear

**The United States District Court for the District of Minnesota, Minnesota Chapter of the Federal Bar Association (with its Outreach and Diversity Committees), Minnesota Asian Pacific American Bar Association, Jones Day, and 3M**

invite you to attend a special program on

**Economic Espionage & National Security: Bias in The Criminal Justice System?**

Thursday, October 12, 2017, 11:30 a.m. - 12:45 p.m.  
Courtroom of the Honorable John R. Tunheim,  
Chief Judge (D. Minnesota)  
United States Courthouse in Minneapolis

### **Introductory Remarks**

Andrew M. Luger  
Partner, Jones Day  
Former U.S. Attorney (D. Minnesota)

## **Moderator**

The Honorable Tony N. Leung  
Magistrate Judge (D. Minnesota)

## **Panelists**

Shena Crowe  
FBI Supervisory Special Agent

Brian A. Sun  
Partner, Jones Day (counsel for Dr. Wen Ho Lee)

Peter R. Zeidenberg  
Partner, Arent Fox (counsel for Xianfen "Sherry"  
Chen and Dr. Xiaoxing Xi)

## **Special Thanks**

Ivan K. Fong  
Senior Vice President, Legal Affairs & General  
Counsel, 3M Company

**Light lunch served at 12:45 p.m. in the 15th Floor  
Atrium.**

Application has been made for CLE Credit.

Please register by noon, Monday, October 9, 2017

## **Register Now!**

I can't make it

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Minneapolis, MN [55126](#)

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MINNESOTA FEDERAL BAR ASSOCIATION'S DIVERSITY COMMITTEE

PLEASE JOIN US AT THE 4TH ANNUAL FEDERAL BAR ASSOCIATION

## Diversity Bar Meet & Greet

TUESDAY, JANUARY 23RD, 2018  
5:30 PM - 8:00 PM  
HALUNEN LAW - IDS CENTER 1650  
80 S 8TH ST, MINNEAPOLIS, MN

APPETIZERS AND OPEN BAR!  
LIVE MUSIC!



*Strength lies in differences, not in similarities.*

The Minnesota Federal Bar Association's Diversity Committee is pleased to invite you to its fourth annual Diversity Bar Meet & Greet. Join us for complimentary drinks and appetizers and mingling. You will get a chance to mix with our diverse Minnesota legal community and affinity bar associations.

Please RSVP to [damato@halunenlaw.com](mailto:damoto@halunenlaw.com) if you would like to attend and please extend this invitation to the other members of your respective bar associations.

Halunen Law is proud to host! Look forward to seeing you here,

Clayton D. Halunen

**halunenlaw**

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80 South 8<sup>th</sup> Street | IDS Center | Suite 1650



# Federal Bar Association

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## Minnesota Chapter

### *Save the Dates!*

## Diversity Committee Hate Crime CLE Series

The Diversity Committee is excited to announce our plans for the four-part Hate Crime CLE Series this spring. Please mark your calendars and watch for more details on these events soon.

### ***Hate Crime, Hate Speech & the First Amendment***

**Tuesday, February 27, 2018, 4:00 - 5:00 p.m. (Reception to follow)**

Robins Kaplan LLP, Minneapolis

An invitation to this event should already be in your inbox. Contact Frank Abo-Oru ([fabo-Oru@bassford.com](mailto:fabo-Oru@bassford.com)) or David Couillard ([David\\_Couillard@mnd.uscourts.gov](mailto:David_Couillard@mnd.uscourts.gov)) for more information.

### ***Transgender, Sexual Orientation and Gender Based Hate Crimes***

**Wednesday, April 11, 2018, 5:00 - 6:00 p.m. (Reception to follow)**

Mitchell Hamline School of Law, St. Paul

### ***Hate Crimes Against Immigrants***

**Tuesday, April 24, 2018, 5:30-6:30 p.m.**

Dar Al Farooq Islamic Center, Bloomington

## ***The Rising Tide of Hate Crime and What Can Be Done About It***

**May 24, 2018**

FBA Federal Practice Seminar (time TBD)

Windows on Minnesota, Minneapolis

We would like to thank the Hate Crimes/Hate Speech Subcommittee Chair Dulce Foster, and subcommittee members Frank Aba-Onu, David Couillard, Rick Linsk, Amran Farah, Colin Pasterski, Forrest Tahdoohnippah, Phillip Kitzer, Chris Jozwiak, Athena Hollins and Cassandra Doran for all their work in planning these events.

We hope to see you at one or more of these events!

Sincerely,

Vildan Teske and Danielle Mair

Diversity Committee Co-Chairs

**Stay tuned for more details!**



**Not already a member of FBA? [Click here to join!](#)**

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# Federal Bar Association

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## Minnesota Chapter

### **MINORITY JUDGES RECEPTION**

**Chief Judge John R. Tunheim  
Judge Wilhelmina M. Wright  
Judge Michael J. Davis  
Magistrate Judge Tony N. Leung  
and the  
Judges of the District of Minnesota**

invite you to join them in  
honoring our minority judges in the Minnesota State and Federal Courts

at a reception on:  
**Thursday, March 8, 2018** from 5:00 p.m. - 7:00 p.m.  
to be held in the 15th Floor Atrium, United States Courthouse  
300 South 4th Street, Minneapolis, MN.

Please use this link to register before March 1, 2018:  
[Click Here To Register](#)

This event is co-sponsored by the Minnesota Association of Black Lawyers, Minnesota Chapter of the Federal Bar Association Diversity Committee, The Minnesota Asian Pacific American Bar Association, The Minnesota American Indian Bar Association, The Minnesota Hispanic Bar Association, The Lavender Bar Association and The Minnesota Women Lawyers.



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# Federal Bar Association

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## Minnesota Chapter

### FREE CLE LUNCHEON EVENT FOR THE DISABILITY JUSTICE SEMINAR

Robins Kaplan LLP invites you to join us for a panel discussion and lunch to learn more about legal protection and advocacy for individuals with disabilities in the wake of the #metoo movement, particularly individuals with disabilities who are subject to sexual harassment and assault.

Thursday, March 29, 2018

Lunch 11:30 a.m. | Program 12:00 p.m. - 1:00 p.m.

Robins Kaplan LLP  
800 LaSalle Avenue  
Minneapolis, MN 55402

Panelists include:

- The Honorable **Donovan W. Frank**, U.S. District Judge for the District of Minnesota
- **Ana H. Voss**, Civil Chief, United States Attorney's Office

- **James C. Backstrom**, Dakota County Attorney
- **Katie McDermott**, The Arc Minnesota, Self-Advocate
- **Christopher Pinahs**, Robins Kaplan LLP (Moderator)

With video remarks by U.S. Senator **Amy Klobuchar**

1.0 Elimination of Bias Credit Applied for in Minnesota  
CLE credit pending approval by the Minnesota State Board of Continuing Legal Education.

CLE credit will be applied for in other states based on attendance.

Please use this link to register by March 16, 2018:

[Click Here To Register](#)

*More details:*

*If you need reasonable accommodations to participate in this event, please notify Mabel Marte at [MMarte@RobinsKaplan.com](mailto:MMarte@RobinsKaplan.com) or 212.980.7476. Please provide notification at least 72 hours prior to the meeting to allow sufficient time to make arrangements for accommodations at this meeting.*

*FBA Membership is not required.*



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PLEASE JOIN US FOR THE EIGHTH ANNUAL  
DISABILITY JUSTICE SEMINAR

## WHO IS LEFT BEHIND IN THE #METOO MOVEMENT?



### FREE CLE LUNCHEON EVENT FOR THE DISABILITY JUSTICE SEMINAR

Thursday, March 29, 2018  
Lunch: 11:30 a.m.  
Program: 12:00 p.m. - 1:00 p.m.

Robins Kaplan LLP  
800 LaSalle Avenue  
Minneapolis, MN 55402

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With video remarks by U.S. Senator **Amy Klobuchar**

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CLE credit pending approval by the Minnesota State Board of Continuing Legal Education  
CLE credit will be applied for in other states based on attendance

## **THE HONORABLE DONOVAN W. FRANK** **U.S. District Court Judge, District of Minnesota**

In 1998, President William Clinton appointed Donovan W. Frank to be the thirty first federal district judge for the District of Minnesota. Judge Frank is currently presiding over the Stryker Rejuvenate and ABG Hip Implant Products Liability Litigation MDL.

Judge Frank was born in Rochester. He graduated from Luther College, *magna cum laude*, in 1973 and graduated from Hamline University Law School, *magna cum laude*, in 1977. In 1985, Judge Frank was appointed to the state district court bench and served as the Chief Judge from 1991 to 1996. In 1996, the Minnesota Conference of Chief Judges named Judge Frank Trial Judge of the Year.

Judge Frank is the recipient of numerous awards for his work with disability rights, Lawyers Concerned for Lawyers, and Open Doors to Federal Courts program which he began for the District of Minnesota in 1999.

Judge Frank currently serves on the Board of Directors for Lawyers Concerned for Lawyers and on the Board of Trustees for the Mitchell | Hamline School of Law.

Judge Frank served on the Minnesota Supreme Court Racial Bias Task Force and Minnesota Supreme Court Implementation Committee on Multicultural Diversity and Racial Fairness in the Courts from 1993–1998. Judge Frank is very active in the Minnesota Chapter of the Federal Bar Association and works with the Disability Justice Foundation on the pressing issue of discrimination of students and adults based upon disabilities as well as attempting to increase the legal representation for those individuals with disabilities.

**ANA H. VOSS**  
**Civil Chief, U.S. Attorney's Office,**  
**District of Minnesota**

Ana Voss is currently the Civil Chief for the United States Attorney's Office for the District of Minnesota. She has held that position since March 2014.

Ms. Voss joined the U.S. Attorney's Office in Minneapolis as an Assistant U.S. Attorney in 2008. She has litigated hundreds of cases in federal court and has served as the Civil Rights Enforcement Coordinator and Defensive Litigation Coordinator. Her practice focuses on defensive employment and tort litigation and affirmative civil rights enforcement.

Ms. Voss is 2003 graduate of the Harvard Law School and a 2000 graduate of Duke University. After law school, Ms. Voss was an associate at Steptoe & Johnson LLP in Washington, DC.

Ms. Voss is an adjunct professor at the University of Minnesota Law School. In 2012, Ms. Voss was named a Minnesota Lawyer Attorney of the Year for her work on *U.S. v. Anoka-Hennepin School District*, a federal civil rights case involving the rights of LGBT students. In 2011, Ms. Voss received the Department of Justice's Civil Rights Division Distinguished Service Award for her work on the Anoka case.

## **JAMES C. BACKSTROM**

### **Dakota County Attorney**

James C. Backstrom has been the County Attorney in Dakota County, Minnesota, since 1987. He previously served as an Assistant Dakota County Attorney for nine years. He is a member of the Board of Directors of the Minnesota County Attorneys Association and has served as President of this organization on two occasions. He is also a member of the Board of Directors of the National District Attorneys Association (NDAA) and co-chaired the Juvenile Justice Committee of NDAA for over a decade.

Mr. Backstrom oversees an office of 43 attorneys with a budget in excess of \$7 million. In addition to his administrative duties, he has personally prosecuted a number of major criminal cases and has established several innovative programs within his office dealing with crime prevention, juvenile crime and victim services. In 1998, he successfully argued a case before the United States Supreme Court.

Mr. Backstrom has been involved in establishing standards for drug and other treatment courts throughout the state through his work on the Minnesota Supreme Court's Chemical Dependency Task Force in 2005–2006 and the Judicial Council's Drug Court Initiative Advisory Committee (now Treatment Court Initiative Advisory Committee) on which he has served since its inception in 2007. Mr. Backstrom helped create the Dakota County Adult Drug Court, which he has personally staffed most Mondays since its beginning in 2008.

Mr. Backstrom has been active in securing passage of numerous items of legislation aimed at improving the criminal justice system in Minnesota. He has been a frequent presenter at state and national legal education forums and has authored numerous articles and training materials.

Mr. Backstrom was selected by Minnesota Lawyer Magazine as one of the *Attorneys of the Year for 2002* and received the *2006 Johnson Distinguished Service Award*, which is the highest honor given by the Minnesota County Attorneys Association. He was honored by the National Child Protection Training Center in 2011 for his work with child abuse victims.



## **KATIE McDERMOTT**

### **Self-Advocate**

Katie is a strong leader in self-advocacy—recognized even nationally for her efforts. There is no "No" in her vocabulary. Katie graduated from the Partners in Policymaking eighth leadership course offered by the Government in Training Services. Over the years, she has conducted presentations at conferences, day programs, and to self-advocacy groups. For the past 5 years, Katie has conducted presentations to 4th grade elementary school students, funded through the Expanding Self-Advocacy in MN grant. In 2015, Katie became an Advocate Associate for the Arc Minnesota. In 2012, Katie received The Arc Greater Twin Cities Change Maker Award for her work with abuse prevention.

## **CHRISTOPHER A. PINAHS**

### **Robins Kaplan LLP**

Chris Pinahs practices intellectual property law, with an emphasis on patent and trademark litigation. Mr. Pinahs has extensive experience representing clients in the pharmaceutical, medical device, and agricultural arts.

Mr. Pinahs is also active in the legal community, including pro bono representation through the Pro Se Project. He previously served as the chair of the Intellectual Property Practice Group for the Minnesota Federal Bar Association (2015-2016), and currently serves as a member of the Grants Committee for the Minnesota Federal Bar Association.

Prior to working as an IP attorney, Mr. Pinahs was a law clerk to the Honorable David S. Doty in the United States District Court for the District of Minnesota. During law school, Mr. Pinahs was a legal writing instructor, a Managing Editor for the Minnesota Law Review, and studied to obtain his master's degree in Plant Biological Sciences. Mr. Pinahs hold an undergraduate degree in biology from Gustavus Adolphus College.





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## **CLE - A Conversation on Bias and Juries**

The Diversity Committee of the Federal Bar Association-Minnesota Chapter and the Federal Bar Association-University of Minnesota Law School Chapter are pleased to host a CLE event featuring a panel discussion on the issue of bias-both explicit and implicit-and juries. The panel will include Judge Mark Bennett, who has conducted extensive research on the impact of implicit bias in the courtroom. He was the first judge in the United States to instruct jurors on implicit bias. Judge Bennett will be joined by distinguished panelists with prosecutorial, defense, and judicial perspectives on the issue.

**Date:** Friday, April 6, 2018

**Time:** 12:00 p.m. to 1:15 p.m.

**Location:**

University of Minnesota  
Walter F. Mondale Hall, Room 25  
229 19th Avenue South  
Minneapolis, MN 55455

## Speakers:

JaneAnne Murray (moderator/panelist)  
Professor of Practice and Director of the Clemency Project at the University of  
Minnesota Law School

Judge Mark W. Bennett  
Senior Judge of the U.S. District Court for the Northern District of Iowa

Judge Kate M. Menendez  
Magistrate Judge and Former Assistant Federal Defender of the U.S. District  
Court for the District of Minnesota

Andrew M. Luger  
Former U.S. Attorney for the District of Minnesota

This event is free. Please [register here](#).

One hour of elimination of bias CLE credit has been applied for.

FBA membership is not required to attend. Please email [fa@umn.edu](mailto:fa@umn.edu) with  
any questions

Our cosponsors include: the Civil Litigation Section of the Minnesota State  
Bar Association; the University of Minnesota Law School Diversity Committee;  
and the Law Council of the University of Minnesota.

Individuals who need accommodations should contact David Racine  
([racino06@umn.edu](mailto:racino06@umn.edu)) at least 10 days in advance of the CLE date.



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## Minnesota Chapter Hosts Inaugural Court Camp for High School Students

By Reggie Aligada

Fourteen high school students participated in the inaugural year of Court Camp, a program developed in a partnership between the Community Outreach and Diversity Committees of the Minnesota Chapter and the District Court. This new education initiative was held at the Minneapolis Federal Courthouse during the week of June 18 – 22, 2018. A primary goal of the program was to help students better understand the justice system and prepare for a career in the law. In addition to Chapter Members, several volunteers from court agencies, law enforcement organizations, and law firms participated in the program. During the five-day camp, students participated in a mock trial, civics education and presentations by several judges, the U.S. Attorney's Office, the Federal Defender's Office and the U.S. Probation Office. Students attending the program came from several high schools, including Minneapolis and St. Paul Public Schools. Some of the students received school credit for participating in the camp.

Several local law firms hosted lunch sessions and panel discussions where students met attorneys, including several Chapter members, who discussed their career paths and areas of practice. Each student was paired with an attorney mentor who met with the student during the week of Court Camp. Students toured the courthouse, attended a naturalization ceremony and a session of Re-entry Court, a District Court program that focuses on providing intensive supervision and programing to individuals on federal supervised release who have recently completed a prison sentence. The week's programming culminated with a mock trial, with the students playing the roles of attorneys, jurors, and the judge in a criminal case.

In addition to the sponsorship of local law firms, Court Camp was made possible by a community outreach grant from the Foundation of the Federal Bar Association. ■

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*Reggie Aligada is the First Assistant Federal Defender in the Office of the Federal Defender for the District of Minnesota, and a co-chair of the Community Outreach Committee for the Minnesota Chapter of the Federal Bar Association.*

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Minnesota State Patrol Trooper Kaj Meinhardt and K-9 Matka with students attending Court Camp

*Judge Murphy, continued from page 1.*

District of Minnesota (1980) as well as to the Eighth Circuit Court of Appeals (1994), and the first woman to chair the United States Sentencing Commission (1999 – 2004). For nineteen of her years on the Eighth Circuit (1994 – 2013), she was the lone woman on the eleven-judge Court. Nevertheless, she persisted to give voice to the female experience as the Court analyzed the proper application of the law. An example was her majority opinion in *Nelson v. Correctional Med. Services*, 583 F.3d 522 (8th Cir. 2009). Shawanna Nelson was a non-violent pregnant prisoner whose legs were shackled by a female correctional officer to a hospital bed in the final stages of labor, causing permanent damage to her hips and back. The Court's six-five decision to allow Nelson's suit against the officer owes much to Judge Murphy's non-sensationalized, common-sense female perspective: "[it may be inferred from the evidence that the officer recognized] the shackles interfered with Nelson's medical care, could be an obstacle in the event of a medical emergency, and caused unnecessary suffering at a time when Nelson would have likely been physically unable to flee because of the pain she was undergoing and the powerful contractions she was experiencing as her body worked to give birth."

Her strong sense of empathy informed her jurisprudence. In *Gregory v. Dillard's, Inc.*, 565 F.3d 464 (8th Cir. 2009), the Eighth Circuit *en banc* ruled that Dillard's department store could not be sued for "discriminatory surveillance" of thirteen African-American shoppers, which included security guards closely following shoppers around the store then to the dressing room, where they would wait for them and stare at them as they exited. The majority affirmed dismissal of a § 1981 claim on the basis that "[r]acially biased watchfulness, however reprehensible, does not 'block' a shopper's attempt to contract." Judge Murphy criticized the majority's interpretation of § 1981 as inconsistent with the law's purpose of protecting each shopper's freedom of contract: "Section 1981 does not require as a matter of law that within the context of closing a contract a customer persist in her attempted purchase despite overt racial hostility right up until a merchant flatly denies her service and

forcibly ejects her from the premises." (Note the lack of any punctuation until the period.)

Judge Murphy's favorite cases were those involving Indian Country. A passionate historian, she loved discerning the understanding of the treaties' original signatories, as she did in deciding that an 1837 treaty with the Mille Lacs Band of Chippewa granted the tribe the disputed hunting and fishing rights. *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).

Perhaps Judge Murphy's favorite single case was *United States Jaycees v. McClure*, 534 F. Supp. 766 (D. Minn. 1982). It came eight years after she graduated from the University of Minnesota Law School, and a few years after a law firm partner told her she should not be a trial lawyer because juries do not like women. Judge Murphy ruled that the Jaycees must accept women as members based on the Minnesota public accommodations law, rejecting the Jaycees claim that its "men-only" rule warranted First Amendment protection. Although the Eighth Circuit reversed, 709 F.2d 1560 (8th Cir. 1983), the Supreme Court ultimately agreed with Judge Murphy, 468 U.S. 609 (1984).

I had the great privilege to clerk for Judge Murphy from 2007 – 2009. She was courageous, witty, incisive, determined, imaginative, cultured, spiritual, civic-minded, friends with RBG, and had great taste in jackets. The reminders that she was a singular figure were constant, like the handful of times I had the pleasure of driving her car from the courthouse to Bobby & Steve's to fill it with gas. Judge Murphy was quite particular about her car's seat position and music, and I had received some friendly advice not to adjust anything in the car. Judge was five feet tall. I am six feet tall. So I would fold myself into the driver's seat of her Cadillac and roll down Washington Avenue with her German opera music on blast, understanding clearly that while many of us aspire to be like Judge Murphy, there is no substitute. ■

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*Beth Forsythe is co-chair of Dorsey & Whitney LLP's Government Enforcement and Corporate Investigations Group.*

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# Federal Bar Association

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## Minnesota Chapter

### **Challenges of Statelessness Today and German Citizenship for Holocaust Survivors**

#### ***A Discussion & Re-Naturalization Ceremony***

Between 1933 and 1945, the Nazi government in Germany withdrew citizenship from its Jewish citizens and other targeted minority groups. Since 1949, the German government has offered to re-naturalize German Holocaust survivors and naturalize their descendants.

On **Tuesday, September 25, 2018**, German-Jewish Holocaust survivor Fred Amram will be re-naturalized as a German citizen by German Consul General Herbert Quelle at the Germanic American Institute in St. Paul. Following the ceremony, Ellen J. Kennedy, Ph.D., Executive Director of World Without Genocide, will discuss



the problem of statelessness that affects more than 10 million people today.

The Diversity Committee and Community Outreach Committee of the Minnesota Chapter of the Federal Bar Association, along with event sponsors Germanic American Institute and World Without Genocide, and co-sponsors Global Minnesota, Mount Zion Temple, and the United Nations Association of Minnesota, cordially invite all members of the MN Federal Bar Association and the public to attend this free event.

### **Event Details**

**Date:**

Tuesday, September 25, 2018.

**Time:**

3:00 - 5:00 PM.

**Location:**

Germanic American Institute  
310 Summit Avenue  
St. Paul, MN 55102

**This program is free and open to  
the public; no RSVP required.  
All are welcome.**

**CLE Credit Available:** 2 hours, \$25.

\* \* \*

For any questions, please contact Vildan Teske  
([teske@tkkrlaw.com](mailto:teske@tkkrlaw.com)) or Dr. Ellen Kennedy ([ejkennedy@worldwithoutgenocide.org](mailto:ejkennedy@worldwithoutgenocide.org)).

\* \* \*

More information about World Without Genocide at Mitchell Hamline Law School is available [here](#) or at (651) 695-7621. An informational flier about the above program can be found [here](#).



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# Federal Bar Association

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## Minnesota Chapter

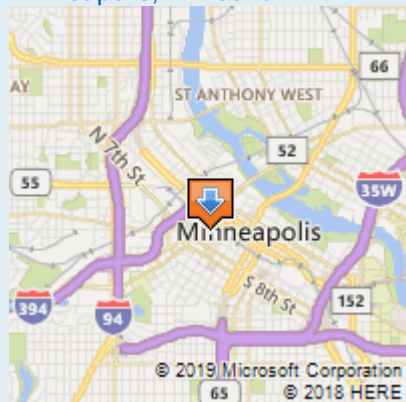
### October 23: CLE on Implicit Bias Hosted by Diversity Committee

#### When

Tuesday, October 23, 2018 from  
3:00 PM to 5:00 PM CDT  
[Add to Calendar](#)

#### Where

**Stinson Leonard Street**  
50 S. Sixth Street, Suite 2600  
Minneapolis, MN 55402



[Driving Directions](#)

The FBA Diversity Committee, together with Minnesota Women Lawyers and the Minnesota Hispanic Bar Association, are proud to announce a free CLE event featuring U.S. District Court Judge Mark Bennett (N.D. Iowa), Magistrate Judge Becky Thorson, and jury consultant Dr. Samantha Holmes, Ph.D, on the topic of implicit bias in the legal profession and in legal proceedings. The presentation will provide a thorough overview of implicit bias, including its psychological underpinnings grounded in stereotyping and priming, neuroscience, and social science studies, and measuring and examining implicit bias in oneself.

Additional event information can be found [here](#).

**Time:** 3:00 pm - 5:00 pm, Reception to follow (light appetizers and refreshments)

**Location:** Stinson Leonard Street, [50 S. Sixth Street, Suite 2600, Minneapolis](#)

**CLE Credit:** 2 credits of elimination of bias credit requested

**Questions:** Phillip Kitzer  
[kitzer@tkkrlaw.com](mailto:kitzer@tkkrlaw.com)

**Registration:**  
Click the link below to register

[Get more information](#)

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Minnesota Chapter Federal Bar Association, 4200 IDS Center, 80 [South 8th Street, Minneapolis, MN 55126](#)

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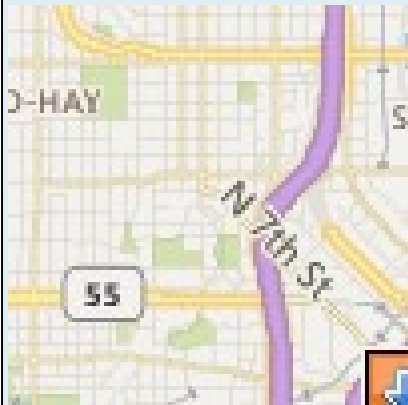


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## You Are Invited to the Leadership Summit on Gender Equity in the Law - November 1, 2018

University of St. Thomas, Opus Hall (Minneapolis)  
8 a.m. - 1:30 p.m.

1000 LaSalle Avenue  
Minneapolis, MN 55403



[Driving Directions](#)

Dear ,

You will soon receive a letter inviting you to please join us, together with fellow law firm managing attorneys, leaders of corporate and public sector legal departments, and leaders of bar organizations, as we explore and develop strategies for addressing the gender imbalance in leadership positions in Minnesota's private practice law firms and corporate and public sector legal departments. Additional information about the event can be found [here](#).

Up to three senior leaders from your organization are invited to participate.

## **Confirmed Details:**

**What:** *Third Leadership Summit on Gender Equity in the Law*

**When:** *November 1, 2018 from 8 a.m. - 1:30 p.m.*

**Where:** *University of St. Thomas, Opus Hall (Minneapolis Campus)*

## **Confirmed Speakers:**

*James Chosy, Executive Vice President, General Counsel, and Secretary, U.S. Bancorp*

*Anh Le Kremer, Chief Administrative Officer, Center for Diagnostic Imaging*

*Karin Nelsen, Vice President, Legal & Human Resources, The Minnesota Vikings*

*Karla Robertson, Executive Vice President, General Counsel, and Secretary, Pentair plc*

*Jim Zappa, Executive Vice President and General Counsel, CHS Inc.*

*Hon. John R. Tunheim, Chief Judge, U.S. District Court for the District of Minnesota*

*Kelly Laudon, President, Minnesota Chapter of the Federal Bar Association*

## **Contact:**

For further information, contact Kate Hibbard ([khibbard@greeneespel.com](mailto:khibbard@greeneespel.com)).

*Co-sponsored by: The United States District Court for the District of Minnesota, U.S. Bancorp, and the Minnesota Chapter of the Federal Bar Association*

Click the link below to register. You do not need to be a member of the FBA, and there is no charge to

attend. Please inform Kate Hibbard 10 days in advance of any accommodations you may need.

[Get more information](#)

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# Federal Bar Association

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## Minnesota Chapter

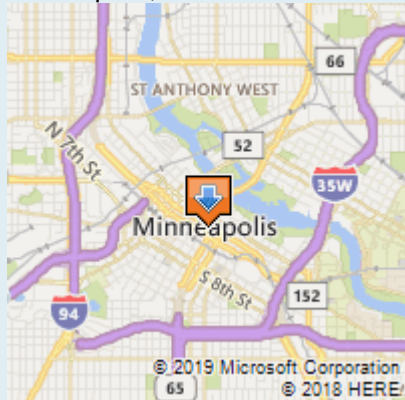
### Implicit Bias in the Legal Profession: Mental Health and Double Stigma

#### When

Thursday, November 8, 2018  
from 11:30 AM to 1:30 PM CST  
[Add to Calendar](#)

#### Where

**U.S. Courthouse**  
300 South Fourth Street  
202 U.S. Courthouse  
Minneapolis, MN 55415



[Driving Directions](#)

The Diversity Committee and Lawyers Concerned for Lawyers are pleased to host a CLE featuring Joan Bibelhausen, JD, Executive Director, Lawyers Concerned for Lawyers addressing mental health in the legal profession.

The primary focus of this program is to understand and demonstrate how implicit bias discussions in the legal profession must include mental health (including substance use) and stress issues. This program will begin with a general explanation of the concept of implicit bias and a discussion on how implicit bias stands in the way of lawyers seeking help for mental health and stress issues. While it is hard for anyone to ask for help, there is a double stigma against members of underrepresented groups who seek help or treatment for mental health and chemical dependency issues. This program



will address the challenges minority lawyers, judges, and students face when seeking help for mental health issues, and a discussion of the current challenges and strategies to address them.

Lunch will be provided and 1 hour of elimination of bias CLE credit has been applied for.

**Date:** November 8, 2018

**Time:** 11:30 - 12:00 Reception and Lunch, 12:00 - 1:00 Presentation, 1:00 - 1:30 Q&A.

**Location:** U.S. Courthouse, Minneapolis Building, 300 South Fourth Street, 202 U.S. Courthouse, Minneapolis, MN 55415

**Questions:** Shaun M. Parks,  
[sparks@fitchjohnson.com](mailto:sparks@fitchjohnson.com)

Individuals who need accommodations should contact Shaun Parks at least 10 days in advance of the meeting date. You do not need to be an FBA member to attend.

[Get more information](#)

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[Minneapolis, MN 55126](#)

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# Minnesota FBA Diversity Committee Task Force

by Tim Bernadt and Natalie Bernadt



*Tim Bernadt is currently a Lieutenant Commander in the Coast Guard who is attending law school part-time through the Mitchell Hamline School of Law's Hybrid J.D. program. Natalie Bernadt is 2011 graduate of the U.S. Coast Guard Academy with a Bachelor of Science in Government. Natalie is attending law school part-time through the Mitchell Hamline School of Law's Hybrid J.D. program. © 2019 Tim Bernadt & Natalie Bernadt. All Rights Reserved.*

Leading the charge to diversify the legal profession by infusing the pipeline with people of diverse backgrounds, the Minnesota Chapter of the Federal Bar Association (FBA) is working with Minnesota law schools to change the face of Minnesota's legal community through matriculation and enrollment of a diverse student body. In 2018, the number of lawyers in Minnesota was 25,252,<sup>1</sup> 79 percent of whom self-identify as white/Caucasian.<sup>2</sup> This speaks to one of the major issues within Minnesota's legal community: lack of diversity. Although slightly better than the national average, the lack of diversity in Minnesota's legal community greatly decreases the effectiveness to truly serve the residents of Minnesota. The national voice of the legal profession, the American Bar Association (ABA), has four goals—Goal III is to “eliminate bias and enhance diversity” in the legal profession. In 2016, the ABA's Diversity and Inclusion 360 Commission reported the existence of a “crisis in confidence that many Americans—particularly young Americans—feel about the fairness of our justice system.”<sup>3</sup> The ABA passed Resolution 113 in an effort to address this crisis head-on while advancing Goal III. Resolution 113 explains that when organizations are diverse and inclusive at every level, the public and clients are better served and the legal profession is improved. The Minnesota Chapter of the FBA is working tirelessly to do just that and is successfully paving the way to change.

The Minnesota Chapter created its Diversity Committee to help address the lack of diversity in Minnesota's legal community. The committee believes that diversity enriches us and inclusion empowers us, articulated in their value proposition: “Diverse membership generates diverse ideas. Diverse ideas inspire targeted action for the betterment of our judicial system. The commitment to diversity and inclusion is part of our collective duty as lawyers to uphold the rule of law and ensure that our justice system considers and reflects the diverse nature of our society.”<sup>4</sup> This past year, one large focus of the committee has been developing ways in which the FBA can assist law schools with their diversity initiatives, according to Danielle Mair, the committee's co-chair. The committee started

having a dialogue about ways they can help the legal community increase the number of diverse attorneys in Minnesota. Committee members realized in order to increase the number of diverse attorneys, they needed to address the pipeline issue, which is a lack of diverse Juris Doctor (J.D.) students enrolled in law schools. The committee created a task force to discuss and brainstorm ways to increase the diverse pool of law school students in Minnesota.

## Task Force

Chris Pham, a member of the Diversity Committee and graduate of Mitchell Hamline School of Law (MHSL), was selected to co-lead this task force. He explained the task force's first step was to engage with the deans of three local law schools—MHSL, the University of Minnesota Law School, and the University of St. Thomas School of Law—to help begin an active relationship of support and encouragement between the Minnesota Chapter and each school. Additionally, this effort allowed the task force to learn what each school's current initiatives are and what the Diversity Committee's task force members could do help with those initiatives.

The task force aims to build community through action. Pham explained that one effort to accomplish this goal is to host FBA-sponsored networking events that bring practicing Minnesota lawyers together with enrolled and prospective students for each of the law schools to help foster networking among minorities. Additionally, the Minnesota Chapter will participate in “Admitted Students Day” to discuss educational and career opportunities with minority students accepted to law school but are undecided about which school to attend. Ideally the task force will begin implementing these events this summer.

## Mentorship List

Another idea the task force has developed is creating a volunteer program in which practicing lawyers provide mentorship to prospective and current law school students. The Diversity Committee will maintain a list of Minnesota Chapter members who volunteer to be

mentors. The schools can then submit a request through the FBA for things such as a mentor for a specific student and subject or a complete list of attorneys willing to serve as mentors for their IL cohort. Elizabeth Odette, an integral member in the task force, explained that this mentorship list provides a range of support. Mentors are available to help students study for finals, assist students with finding summer internships, help graduates prepare for the bar exam, or just provide answers to general questions from practicing attorneys. FBA chapter member mentors will also visit with prospective students and help them decide which law school to attend. “The idea is to give students additional network support from people outside their law school,” said Odette.

The task force’s goal is to strengthen and expand the diversity pipeline from law school application to establishing a career as a lawyer. Rather than focusing on what is not working, Odette explained, “the task force focused on how the Minnesota Chapter for the FBA can help existing initiatives at each of the schools and help generate new ideas and new initiatives to support recruitment of diverse students and help support existing diverse students at those law schools.” Task force members wanted to do more collectively to help with the diversity pipeline issues by increasing the pool of diverse students going to law school.

However, the task force acknowledged each law school has different needs. Each law school is at a different juncture in its efforts to address the diversity pipeline issue. In order to meet those unique needs, the task force assigned different members to work directly with each of the schools, mainly members who are alumni from the school. As a 2009 cum laude graduate, Pham will be working with MHSL. The school “has been innovative in their ideas for growing enrollment at the law school with respect to engaging more students of color,” said Pham.

### **The Gateway Program**

Great in theory. Even better in practice. These words are more than just the motto at MHSL. They are an axiom continually proven true by the institution’s multitude of innovative programs that are changing the legal profession by opening avenues for legal education and breaking down barriers. The school offers a range of J.D. enrollment options that provide expansive access to an extremely diverse group of students. These enrollment options range from the traditional full-time student to a variety of part-time programs, including the first ever part-time on-campus/online ABA-approved program known as the Hybrid J.D. program and its sister program, the Executive J.D. program. The Hybrid and Executive J.D. programs provide high-quality legal education through an abbreviated intensive in-person learning portion combined with a robust online coursework to students from all over the world. These programs allow individuals who are serving in a variety of career fields and have work obligations or those that have family responsibilities to earn their J.D. while still meeting those work and family commitments.

Starting in 2019, MHSL will break down the door once again by launching the “Gateway to Legal Education” program, which offers free, online, law-related classes to undergraduate students.

The Gateway program is an extension of MHSL’s existing online learning structure. MHSL is reaching out to historically black colleges and universities, Hispanic-serving institutions, tribal colleges, and institutions with a high proportion of first-generation college students to offer the Gateway program to their students for free. “The idea

of the program is to reach out to undergraduate students who come [from] populations traditionally underrepresented in legal education and the legal profession,” said MHSL Dean Mark Gordon. Being the only law school in the country having experience in teaching law in an online environment coupled with being an independent law school (allowing MHSL to engage with other colleges and universities to develop relationships with them) made Mitchell Hamline the perfect platform for pioneering this initiative. “What we realized is we could develop a series of undergraduate online introduction to law courses,” said Gordon, where students will earn undergraduate credit for the course. Students will also have an opportunity to come in the summer for a one-week immersion course that earns undergraduate credits. Students who attend the one-week immersion course will also get online LSAT prep from Kaplan for free and be provided air travel and lodging. Everything is at no-cost to the student. The Gateway program is funded by generous donors, not current students’ tuition.

Undergraduate students who participate in the Gateway program will be linked with a current law student, a member of the legal community, and a member of the admissions office to use as mentors. This is one of the opportunities for the FBA task force to get involved with the local law schools on the diversity initiative, explained Pham. This will be the same list of mentors that the task force will provide to the other two Minnesota law schools.

Students in the Gateway program will also be paired with a strength-finders coach and given the opportunity to do a strength-finders assessment. Current law student mentors can be volunteers from any of MHSL’s enrollment programs, allowing for a wide pool of diverse students available to provide mentorship and guidance to these undergraduate students. Essentially, the current student mentors can range from local traditional full-time students to active duty military serving overseas to medical professionals, paralegals, or a variety of executives, all of whom are working toward earning their J.D.s.

Dean Gordon expressed how for some first-generation college students, it is often such a huge step to be going to college that they are not typically thinking about law school or any graduate-level education. “The Gateway program is simply a great opportunity to allow undergraduate students to explore different options and get the type of mentoring and support they may need to be really successful,” he said.

“What we really tried to do was think of every possible barrier that somebody from a nontraditional or underrepresented population in the legal profession might face and tried to eliminate the barriers,” said Gordon.

The Gateway program’s advisory board is chaired by Kevin Warren, the chief operating officer of the Minnesota Vikings. Currently, Delaware State University, a historically black university and Notre Dame College of Ohio, which has a high proportion of first-generation college students, have both signed on. Dean Gordon is optimistic that many other colleges and universities MHSL has engaged with will also be signing on. The first course started in January 2019, with more courses planned for the fall and next spring. This program, like countless others at MHSL, is great in theory. Even better in practice.

### **Enhancing Diversity in the Pipeline**

In Resolution 113, the ABA stated “the legal profession and society are best served when the makeup of lawyers reflects the community

in which legal services are provided.”<sup>5</sup> People of color make up 19 percent of the Minnesota population, which is continuously growing.<sup>6</sup> The current Minnesota legal profession is an accurate representation of the population it serves, with 21 percent of Minnesota lawyers identifying themselves as a person of color. However, the future workforce outlook is not so promising, especially within the Twin Cities. According to the 2018 ABA Standard 509 Information Report for each law school, people of color make up 15.6 percent of the University of Minnesota Law School student body and 16.1 percent of the University of St. Thomas School of Law student body. MHSL is faring better with 23.4 percent of its student body being people of color.<sup>7</sup> These numbers are an indication of a less diverse legal workforce in the future, which is contrary to the ABA’s Goal III and Resolution 113. This lack of diversity in the pipeline for lawyers can be overcome through programs like MHSL’s “Gateway to Legal Education” and the initiatives of the Minnesota Chapter’s Diversity Committee task force. Increasing diversity within the legal pipeline is the key to eliminating bias, enhancing diversity, and growing and maintaining a legal workforce best suited to serve the people of Minnesota. ☺

## Endnotes

<sup>1</sup>AM. BAR ASS’N, ABA NATIONAL LAWYER POPULATION SURVEY (2018), <https://www.americanbar.org/content/dam/aba/administrative/>

[market\\_research/National\\_Lawyer\\_Population\\_by\\_State\\_2018.pdf](https://www.americanbar.org/content/dam/aba/administrative/market_research/National_Lawyer_Population_by_State_2018.pdf).

<sup>2</sup>Mike Mosedale, *Minnesota Lawyers: At Least 79% are White*, MINN. LAW. (Mar. 15, 2017), <https://minmlawyer.com/2017/03/15/minnesota-lawyers-at-least-79-are-white>.

<sup>3</sup>Letter from Diversity and Inclusion 360 Commission, ABA, to Chief Legal Officers, Fortune 1000, Requesting Your Assistance in Implementing ABA Resolution 113 to Help Promote Diversity in the Legal Profession (Sept. 7, 2016), at 1 [hereinafter A.B.A. Res. 113 Letter], [https://www.americanbar.org/content/dam/aba/administrative/racial\\_ethnic\\_diversity/ABA/letter-from-the-signatories-general-counsel-implementation-of-aba-resolution1.pdf](https://www.americanbar.org/content/dam/aba/administrative/racial_ethnic_diversity/ABA/letter-from-the-signatories-general-counsel-implementation-of-aba-resolution1.pdf).

<sup>4</sup>*Diversity and Inclusion*, FED. BAR ASS’N, <http://www.fedbar.org/Chapters/Minnesota-Chapter/Diversity-and-Inclusion.aspx> (last visited Apr. 8, 2019).

<sup>5</sup>A.B.A. Res. 113 Letter, *supra* note 3.

<sup>6</sup>*Age, Race, & Ethnicity*, MINNESOTA STATE DEMOGRAPHIC CTR., <https://mn.gov/admin/demography/data-by-topic/age-race-ethnicity> (last visited Apr. 8, 2019).

<sup>7</sup>*Standard 509 Information Reports*, AM. BAR ASS’N, <http://www.abarequireddisclosures.org/Disclosure509.aspx> (last visited Apr. 8, 2019).

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## Commentary continued from page 13

the statutes that one relies on. Why, for example, attempt to rely on the consumer code’s prohibition of *bait-and-switch advertising* in a complaint that has nothing to do with such a practice? Why disregard the Utah UCC’s clear warning that failure to notify the seller of a breach is a bar to any remedy?

Similarly, a plaintiff who sues in federal court must abide by the rules of that forum: The Federal Rules of Civil Procedure. And Rule 9(b) could not be plainer in its requirement that a plaintiff alleging fraud must plead it *with particularity*. Callegari’s complaint was so intent on global, generalized allegations on behalf of the universe of Blendtec purchasers that it failed this requirement miserably—not even identifying who sold the plaintiff his blender.

And that’s the tale of the blender atop the cabinet of Mr. Callegari. (OK, maybe it was a counter.) ☺

## Endnotes

<sup>14</sup>“The Cabinet of Dr. Caligari,” a silent film produced in 1920 Germany, is widely considered the first true horror film. The author concedes that the title of this article is a stretch.

<sup>2</sup>Because the case, *Callegari v. Blendtec Inc.*, Case No. 2:18-cv-00308-EJF (D. Utah 2018), was disposed of on the basis of defendant’s motion to dismiss, this article assumes the truth of the factual allegations in the complaint.

<sup>3</sup>Utah Code §§ 13-11-1 13-56-302.

<sup>4</sup>Utah Code §§ 70A-2-313 & 70A-2A-210.

<sup>5</sup>Utah Code §§ 70A-2-314 & 70A-2A-212.

<sup>6</sup>15 U.S.C. §§ 2301-2312.

<sup>7</sup>Memorandum Decision and Order, Nov. 6, 2018 (Decision).

<sup>8</sup>*Id.* at 9 (quoting *Wood v. World Wide Ass’n of Specialty Programs & Sch.*, 2007 WL 1295994 (D. Utah 2007)).

<sup>9</sup>*Id.* at p. 10.

<sup>10</sup>Utah Code § 70A-2-607(3)(a).



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Dear \_\_\_\_\_,

The Diversity Committee of the Minnesota Chapter of the Federal Bar Association would like to invite you to the 5<sup>th</sup> Annual Affinity Bar Meet-and-Greet Event. This event provides an opportunity to connect FBA leadership with the affinity bar leaders and their members.

The event will be held at Zimmerman Reed in the IDS Center on January 17, 2019 from 4:30 p.m. until 6:30 p.m. There will be complimentary appetizers and drinks.

If you are able to join us, please RSVP to [derek@zimmreed.com](mailto:derek@zimmreed.com).

Best,

Alia Abdi



Not already a member of FBA? [Click here to join!](#)

For details on upcoming events [click here to go to the Chapter's Calendar](#)

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# **Federal Bar Association**

## **Minnesota Chapter**

The Diversity Committee invites you to our 5th annual

# **AFFINITY BAR MEET + GREET**

connecting FBA leadership and our affinity bar leaders and members

**Thursday, January 17, 2019 4:30 - 6:30 pm**

**Hosted by: ZIMMERMAN REED | 1100 IDS Center**

**RSVP to [derek@zimmreed.com](mailto:derek@zimmreed.com)**

***Complimentary hors d'oeuvres and drinks***

Please extend this invitation to members of  
your respective bar associations.

**ZIMMERMAN | REED**



# Federal Bar Association

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## Minnesota Chapter

**Chief Judge John R. Tunheim  
Judge Wilhelmina M. Wright  
Judge Michael J. Davis  
and the  
Judges of the District of Minnesota**

invite you to join them in  
honoring our minority judges in the Minnesota State and Federal Courts

at a reception on  
**Thursday, March 14, 2019 from 5:00 p.m. - 7:00 p.m.**  
to be held at the United States Courthouse  
15<sup>th</sup> Floor Atrium  
300 South 4<sup>th</sup> Street, Minneapolis, MN

**A group picture will be taken at 6:00 p.m.**

**Please RSVP at the following link by March 8, 2019:**



[RSVP@mnd.uscourts.gov](mailto:RSVP@mnd.uscourts.gov) or call Rebecca Parks at 612-664-5124.

This event is co-sponsored by the  
Minnesota Association of Black Lawyers,  
Minnesota Chapter of the Federal Bar Association Diversity Committee,  
Minnesota Asian Pacific American Bar Association,  
Minnesota American Indian Bar Association,  
Minnesota Hispanic Bar Association,  
Lavender Bar Association and Minnesota Women Lawyers.



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Minnesota Chapter: Photographed are many of the state, federal, and tribal judges in attendance at Minnesota's 2019 Minority Judge Reception.

## **THIRD CIRCUIT**

### **Eastern District of Pennsylvania**

#### **Panel Discussion of Experiences of EDPA Judges Who Took on Delaware Patent Case**

On Jan. 30, 2019, the Eastern District of Pennsylvania (EDPA) Chapter held a CLE event where Delaware Magistrate Judge Christopher J. Burke moderated a panel discussion with EDPA Judges Mitchell S. Goldberg and Mark A. Kearney on the subject of Delaware patent cases that the Pennsylvania judges had taken on. Due to two retirements and the Supreme Court's decision in *TC Heartland*, Delaware became even more heavily burdened with patent cases than usual, and Judges Kearney and Goldberg volunteered to take on a number of these cases. The judges shared their experiences, gave insights into practice before them, and posed questions to the crowd about the future of patent litigation in Philadelphia and Delaware. ©

### **Eastern District of Pennsylvania** **Sports Gambling in the Aftermath of** ***Murphy v. NCAA***

On Feb. 4, 2019, the day after Super Bowl LIII, the Eastern District of Pennsylvania

Chapter hosted "Sports Gambling in the Aftermath of *Murphy v. NCAA*" at the office of Drinker Biddle & Reath LLP in Philadelphia.

In *Murphy*, the Supreme Court struck down the Professional and Amateur Sports



District Judge Goldberg



District Judge Kearney



Magistrate Judge Burke



Eastern District of Pennsylvania: Professor Marc Edelman addresses the Eastern District of Pennsylvania Chapter on the changes to sports gambling laws in the aftermath of the Supreme Court's *Murphy* decision.

Protection Act as a violation of the Tenth Amendment. Since the Court announced that decision, numerous states have initiated plans to allow for state-sponsored sports gambling. Professor Marc Edelman, who teaches sports law at the City University of New York and Fordham Law School, traveled down to Philadelphia to explore the legal questions that arise around sports gambling in the wake of *Murphy* and raise public policy issues that legislators should consider when proposing new sports gambling laws.

## EIGHTH CIRCUIT

### Minnesota Chapter Minority Judge Reception

On March 14, 2019, the U.S. District Court for the District of Minnesota, along with the Minnesota Chapter of the Federal Bar Association's Diversity Committee and the Minnesota Association of Black Lawyers

(MABL), hosted practitioners, judges, students, and staff at the Minneapolis Federal Courthouse for the 2019 Minority Judges Reception to celebrate the ever-growing diversity of the state, federal, and tribal bench in Minnesota. Chief Judge John R. Tunheim and U.S. District Court Judge Wilhelmina M. Wright, along with Minnesota Supreme Court Justice Natalie Hudson and local Affinity Bar leaders, were present to introduce and recognize both the newly appointed and retiring judges within the various Affinity Bar membership in Minnesota. This annual event began in 2013, when then-Chief Judge Michael J. Davis hosted the first reception. At that time, there were 30 minority judges in attendance, with approximately 85 total attendees. This year, 78 minority judges from the federal and state courts, and 34 judges from the tribal courts, were invited, and over 200 people were in attendance. ☺





# **Federal Bar Association**

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## **Minnesota Chapter**

**Diversity Committee Event  
April 4, 2019**

**Pitfalls for All STEM Professionals in a  
New Era of U.S.-China Relations:  
National Security, Economic  
Espionage, Racial Bias?**

When: April 4, 2019

6-6:45 p.m. - Reception

6:45-8 p.m. - Panel discussion

8-8:30 p.m. - Q&A

Where: University of Minnesota's McNamara Alumni Center  
200 SE Oak Street  
Minneapolis, MN 55455

\* \* \*

Dear Minnesota Chapter FBA Member,

China was involved in 90 percent of all economic espionage cases handled by the Department of Justice over the last seven years, according to a report submitted last December to the Senate Intelligence Committee. This fact illustrates a new backdrop for thousands of Twin Cities S.T.E.M. (science, technology, engineering, and mathematics) professionals of all ethnicities navigating career opportunities and avoiding pitfalls in the 21st Century of U.S.-China relations.

Please join us for a program focused on educating all Twin Cities S.T.E.M. professionals, academics, and students-many of whom are Asian American-on two competing and ever-emerging phenomena in the U.S. justice system: potential threats on national security and economic espionage with the ascendancy of China on the one hand, and on the other, the potential racial profiling of Asians and Asian Pacific Americans resulting in accusations, such as the cases of Dr. Wen Ho Lee, Professor Xi Xiaoxing, and hydrologist Sherry Chen.

Featured speakers will include Brian Sun, a Los Angeles lawyer who represented Dr. Lee and Peter Zeidenberg, a Washington D.C.-based attorney who represented Dr. Xi and Ms. Chen. The government perspective will be represented by Jay Bratt, the Chief of the Counterintelligence and Export Control Section (CES) of the National Security Division of the Department of Justice, who will speak about U.S. efforts to safeguard national security and curb economic espionage.

The program is co-sponsored by the University of Minnesota's China Center, the Minnesota Chapter of the Federal Bar Association's Diversity Committee, the United States District Court for the District of Minnesota's Outreach Committee, and Kingsfield Law Office.

Registration:

This is a FREE event. FBA membership is not required to attend. Elimination of Bias CLE credit is being sought.

Get more information [here](#), [here](#), or [here](#) and [REGISTER here!](#)

Individuals who need accommodations should contact Danielle Mair ([Danielle\\_Mair@mnd.uscourts.gov](mailto:Danielle_Mair@mnd.uscourts.gov)) at least 10 days in advance of the event date.

We look forward to seeing you there!

Sincerely,  
Danielle Mair  
Frank Aba-Onu  
Vildan Teske  
Co-Chairs, Diversity Committee of the Federal Bar Association - Minnesota Chapter



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## SPEAKER BIOGRAPHIES

**Jay Bratt** is the DOJ's Chief of the Counterintelligence and Export Control Section of the National Security Division. He previously served as Deputy Chief of the National Security Section in the US Attorney's Office for the District of Columbia. Before that, Mr. Bratt had many years of experience as a line prosecutor in the US Attorney's Office for the District of Columbia and within the DOJ. Mr. Bratt is a graduate of Harvard Law School and Brandeis University.

**Brian A. Sun**, partner in charge of Jones Day's Los Angeles office, practices in the areas of complex business litigation and white-collar criminal defense. He is a former federal prosecutor and a Fellow of the American College of Trial Lawyers. Brian is a former president of the National Asian Pacific American Bar Association, was honored with its Trailblazer Award, and received the Southern California Chinese Lawyers Association's Lifetime Achievement Award.

**Peter R. Zeidenberg**, partner at Arent Fox in Washington, DC, defends scientists, individuals, and companies in white collar criminal matters. His clients include numerous STEM professionals, many of ethnic Chinese origin. He has been a prosecutor at the DOJ, US Attorney's Office for the District of Columbia, and Middlesex County, MA. He has been listed in *The Best Lawyers of America*, received numerous DOJ Special Achievement Awards, and is an adjunct professor at Georgetown Law Center.

**Honorable Tony N. Leung**, US Magistrate Judge, is the first Asian Pacific American judge in Minnesota. Before the federal bench, he served 17 years as a district judge in Minnesota's Fourth Judicial District in Hennepin County, and was an equity partner of the firm now named Faegre Baker Daniels. He is a recipient of NAPABA's Trail Blazer Award, and has a BA with honors from Yale University and a JD from New York University Law School. He was born in Hong Kong and immigrated to America with his family.



### National Security, Economic Espionage, Racial Bias?



The Hon. Tony N. Leung  
U.S. Magistrate Judge  
Minneapolis



Jay Bratt  
U.S. Department of Justice  
Washington, DC



Peter R. Zeidenberg  
Arent Fox  
Washington, DC



Brian A. Sun  
Jones Day  
Los Angeles

**TIME: 6PM - 8:30PM | DATE: APRIL 4TH**

McNamara Alumni Center, University of Minnesota

**A PUBLIC AND CONTINUING LEGAL EDUCATION PROGRAM  
FREE AND OPEN TO THE PUBLIC**

**Minnesota CLE: 1.5 Elimination of Bias credits requested; Event Code: 270217**

## Program Background

April 4, 2019

China was involved in 90 percent of all economic espionage cases handled by the Department of Justice over the last seven years, according to a December 2018 report to the US Senate Intelligence Committee. This fact illustrates a new backdrop for thousands of Twin Cities STEM (science, technology, engineering, and mathematics) professionals of all ethnicities navigating career opportunities and avoiding pitfalls in the 21<sup>st</sup> Century of US-China relations.

This program's goal is to educate all Twin Cities STEM professionals, academics, and students—many of whom are Asian American—on two competing and ever-emerging phenomena in the US justice system: potential threats to national security and economic espionage with the ascendancy of China on the one hand, and on the other, the potential racial profiling of Asians and Asian Pacific Americans resulting in accusations, such as those against Dr. Wen Ho Lee, who was represented by Brian A. Sun; and Professor Xiaoxing Xi and National Weather Service hydrologist Xiafen Sherry Chen, who were represented by Peter R. Zeidenberg.

*Special Thanks To: Erica H. MacDonald, US Attorney for the District of MN; W. Anders Folk, First Assistant US Attorney for the District of MN; Jason Vanthomme, Supervisory Special Agent FBI Headquarters Counterintelligence Division; Vildan Teske, Danielle Mair, Frank Aba-Onu and Amy Connors of the FBA – MN Chapter; Alex Dyste of MNAPABA; Gregory J. Hugh of China Insight; Haiyan Wang of U of MN China Center; and Rebecca Parks and Holly McLelland of the US District Court for the District of MN.*

United States District Court for the District of Minnesota's Public Outreach Committee; Federal Bar Association – Minnesota's Diversity and Inclusion Committee; University of Minnesota China Center; and Kingsfield Law

Present

### **Pitfalls for All STEM Professionals in a New Era of US – China Relations: National Security, Economic Espionage, Racial Bias?**

**Welcome & Introductions** **Joan A. Brzezinski**, Director of University of Minnesota's China Center

**Meredith McQuaid**, University of Minnesota Systems Associate Vice President and Dean of International Programs

**Acknowledgements & Introduction**

**Honorable Tony N. Leung**, Magistrate Judge, United States District Court for the District of Minnesota

**Honorable Michael J. Davis**, Senior District Judge, United States District Court for the District of Minnesota, former Judge on the United States Foreign Intelligence Surveillance (FISA) Court

**Panel Introductions**

**Chang Wang**, partner of Kingsfield Law, Vice Chair of ABA International Legal Education and Vice Chair of ABA Art and Cultural Property Law Committee

**Benjamin Kwan**, Managing Partner of Haller Kwan, former President of Minnesota Chapter of National Asian Pacific American Bar Association

**Panel Discussion**

**Jay Bratt, Brian A. Sun, and Peter R. Zeidenberg, Honorable Tony N. Leung**

**Conclusion**





**Federal Court, Federal Bar Association, U of MN China Center, and Kingsfield Law Public Outreach Event to Examine Pitfalls for All S.T.E.M. Professionals in a New Era of U.S.-China Relations**

**Minneapolis, MN** – China was involved in 90 percent of all economic espionage cases handled by the Department of Justice over the last seven years, according to a report submitted December 2018 to the Senate Intelligence Committee.

This fact illustrates a new backdrop for thousands of Twin Cities S.T.E.M. (science, technology, engineering, and mathematics) professionals of all ethnicities navigating career opportunities and avoiding pitfalls in the 21<sup>st</sup> Century of U.S.-China relations.

It will be the topic of a program free to the public on Thursday, April 4 at 6 p.m. at the University of Minnesota's McNamara Alumni Center. The program co-sponsors are the United States District Court for the District of Minnesota's Outreach Committee, Federal Bar Association Minnesota Chapter's Diversity and Outreach Committees, University of Minnesota's China Center, and Kingsfield Law.

The goal of the program is educate all Twin Cities S.T.E.M. professionals, academics, and students—many of whom are Asian American—on two competing and ever-emerging phenomena in the U.S. justice system: potential threats on national security and economic espionage with the ascendancy of China on the one hand, and on the other, the potential racial profiling of Asians and Asian Pacific Americans resulting in accusations, such as those against Dr. Wen Ho Lee, Professor Xiaoxing Xi, and National Weather Service hydrologist Xiafen Sherry Chen.

The government perspective will be represented by Jay Bratt, the U.S. Department of Justice's Chief of the Counterintelligence and Export Control Section (CES) of the National Security Division, who will speak about U.S. efforts to safeguard national security and curb economic espionage. The two other featured speakers will be Brian A. Sun, a lawyer with Jones Day in Los Angeles, who represented Dr. Lee, and Peter R. Zeidenberg, a Washington D.C.-based attorney with Arent Fox, who represented Dr. Xi and Ms. Chen. The discussion will be moderated by U.S. Magistrate Judge Tony N. Leung

The general public is invited to attend a free reception at 6 p.m. with light refreshments. The main program will begin at 6:45 p.m. and a Q&A session will close out the program at 8 p.m. Anyone interested in attending is encouraged to RSVP through the China Center at: [www.bit.ly/2Njxess](http://www.bit.ly/2Njxess). The McNamara Alumni Center is located at 200 Oak St. SE, Minneapolis, MN 55455.



**Federal Bar Association**  
Minnesota Chapter

中國中心

CHINA CENTER  
UNIVERSITY OF MINNESOTA



# Pitfalls for All STEM Professionals in a New Era of US-China Relations

## National Security, Economic Espionage, Racial Bias?



The Hon. Tony N. Leung  
U.S. Magistrate Judge  
Minneapolis



Jay Bratt  
U.S. Department of Justice  
Washington, DC



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McNamara Alumni Center, University of Minnesota

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FREE AND OPEN TO THE PUBLIC**

**Minnesota CLE: 1.5 Elimination of Bias credits requested; Event Code: 270217**

**RSVP: <https://chinacenter.umn.edu/>**

SCHEDULE

**6:00-6:45**

RECEPTION

**6:45-8:00**

PANEL  
DISCUSSION

**8:00-8:30**

Q & A



# Federal Bar Association

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## Minnesota Chapter

To Members of the Minnesota Chapter of the Federal Bar Association:

The Diversity Committee of the Federal Bar Association's Minnesota Chapter is proud to co-sponsor a series of events this spring exploring the topic of "Justice After Genocide." The events are the work of the Minnesota-based NGO World Without Genocide, and will run in conjunction with Park Square Theater's presentation of *Heaven*, which uses drama, music, and dance to examine the Bosnian War of the 1990s. *Heaven*, which in 2011 was presented by the Guthrie Theater, will run at Park Square from May 31 to June 23, 2019. More information about *Heaven*, including a calendar of performances and ticket information, is available here:

<https://parksquaretheatre.org/box-office/shows/2018-19/heaven/>.

Among the events are the film *Men Don't Cry*, on the topic of war trauma in Bosnia, which will be presented on Thursday, April 4 (the anniversary of the beginning of the siege at Sarajevo); and a film and talk on Sunday, May 19 by Magistrate Judge Peggy Kuo, of the U.S. District Court for the Eastern District of New York. In 2004, before she was on the federal bench, Magistrate Judge Kuo was a prosecutor at the United Nations' International Criminal Tribunal for the Former Yugoslavia in the Hague, the Netherlands. While there, she and her colleagues made new law in prosecutions of perpetrators of sexual assault at the notorious Foca "rape camp." These successful prosecutions were the first in which sexual assault was held to be a crime against humanity and a war crime under international humanitarian law.

The full schedule of events is as follows:

<b>Date</b>	<b>Program</b>	<b>Venue</b>
Thursday, April 4 7:00-9:00 pm	Film, <i>Men Don't Cry</i> . War trauma in Bosnia	Park Square Theatre Andy Boss Thrust Stage
Tuesday, April 16 7:00-9:00 pm	Panel; A Survivor, a Prosecutor, and a Forensic Pathologist, with Srebrenica survivor and curator at the Srebrenica Memorial Hasan Hasanovic, Assistant U.S. Attorney John Docherty (formerly Office of the Prosecutor, International Criminal Tribunal for the Former Yugoslavia, the Hague), and Andrew Baker, M.D. Chief Medical Examiner, Hennepin County, forensic pathologist who worked in Yugoslavia	Mitchell Hamline
Thursday, April 25 7:00-9:00 pm	Talk, "Bosnia, Genocide, and Climate Change," by Professor Alex Alvarez, Northern Arizona University,	St. Anthony Park Public Library 2245 Como Avenue, St. Paul

author of *Unstable Ground: Climate Change, Conflict, and Genocide*.

Sunday, May 19  
1:30 - 3:30 pm

Film, *I Came to Testify*, and Talk, "Rape: A Crime of Genocide - The Foča Rape Camp Trials." by the Hon. Peggy Kuo, U.S. Magistrate Judge, E.D.N.Y., and former prosecutor, International Criminal Tribunal for the Former Yugoslavia, the Hague

Park Square Theatre  
Proscenium Stage

Tuesday, June 11  
7:00-9:00 pm

Film *The Whistleblower*, and Talk, "Sex Trafficking and Genocide" with FBI Special Agent Michael Melcher

Mitchell Hamline  
Kelley Board Room

Sunday, June 16  
2:00 pm

Matinee performance of *Heaven*, followed by post-play discussion, "Exhumations and Justice" by Andrew Baker, M.D., forensic pathologist; (post-play discussion for performance attendees only)

Park Square Theatre  
Proscenium Stage

*Genocide and Justice: From Nuremberg to the International Criminal Court*, an exhibit by World Without Genocide, will be on display at Park Square Theatre during this time.

All events are open to the public: \$10 general public, \$5 seniors and students. CLE available for most programs for \$25.

We hope you will be able to attend one or more of the events in this thought-provoking series.



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# Federal Bar Association

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## Minnesota Chapter

Dear Minnesota Chapter FBA Member,

The Diversity Committee of the Minnesota Chapter of the FBA; the Law Student Outreach Committee of the Minnesota Chapter of the FBA; the University of Minnesota's Student Chapter of the FBA; and Lawyers Concerned for Lawyers is pleased to continue its tradition of presenting important discussions affecting the legal profession and study.

Please join us on **April 16, 2019**, from **12:15-1:15 p.m.** at the University of Minnesota Law School for a lively discussion on: "The Unseen Barrier, Preparing for and Overcoming Stress: How to manage stress on the road to becoming a successful lawyer." The discussion will be of particular import and use to newer lawyers.

Mondale Hall, Room 25  
229 19th Ave S

Minneapolis, MN 55455

1.0 Minnesota CLE credit, ethics, has been approved by the Minnesota State Board of Continuing Legal Education (CLE # 270987). A Lunch will be served before the discussion begins.

Panelists include:

- Moderator: **Joan Bibelhausen**, Executive Director, Lawyers Concerned for Lawyers
- **Sheri Stewart**, Associate Attorney, Bassford Remele
- **Marin Tollefson Almeida**, Law Clerk, the Honorable John R. Tunheim, United States District Court
- **Chad Pennington**, Law Clerk, the Honorable David S. Doty, United States District Court

Please RSVP and direct any questions or requested accommodations to Chad Pennington at ([Chad\\_Pennington@mnd.uscourts.gov](mailto:Chad_Pennington@mnd.uscourts.gov)).

Sincerely,

**Chad Pennington, Member of the MN FBA Law School Outreach Committee**

**Danielle Mair, Frank Aba-Onu, and Vildan Teske, Co-Chairs of the MN FBA Diversity Committee**

**Fran Kern and Sahr Brima, Co-Chairs of the MN FBA Law School Outreach Committee**

- **FBA membership is not required to attend.**



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# Federal Bar Association

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## Minnesota Chapter

Dear Minnesota Chapter FBA Member,

Robins Kaplan LLP and the Minnesota Chapter of the Federal Bar Association Diversity Committee invite you to join us for a panel discussion and lunch to learn more about **employment barriers and opportunities for individuals with disabilities**.

Thursday, April 30, 2019

Lunch 12 p.m. | Program 12:30 p.m. - 1:30 p.m.

Robins Kaplan LLP  
800 LaSalle Avenue  
Suite 2800  
Minneapolis, MN 55402

Panelists include:

- Moderator: **Chelsea Walcker**, Attorney, Robins Kaplan LLP
- The Honorable **Donovan W. Frank**, U.S. District Judge for the District of Minnesota

- **Colleen Wieck**, Ph.D., Executive Director, Minnesota Governor's Council on Developmental Disabilities
- **Matthias Niska**, Labor and Employment Attorney
- **Reid Scheller**, Self-Advocate and Employment Service Provider, Dakota County Western Service Center
- **LuAnn Hudson**, Administrative Assistant, University of St. Thomas School of Law
- **Susan Lang**, Office Assistant, University of St. Thomas School of Law

1.0 Elimination of Bias Credit Applied for in Minnesota CLE credit pending approval by the Minnesota State Board of Continuing Legal Education. CLE credit will be applied for in other states based on attendance.

Please use this link to register by April 16, 2019:

**[Click Here To Register](#)**

***More details:***

***If you need reasonable accommodations to participate in this event, please notify Yasin Williams at [YWilliams@RobinsKaplan.com](mailto:YWilliams@RobinsKaplan.com) or 212.980.7476. Please provide notification at least 72 hours prior to the meeting to allow sufficient time to make arrangements for accommodations at this meeting.***

***FBA Membership is not required.***

**Sincerely,**

**Irina Vaynerman, Member of the MN FBA Diversity Committee**

**Danielle Mair, Frank Aba-Onu, and Vildan Teske, Co-Chairs of the MN FBA Diversity Committee**



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PLEASE JOIN US FOR THE NINTH ANNUAL  
DISABILITY JUSTICE SEMINAR

**EMPLOYMENT BARRIERS AND OPPORTUNITIES  
FOR INDIVIDUALS WITH DISABILITIES**

APRIL 30, 2019 | 12:00 P.M. – 1:30 P.M.

ROBINS  KAPLAN LLP

**PLEASE JOIN US FOR THE NINTH ANNUAL DISABILITY JUSTICE SEMINAR:  
EMPLOYMENT BARRIERS AND OPPORTUNITIES FOR INDIVIDUALS WITH  
DISABILITIES**

Robins Kaplan LLP and the Minnesota Chapter of the Federal Bar Association Diversity Committee invite you to join us for a panel discussion and lunch to learn more about employment barriers and opportunities for individuals with disabilities.

**Tuesday, April 30, 2019**

Lunch 12:00 p.m. | Program 12:30 p.m. – 1:30 p.m.

Robins Kaplan LLP  
800 LaSalle Ave  
Suite 2800  
Minneapolis, MN 55402

Panelists include:

- Moderator: Chelsea Walcker, Attorney, Robins Kaplan LLP
- The Honorable Donovan W. Frank, U.S. District Judge for the District of Minnesota
- Colleen Wieck, Ph.D., Executive Director, Minnesota Governor's Council on Developmental Disabilities
- Matthias Niska, Labor and Employment Attorney
- Reid Scheller, Self-Advocate and Employment Service Provider, Dakota County Western Service Center
- LuAnn Hudson, Administrative Assistant, University of St. Thomas School of Law
- Susan Lang, Office Assistant, University of St. Thomas School of Law

Robins Kaplan will seek approval with the Minnesota State Board of Continuing Legal Education for 1.0 Elimination of Bias Credit and other attending attorneys' states of licensure.

## Minnesota Chapter Hosts Second Annual Court Camp For High School Students

By Reggie Aligada



Hayat Abdullahi questions Chad Pennington

Twelve enthusiastic students from several Twin Cities high schools participated in the second year of Court Camp, a program developed in a partnership between the Community Outreach and Diversity Committees of the Minnesota Chapter and the United States District Court for the District of Minnesota. This education initiative—the vision of United States District Judge Susan Richard Nelson—was held at the Minneapolis Federal Courthouse during the week of June 24–28, 2019.

In addition to Chapter members, several volunteers from court agencies, law enforcement organizations, and law firms participated in the program. During the five-day camp, students participated in a mock trial, learned about the judiciary, and heard presentations by several judges and attorneys practicing in federal court. Students attending the program came from several high schools, mostly within the Minneapolis Public Schools system.

Hayat Abdullahi, a court camp participant and aspiring lawyer, reflected on her experience at Court Camp. “Before going to court camp, I thought I had done all that I could to prepare for becoming a lawyer when I’m older.... But going to court camp, seeing a real trial, and meeting all those different types of lawyers and judges put it into perspective for me that nothing could have prepared me more than actually getting a hands on experience.”

With an expanded group of Chapter volunteers and several subcommittees, the program helped students better understand the justice system and prepare for a career in law. Several students received high school credit for their participation in the camp and plan to attend law school in the future.

Each student was paired with an attorney mentor who met with the student during the week of Court Camp. Students toured the courthouse, attended a naturalization ceremony, and attended a session of Reentry Court, a program that provides intensive supervision and programming to individuals on federal supervised release who recently completed a prison sentence. The week of intense experiential learning also included observing two criminal sentencing hearings and watching the closing argument of a criminal trial. The week’s programming culminated with a mock criminal trial presided over by Judge Nelson, in which the students acted as prosecuting and defense attorneys. Meals were provided for the students by Bassford Remele, Maslon LLP, Greene Espel PLLP, Halunen Law, Jones Day, Carlson Caspers, Apollo Law LLC, Fredrikson & Byron P.A., Best & Flanagan LLP, and Gustafson Gluek PLLC.



Osvin Navas presents his case to the Court

The Chapter plans to continue the Court Camp program in 2020. ■

*Reggie Aligada is the First Assistant Federal Defender in the Office of the Federal Defender for the District of Minnesota and immediate past co-chair of the Community Outreach Committee for the Minnesota Chapter.*